REGULAR MEETING OF THE UPLAND PLANNING COMMISSION AGENDA

September 23, 2020 at 6:30 PM
Council Chambers

ROBIN ASPINALL, CHAIR
GARY SCHWARY, VICE CHAIR
CAROLYN ANDERSON, COMMISSIONER
CHRISTINE S. CALDWELL, COMMISSIONER
THOMAS GRAHN, COMMISSIONER
SERGE MAYER, COMMISSIONER
PATRICK Y. SHIM, COMMISSIONER

ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR
ISRA SHAH, DEPUTY CITY ATTORNEY

DISRUPTION OF MEETINGS

Individuals who demonstrate disruptive conduct during Planning Commission Meetings that prevent the Planning Commission from conducting its meeting in an orderly manner are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

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1. CALL TO ORDER OF THE PLANNING COMMISSION REGULAR MEETING

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Chair Aspinall	_____
Vice Chair Schwary	_____
Commissioner Anderson	_____
Commissioner Caldwell	_____
Commissioner Grahn	_____
Commissioner Mayer	_____
Commissioner Shim	_____

4. APPROVAL OF MINUTES

Approve the Special Meeting Minutes of August 12, 2020. (Staff Person: Jamie Davidson)

5. COUNCIL ACTIONS

Presentation of City Council actions from the Regular Meeting of September 14, 2020. (Staff Person: Robert D. Dalquest)

6. FUTURE AGENDA ITEMS

Presentation of future Planning Commission Agenda Items. (Staff Person: Mike Poland)

7. ORAL COMMUNICATIONS

This is the time for any citizen to comment on any items that are not listed on the agenda under "Public Hearings" but within the Planning Commission's purview. Anyone wishing to address the Planning Commission should submit a speaker card to the Planning Secretary prior to speaking. The speakers are requested to keep their comments to five (5) minutes. The use of visual aids will be included in the time limit. Under the provisions of the Brown Act, the Planning Commission is prohibited from taking action on items not listed on the agenda.

8. PUBLIC HEARINGS

At a meeting when multiple public hearings are scheduled, the Chairperson, with the concurrence of the Commission, may re-order the items within this portion of the agenda in order to benefit the public or to provide efficient hearing of the scheduled items.

A. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 19-07. (Continued from August 12, 2020)

Project Description: Request to allow a daycare/pre-school facility within a 5,040 square foot tenant space in an existing shopping center. The property is located within the Commercial/Office Mixed-Use (C/O-MU) General Plan Designation and the Commercial/Office Mixed-Use (C/O-MU) Zoning District.

Note: This Public Hearing item was continued by the Planning Commission from their Special Meeting on August 12, 2020 to their Regular Meeting on October 28, 2020 to allow the Applicant additional time to address the Planning Commission's concerns related to the site plan. Recently the Applicant has requested that the Public Hearing be moved to September 23, 2020. Therefore, Staff has re-noticed the Public Hearing in accordance with Upland Municipal Code Section 17.46.

Project Location: Property is located at 710 E. Foothill Boulevard, further described as Assessor's Parcel Number 1046-101-08.

Staff:	Joshua Winter, Associate Planner
Applicant:	Wei Zhao 4996 Aldine Street Montclair, CA 91763

Recommendation:	That the Planning Commission: 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; and 4. Find that this project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15301, Existing Facilities, Class 1 (a), of the California Environmental Quality Act Guidelines, since the proposed project consists of a negligible change in use within an existing structure; and 5. Move to adopt a Resolution for approval of Conditional Use Permit No. 19-07, based upon the findings and subject to conditions of approval as set forth in the Resolution dated September 23, 2020.
Council Hearing Required:	The Planning Commission's decision is final unless the request is appealed to the City Council. UMC Section 17.47.040.
Appeal Period:	September 24, 2020 – October 5, 2020.

B. PUBLIC HEARING TO CONSIDER ZONING CODE AMENDMENT NO. 20-0001. (Continued from August 12, 2020)

Project Description: Consideration of an Ordinance revising Chapter 17.37 concerning Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) in order to conform to the changes to Government Code Sections 65852.2 and 65852.22 that went into effect on January 1, 2020.

Project Location: Citywide.

Staff:	Robert D. Dalquest, Development Services Director
Applicant:	City of Upland
Recommendation:	That the Planning Commission: 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; 4. Find this project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15282(h) of the CEQA Guidelines, which states that the adoption of an ordinance regarding second units to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code are exempt from the requirements of CEQA; and 5. Move to adopt a Resolution recommending that the City Council approve an Ordinance revising the City's regulations pertaining to Accessory Dwelling Units (ADU)

	and Junior Accessory Dwelling Units (JADU) to conform to the revisions of Government Code Sections 65852.2 and 65852.22 that went into effect on January 1, 2020.
Council Hearing Required:	This item will be forwarded to City Council for final action.
Appeal Period:	NA.

C. PUBLIC HEARING FOR LOCAL REGISTER NO. LR-20-0001.

Project Description: Request to designate 843 N. 2nd Avenue to the local register of historic places. The property is located within the Residential Single-Family Medium (RS-7.5) General Plan Designation and the Residential Single-Family Medium (RS-7.5) Zoning District.

Project Location: Property is located at 843 N. 2nd Avenue, further described as Assessor's Parcel Number 1046-061-16.

Staff:	Jacqueline Hong, Assistant Planner
Applicant:	Jeffrey and Kellene Johnson 843 N. 2nd Avenue Upland, CA 91784
Recommendation:	That the Planning Commission: 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; and 4. Find that the project is Categorically Exempt from further environmental proceedings pursuant to Article 5, Section 15061(b)(3). The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and 5. Move to adopt a Resolution approving Local Register No. 20-0001, based upon the findings and subject to conditions of approval as set forth in the Resolution dated September 23, 2020.
Council Hearing Required:	The Planning Commission's decision is final unless the request is appealed to the City Council. UMC Section 17.47.040.
Appeal Period:	September 24, 2020 – October 5, 2020.

D. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 19-10, SITE PLAN NO. 19-07, DESIGN REVIEW NO. 19-13, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. 0084.

Project Description: Request to allow a gas station, automated drive-thru car wash, a 4,565 square foot convenience store, and a 1,515 square foot quick service restaurant. The property is located within the Highway Commercial (CH) Designation of The Colonies at San Antonio Specific Plan.

Project Location: Property is located on the south side of East 20th Street, approximately 330 feet east of Campus Avenue, further described as Assessor's Parcel Number 1044-111-49.

Staff:	Mike Poland, Contract Planning Manager
Applicant:	Ash Etemadian 1138 E. 20th Street Upland, CA 91784
Recommendation:	That the Planning Commission: 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; and 4. Find that pursuant to the provisions of the California Environmental Quality Act (CEQA) a Final Environmental Impact Report was previously certified by the City of Upland in connection with the approval of The Colonies at San Antonio Specific Plan and that the City has determined that the Project does not trigger any of the conditions described in Sections 15162 of CEQA Guidelines which would require the preparation of a subsequent or supplemental environmental document; and 5. Move to adopt a Resolution for approval of Conditional Use Permit No. 19-10, Site Plan No. 19-07, and Design Review No. 19-13, based upon the findings and subject to conditions of approval as set forth in the Resolution dated September 23, 2020.
Council Hearing Required:	The Planning Commission's decision is final unless the request is appealed to the City Council. UMC Section 17.47.040.
Appeal Period:	September 24, 2020 – October 5, 2020.

E. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 19-11, SITE PLAN NO. 19-08, DESIGN REVIEW NO. 19-14, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. 0085.

Project Description: Request to allow an 8,825 square foot mixed-use (retail/food) building with a single drive-thru. The property is located within the Highway Commercial (CH) Designation of The Colonies at San Antonio Specific Plan.

Project Location: Property is located on the south side of East 20th Street, approximately 550 feet east of Campus Avenue, further described as Assessor's Parcel Number 1044-111-50.

Staff:	Mike Poland, Contract Planning Manager
Applicant:	Ash Etemadian 1138 E. 20th Street Upland, CA 91784

Recommendation:	That the Planning Commission: 1. Receive staff's presentation; and 2. Open public hearing and receive testimony from the public; and 3. Close public hearing and have Commission discussion; and 4. Find that pursuant to the provisions of the California Environmental Quality Act (CEQA) a Final Environmental Impact Report was previously certified by the City of Upland in connection with the approval of The Colonies at San Antonio Specific Plan and that the City has determined that the Project does not trigger any of the conditions described in Sections 15162 of CEQA Guidelines which would require the preparation of a subsequent or supplemental environmental document; and 5. Move to adopt a Resolution for approval of Conditional Use Permit No. 19-11, Site Plan No. 19-08, and Design Review No. 19-14, based upon the findings and subject to conditions of approval as set forth in the Resolution dated September 23, 2020.
Council Hearing Required:	The Planning Commission's decision is final unless the request is appealed to the City Council. UMC Section 17.47.040.
Appeal Period:	September 24, 2020 – October 5, 2020.

9. BUSINESS ITEMS

None

10. COMMISSION ANNOUNCEMENTS

12. ADJOURNMENT

Adjourn to the next regular scheduled Planning Commission meeting on October 28, 2020.

NOTICE TO PUBLIC: All maps, environmental information, and other pertinent data is on file in the City of Upland Development Services Department and will be available for public inspection by appointment prior to the meeting at 460 North Euclid Avenue during normal business hours. To schedule an appointment, please call 931-4305.

If you wish to appeal a decision of the Planning Commission, you must do so within ten (10) calendar days following the meeting. Please contact the Planning Division for information regarding the appeal procedure.

If you challenge the public hearing(s) or the related environmental determinations, in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at or prior to, the public hearing.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at 931-4305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

POSTING STATEMENT: I, Jamie Davidson, Senior Administrative Assistant for the City of Upland, hereby certify that a true accurate copy of the foregoing agenda was posted on September 18, 2020, at least 72 hours prior to the meeting on the bulletin boards at 460 N. Euclid Avenue (Upland City Hall), 450 N. Euclid Avenue (Upland Public Library), and the City's website at www.uplandca.gov per Government Code Section 54954.2.

GUIDELINES FOR PUBLIC PARTICIPATION IN CITY COUNCIL AND PLANNING COMMISSION MEETINGS DURING THE COVID-19 EMERGENCY
(UPDATED JUNE 17, 2020)

PURSUANT TO THE LOCAL EMERGENCY CONCERNING THE COVID-19 VIRUS DECLARED BY THE CITY COUNCIL OF THE CITY OF UPLAND ON MARCH 13, 2020, GUIDANCE ISSUED BY THE SAN BERNARDINO COUNTY DEPARTMENT OF HEALTH TO AVOID GATHERINGS OF MORE THAN 50 PERSONS, AND EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM ON MARCH 18, 2020, THE FOLLOWING GUIDELINES WILL APPLY TO PUBLIC PARTICIPATION AT ALL CITY COUNCIL AND PLANNING COMMISSION MEETINGS FOR THE DURATION OF THE EMERGENCY.

These guidelines may be updated as needed up to and during a meeting to implement guidance and direction from the San Bernardino County Department of Health and other government authorities.

Public attendance at City Council and Planning Commission meetings will be limited to establish appropriate "social distancing". A live audio broadcast of the meeting will be provided in the City Hall Courtyard to accommodate attendance. To ensure public participation, public comments will be accepted through remote and in person participation subject to the accommodations and limitations below. The public may view the City Council meeting and Planning Commission live on the City's website at www.uplandca.gov or on Spectrum Cable TV channel 3, and Frontier Cable TV channel 26.

Remote Public Comment: Remote public participation is strongly encouraged at this time. Remote public comment during City Council and Planning Commission meetings will be received by telephone and will only be allowed if arrangements are made in advance as follows: **At least two (2) hours before the scheduled start of the meeting** you must send an email to uplandcityclerk@ci.upland.ca.us with the subject line "PUBLIC COMMENT" and the meeting date, include the following information: (1) your name; (2) the telephone number where you can be reached during the meeting; and (3) the agenda item(s) or subject matters you wish to comment on. (Please refer to the agenda, which is at least 72 hours before any regular meeting and at least 24 hours before any special meeting.) You may also provide this information by calling the City Clerk's office at 909-931-4120, subject to staff availability to take your call. **If you have not received confirmation that the City Clerk's office has received your request please call our office at 909-931-4120 at least one (1) hour before the scheduled start of the meeting.**

During the meeting, a City staff member will call you at the number provided as your turn to speak approaches. Staff will make only two attempts to reach a caller and cannot be responsible for a poor connection or weak cell signal. When your call is connected to the meeting, please remember to turn down the volume on any device you are using to view the meeting, and state your name for the record before proceeding with comments. Time limits will be enforced equally as to both remote and in person speakers.

In Person Attendance & Public Comments: Remote participation is strongly encouraged at this time, but meetings will be open to the public subject to social distancing measures. A six-foot separation will be required between all members of the public and no members of the public will be permitted to stand in the aisles, entryways, or other public spaces inside of City Hall. A live audio broadcast of the meeting will be provided in the City Hall Courtyard to accommodate attendance. Persons in the area will also be allowed to speak during the meeting.

All persons wishing to speak must submit a speaker card before the start of the meeting. Speakers will be called in groups of three. Speakers are asked to exit the Council Chamber at the conclusion of their comments.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, 931-4120. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

Any questions about these guidelines should be directed to the City Clerk's office at 909-931-4120 or uplandcityclerk@ci.upland.ca.us.

MINUTES OF A SPECIAL MEETING OF THE UPLAND PLANNING COMMISSION HELD WEDNESDAY, AUGUST 12, 2020 AT 6:30 P.M.

CALL TO ORDER OF THE PLANNING COMMISSION SPECIAL MEETING

Chair Aspinall called the Special Meeting of the Upland Planning Commission to order in the Council Chambers of the Upland City Hall at 6:30 P.M.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by *Commissioner Grahn*.

ROLL CALL

MEMBERS PRESENT:	Chair Aspinall, Vice Chair Schwary, Commissioners Anderson, Caldwell, Grahn, Mayer, and Shim.
MEMBERS ABSENT:	None
ALSO PRESENT:	Development Services Director and Planning Commission Secretary Dalquest, Contract Planning Manager Poland, Associate Planner Winter, Deputy City Attorney Shah, Senior Administrative Assistant Davidson.

Chair Aspinall welcomed *Commissioner Caldwell* to the Planning Commission.

APPROVAL OF MINUTES

Commissioner Grahn requested the minutes for July 8, 2020 be corrected to reflect he was not on the Planning Commission when the May 27, 2020 minutes were approved.

Moved by *Vice Chair Schwary*, to approve of the minutes of the Planning Commission Special meeting of July 8, 2020, as amended.

The motion was seconded by *Commissioner Mayer.*

The motion carried by the following vote (4-0-3):

AYES: *Chair Aspinall, Vice Chair Schwary, Commissioners Grahn and Mayer.*

NAYS: *None* ABSTAINED: *Commissioners Anderson, Caldwell, and Shim.*

ABSENT: *None*

Moved by *Commissioner Anderson*, to approve of the minutes of the Planning Commission Regular meeting of July 22, 2020.

The motion was seconded by *Vice Chair Schwary.*

The motion carried by the following vote (6-0-1):

AYES: *Chair Aspinall, Vice Chair Schwary, Commissioners Anderson, Grahn, Mayer, and Shim.*

NAYS: *None* ABSTAINED: *Commissioner Caldwell.*

ABSENT: *None*

COUNCIL ACTIONS

Development Services Director Dalquest provided a brief follow up on the July 13th, July 27th and August 10th City Council Meetings, reported Kosmont Companies provided a presentation of the results of a Hotel Market Demand Study to Council, Council discussion of policy regarding modifications to the development standards to allow for non-historic art murals within the Downtown Specific Plan, and Council ratified an Executive Order from the Director of Emergency Services to allow retailers to display items outdoors during the COVID-19 pandemic.

Development Services Director Dalquest reported there were three (3) Public Hearings at the August 10th City Council meeting noting the first was to adopt a threshold of significance for "vehicle miles traveled" as well as guidelines, the second was to adopt comprehensive wireless regulations, and the third was to adopt a Short-Term Rental (STR) Ordinance of which all were approved. Additionally, he reported Council approved the sale of City-owned property on Euclid and Laurel off the 210 Freeway, which was originally purchased for a water facility but later deemed unnecessary. Additionally, he indicated the City entered Escrow with Crestwood Communities who is proposing to build four (4) semi-custom for-sale homes on the site.

FUTURE AGENDA ITEMS

Contract Planning Manager Poland reported the Commission will hear four (4) Public Hearing items at the September 23rd meeting which include Council consideration of an Ordinance revising the City's regulations on Accessory Dwelling Units (ADU), Zoning Code amendments to consider allowing and providing regulation for digital electronic programmable displays within the Public Institutional Zoning District, and two (2) adjacent development projects for a Shell gas station and a mixed-use building with five (5) suites.

PRESENTATION TO OUTGOING COMMISSIONERS

Chair Aspinall presented *Alexander Novikov* with a plaque in appreciation of his dedicated service and diligence to the community as an Upland Planning Commissioner and Airport Land Use Committee Member from April 2019 through July 2020.

Vice Chair Schwary and *Commissioner Anderson* thanked *Mr. Novikov* for his service.

Former Commissioner Novikov thanked staff and the Planning Commission for allowing him to serve the City of Upland and thanked his family for their support.

Chair Aspinall presented *Yvette Walker* with a plaque in appreciation of her dedicated service and diligence to the community as an Upland Planning Commissioner and Airport Land Use Committee Member from July 2016 through June 2020.

Vice Chair Schwary and *Commissioner Anderson* thanked *Mrs. Walker* for her service.

Former Commissioner Walker thanked her family, staff, and the Planning Commission for allowing her to serve the City of Upland.

ORAL COMMUNICATIONS

Chair Aspinall stated this is the time for any citizen to comment on any items that are not listed on the agenda under "Public Hearings" but within the Planning Commission's purview. Anyone wishing to address the Planning Commission should submit a speaker card to the Planning Secretary prior to speaking. The speakers are requested to keep their comments to five (5) minutes. The use of visual aids will be included in the time limit. Under the provisions of the Brown Act, the Planning Commission is prohibited from acting on items not listed on the agenda.

Chair Aspinall announced she was moving the Study Session after Business Items and the Planning Commission would pause halfway through the Study Session to determine whether they could finish or continue the second half to the next meeting.

Jeff Walker addressed the Planning Commission and provided a brief history of his wife, Yvette Walker's accomplishments while she was a Planning Commissioner and Airport Land Use Committee Member for the City

and thanked her for her service.

Chair Aspinall closed oral communications.

PUBLIC HEARINGS

1. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 19-07.

Project Description: Request for a conditional use permit to allow a daycare/pre-school facility for up to 94 children within a 5,040 square foot tenant space in an existing shopping center.

Project Location: Property is located at 710 E. Foothill Boulevard, further described as Assessor's Parcel Number 1046-101-08, and zoned Commercial/Office Mixed-Use (C/O-MU).

STAFF:	Joshua Winter, Associate Planner
APPLICANT:	Wei Zhao 4996 Aldine Street Montclair, CA 91763
RECOMMENDATION:	That the Planning Commission: 1. Receive staff's presentation; and 2. Hold a public hearing and receive testimony from the public; and 3. Find that this project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15301, Existing Facilities, Class 1 (a), of the California Environmental Quality Act Guidelines, since the proposed project consists of a negligible change in use within an existing structure; and 4. Move to adopt a Resolution for approval of Conditional Use Permit No. 19-07, based upon the findings and subject to conditions of approval as set forth in the Resolution.
COUNCIL HEARING REQUIRED:	No
APPEAL PERIOD:	August 13, 2020 - August 24, 2020.

Associate Planner Winter provided a presentation on the details of the report, including request, proposal, and application; location; building history; project layout and tenant improvements; site plan; architecture style and elements; floor plan options; landscaping and open space areas; traffic analysis and level of service; State of California Title 22 and Health and Safety Code 3.5 regulations and requirements; CEQA exemptions; and staff recommendations.

Vice Chair Schwary inquired about left-turns being prohibited heading eastbound out of the project site onto Campus Avenue.

In response to *Vice Chair Schwary's* inquiry, *Associate Planner Winter* reported left-turns will be prohibited during peak hours. *Vice Chair Schwary* expressed concern regarding the amount of existing traffic in the area. *Associate Planner Winter* advised the Traffic Study considered the left-turn.

Vice Chair Schwary expressed concerns with traffic and children and inquired about the Police Department's conditions of approval.

In response to *Vice Chair Schwary's* inquiry, *Associate Planner Winter* reported the Police Department's conditions of approval included outdoor cameras and no loitering signs.

Commissioner Shim inquired about the daycare's licensing.
In response to *Commissioner Shim's* inquiry, *Associate Planner Winter* reported they have not received their license

through the California Department of Social Services (CDSS) and provided a brief overview of the CDSS licensing process.

Commissioner Anderson inquired about Condition of Approval 20.9.

In response to *Commissioner Anderson's* inquiry, *Associate Planner Winter* confirmed authorized individuals can pick up the children from daycare if approved by the parent or legal guardian.

Commissioner Mayer inquired about property ownership.

In response to *Commissioner Mayer's* inquiry, *Associate Planner Winter* confirmed the entire property is owned by the same property owner except for the 7-11 and it is the tenant's decision to invoke the limitation of the left-turn lane.

Chair Aspinall inquired about signs and citations associated with left-turn restrictions.

In response to *Chair Aspinall's* inquiry, *Associate Planner Winter* indicated he will follow up with the Police Department whether a fine can be imposed.

Chair Aspinall noted traditionally parking lots around daycare areas are dangerous for small children and inquired whether the parking lot will be fenced and whether the Police Department had concerns or recommendations.

In response to *Chair Aspinall's* inquiry, *Associate Planner Winter* advised the parking lot will not be fenced, however the play area will be. He noted the Police Department did not express concerns regarding the safety of the parking lot, and further clarified children will be escorted to and from the facility by a parent/guardian.

Vice Chair Schwary echoed *Chair Aspinall's* concern regarding parking lot safety for the children and feels the signs will not help with the amount of traffic. He also indicated he was surprised at the leniency of the Traffic Study for this business.

Associate Planner Winter explained the Traffic Study does not look at the safety of the area but rather the amount of traffic the project may generate. He recommended traffic calming measures could be employed in the parking lot as a condition of approval, such as speed bumps or cross walks.

Commissioner Grahn inquired about the 268 parking spaces and the removal of nine (9) spaces.

In response to *Commissioner Grahn's* inquiry, *Associate Planner Winter* confirmed the spaces on the Foothill right-of-way are included and the property owner has an Encroachment Agreement with the City.

Chair Aspinall opened the public hearing.

Zoe Chen, spoke on behalf of the applicant, *Wei Zhao*. She commented Upland is in need of quality preschool and this project will serve 94 students and provide 15 to 20 job opportunities for early educators in the area. She confirmed parents and or legal guardians could authorize representatives to pick up the children such as grandparents and acknowledged identification will be checked regularly for safety. She provided a brief background on the Title 22 licensing requirements which is very stringent.

Chair Aspinall commented the project location is good except for the parking. *Zoe Chen* confirmed there will be staff, parent and student training regarding parking lot procedures and safety.

Vice Chair Schwary inquired if other locations were considered.

In response to *Vice Chair Schwary's* inquiry, *Zoe Chen* confirmed they investigated approximately 30 buildings.

Vice Chair Schwary expressed concern regarding safety in the parking lot. To which *Zoe Chen* expressed her openness to discuss a fenced-in parking lot with the property owner.

Chair Aspinall suggested staggered drop-off and pick-up times for the students to promote safety and encouraged the

applicant to explore the options.

Commissioner Mayer inquired about the parking for staff and designated drop off areas.

In response to *Commissioner Mayer's* inquiry, *Associate Planner Winter* advised the parking lot for the daycare center is based on gross square footage as required by the Municipal Code.

Chair Aspinall and *Commissioner Mayer* suggested alternative parking for staff in another area to promote safety.

Zoe Chen noted the property owner also recommended the same parking scenario for staff.

Commissioner Anderson inquired about drop-off procedures.

In response to *Commissioner Anderson's* inquiry, *Zoe Chen* confirmed all parents and/or legal guardians will be required to walk the students into the building.

Commissioner Anderson suggested some walking path stripping that may help show parents and students how to navigate the parking lot and would like to see a proposal before the project is approved.

Chair Aspinall inquired about the age range of the students.

In response to *Chair Aspinall's* inquiry, *Zoe Chen* confirmed the age for the daycare center is two (2) to six (6) years old which provides flexibility for students who are not developmentally ready for kindergarten.

Chair Aspinall suggested the applicant clear up inconsistencies within the handbook and inquired about catering.

In response to *Chair Aspinall's* inquiry, *Zoe Chen* confirmed there will not be a kitchen in the facility but the parents will have the option to order food from their vendor or to pack a lunch for their child. She also mentioned that each classroom will have a microwave and a sink.

Commissioner Mayer inquired about the six-foot-high wrought iron fence that encloses the play area, and indicated the site plan is not clear as to whether parents need to enter the play area for drop off.

In response to *Commissioner Mayer's* inquiry, *Associate Planner Winter* explained there is a condition of approval for the project to adjust the fence because it is located in the primary ingress and egress of the building.

Chair Aspinall inquired whether the fence change impacted the number of students who could be on the playground at a time. *Associate Planner Winter* explained it may impact the playground, but the applicant has the option to extend the playground to the south.

Vice Chair Schwary expressed concern regarding the current parking lot configuration and encouraged the applicant to create a new layout based on the input received from the Planning Commission so it is safer for the students. He suggested ingress and egress be located on the east side and the playground be located towards the north or possibly reconfigured.

Commissioner Grahn agreed with *Vice Chair Schwary's* recommendation and also expressed concern regarding traffic flow north of the building.

Commissioner Mayer would like to see a redesign that clearly shows the traffic circulation and pedestrian routes of travel once they park.

Deputy City Attorney Shah explained the process for continuing the item for *Vice Chair Schwary*.

Seeing no further members of the public wishing to address the Commission, *Chair Aspinall* closed the public hearing.

Vice Chair Schwary recommended the item be continued so the applicant can come back with a redesigned site plan to address parking and traffic flow.

Zoe Chen noted the applicant felt comfortable coming back to the Planning Commission in October with a redesigned site plan.

Vice Chair Schwary moved to continue the public hearing for Conditional Use Permit No. 19-07 to the regularly scheduled Planning Commission meeting on October 28th.

The motion was seconded by *Commissioner Anderson.*

The motion carried by the following vote: (7-0):

AYES: *Chair Aspinall, Vice Chair Schwary, Commissioners Anderson, Caldwell, Grahn, Mayer, and Shim.*

NAYS: *None* ABSTAINED: *None*

ABSENT: *None*

2. PUBLIC HEARING TO CONSIDER ZONE CODE AMENDMENT NO. 20-0001.
(Requested to be continued to September 23, 2020)

Project Description: Consideration of an Ordinance revising the City's regulations pertaining to Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) to conform to the revisions to Government Code Sections 65852.2 and 65852.22 that went into effect on January 1, 2020.

Project Location: Citywide.

STAFF:	Robert D. Dalquest, Development Services Director
APPLICANT:	City of Upland 460 N. Euclid Avenue Upland, CA 91786
RECOMMENDATION:	That the Planning Commission: 1. Move to continue the public hearing for Zone Amendment No. 20-0001 (Accessory Dwelling Units) to the next regularly scheduled Planning Commission meeting on September 23, 2020.
COUNCIL HEARING REQUIRED:	Yes
APPEAL PERIOD:	NA

Development Services Director Dalquest requested the public hearing on Zone Code Amendment No. 20-0001 be continued to the September 23rd Planning Commission meeting since Assembly Bill 68, Assembly Bill 881, and Senate Bill 13 has become State law. He noted staff will need additional time to work with the Deputy City Attorney to make revisions to the ordinance and bring it back to the Planning Commission.

Vice Chair Schwary moved to continue public hearing on Zone Code Amendment No. 20-0001 to the regularly scheduled meeting of September 23, 2020.

The motion was seconded by *Commissioner Grahn.*

The motion carried by the following vote: (7-0):

AYES: *Chair Aspinall, Vice Chair Schwary, Commissioners Anderson, Caldwell, Grahn, Mayer, and Shim.*

NAYS: *None* ABSTAINED: None

ABSENT: *None*

BUSINESS ITEMS

1. Resolution amending the Rules and Procedures of the Upland Planning Commission.

Senior Administrative Assistant Davidson provided a brief history of the annual review and reported the Planning Commission adopted Resolution No. 4904 in August 2019 which amended the rules and procedures. She noted provisions included updating the resolution numbers per City Council Resolution No. 6504, clarified the election process and terms for the Chair and Vice Chair, added Commission Communications to the agenda and, added a certification language consistent with the Planning Commissions resolutions.

Senior Administrative Assistant Davidson reported staff is proposing a minor change to Section F.1, identified as General Rules for Public Hearing, which clarifies speakers are requested, but not required, to provide their name and address for the record. She also noted it is always the City's preference to collect this information so the City can respond to concerns however it is not required. This will provide speakers an option to address the Planning Commission anonymously within their First Amendment rights. She noted staff recommends approval of the draft resolution dated August 12, 2020 amending the Rules and Procedures of the Planning Commission.

Vice Chair Schwary inquired regarding the legality of not providing a name before addressing the Planning Commission.

In response to *Vice Chair Schwary's* inquiry, *Senior Administrative Assistant Davidson* reported it is requested but not required. *Deputy City Attorney Shah* explained that legally speakers are not required to submit a name or an address when providing public comment although most speakers feel comfortable with providing the information to obtain a response regarding their concerns.

Commissioner Mayer requested a reading of the verbiage of the change. *Senior Administrative Assistant Davidson* commented Section F.1 currently reads "persons presenting testimony to the Commission are requested to give their name and address for the record and to present the Commission Secretary with a speaker card stating their name and address. In the event the speaker does not complete a card before presenting testimony, the speaker may fill out this card subsequent to giving the testimony". She explained the only addition is "persons presenting testimony to the Commission are requested *but not required* to give their name and address for the record and to present the Commission Secretary with a speaker card stating their name and address".

Vice Chair Schwary moved to adopt and approve the Resolution amending the Rules and Procedures of the Upland Planning Commission.

The motion was seconded by *Commissioner Anderson.*

The motion carried by the following vote: (7-0):

AYES: *Chair Aspinall, Vice Chair Schwary, Commissioners Anderson, Caldwell, Grahn, Mayer, and Shim.*

NAYS: *None* ABSTAINED: None

ABSENT: *None*

2. Holiday Schedule.

Senior Administrative Assistant Davidson explained the change is required as a result of City Council Resolution No. 6504 which regularly schedules the Planning Commission meetings on the fourth Wednesday of every month. She presented the Holiday Meeting Schedule for 2020 which includes alternative dates for the Thanksgiving and Christmas holidays. She noted the regularly scheduled meetings are scheduled this year on November 25th and December 23rd and staff is recommending they be rescheduled to November 18th and December 9th.

Commissioner Anderson inquired why the dates are not permanently changed for the November and December meetings.

In response to *Commissioner Anderson's* inquiry, *Senior Administrative Assistant Davidson* explained the parameters would need to be changed by the City Council in order to have the November and December dates changed permanently. She also mentioned there being talk in the past regarding scheduling this as a business item annually in January as opposed to August.

Vice Chair Schwary moved to adopt the changes for the regularly scheduled meeting in November and December and set an item on the agenda annually in January to discuss the annual Planning Commission calendar.

The motion was seconded by *Commissioner Anderson.*

The motion carried by the following vote: (7-0):

AYES: *Chair Aspinall, Vice Chair Schwary, Commissioners Anderson, Caldwell, Grahn, Mayer, and Shim.*

NAYS: *None* ABSTAINED: None

ABSENT: *None*

STUDY SESSION

Deputy City Attorney Shah led Planning Commissioner Training which provided an overview of land use laws as well as CEQA, meeting procedures, Brown Act, and Conflicts of Interest.

COMMISSION COMMUNICATION

Commissioner Anderson suggested the Planning Commission be added to the e-alert from RWG regarding legislative updates. *Deputy City Attorney Shah* noted she will add the Planning Commission to the email list upon request.

Vice Chair Schwary welcomed *Commissioner Caldwell* to the Planning Commission.

ADJOURNMENT

There being no further business to come before the Planning Commission, *Chair Aspinall* adjourned the meeting at 8:59 P.M., to the regular meeting of the Planning Commission on September 23, 2020, at 6:30 P.M.

Respectfully submitted,

Robert D. Dalquest, Secretary
Upland Planning Commission

PLANNING COMMISSION REPORT

ITEM NO. 8A

DATE: **SEPTEMBER 23, 2020**

TO: **PLANNING COMMISSION**

FROM: **ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR**

PREPARED BY: **JOSHUA WINTER, ASSOCIATE PLANNER**

SUBJECT: **CONDITIONAL USE PERMIT NO. CUP-19-07 FOR THE ESTABLISHMENT OF A CHILD CARE/PRESCHOOL FACILITY FOR UP TO 94 CHILDREN WITHIN AN EXISTING 5,040 SQUARE FOOT TENANT SPACE IN A COMMERCIAL CENTER, INCLUDING THE CONSTRUCTION OF AN OUTDOOR PLAY AREA WITHIN THE COMMERCIAL/OFFICE MIXED-USE (C/O-MU) GENERAL PLAN LAND USE DESIGNATION AND COMMERCIAL/OFFICE MIXED-USE (C/O-MU) ZONE LOCATED AT 710 E. FOOTHILL BOULEVARD (APN: 1046-101-08) (CONTINUED FROM AUGUST 12, 2020)**

PROJECT BACKGROUND

The Planning Commission held a Public Hearing regarding this project on August 12, 2020. During the Public Hearing, the Commission engaged in discussion concerning the layout of the proposed project, specifically the safety of children entering and exiting the facility as the original layout of the project included the primary entrance on the north side of the building, adjacent to the drive aisle, and close to Campus Avenue. After discussing the issues with the project applicant, and the applicant agreeing to modify the plans, the Planning Commission moved to continue the item so that the applicant could revise the site plan.

Please note that the Commission continued the item to a date certain, October 28, 2020, but, the applicant was able to modify the plans quickly, so staff found it

appropriate to re-notice the project for the September 23, 2020 meeting for Planning Commission consideration. Additionally, for Planning Commission consideration, staff has prepared a revised Resolution recommending approval of the project. (See Exhibit A – Revised Draft Resolution). Finally, the revised plans are included as Exhibit B – Revised Project Plans, and the original staff report, resolution and all exhibits are included as Exhibit C – Planning Commission Staff Report for CUP-19-07 – August 12, 2020.

SITE PLAN CHANGES

The applicant has made two (2) primary modifications to the site plan, which include moving the building entrance to the east side of the building and moving the outdoor play area to the south side of the site.

Building Entrance

The building entrance was moved to the east side of the building, as directed by the Planning Commission, to provide a point of entry that is safer for children as the entrance provides further separation from Campus Avenue and the main drive aisle. Additional safety enhancements include a four (4) foot tall wrought iron fence adjacent to the primary entrance that will prevent children from accessing the north side of the building while exiting or entering the facility. Additionally, the applicant will provide striping and raised pavement reflectors and a "Children Crossing" sign to clearly indicate the primary ingress/egress point to motorists.

Outdoor Play Area

The outdoor play area was moved further south on the site, and extended further into the parking lot. This change resulted in the playground being expanded by approximately 800 square feet, to a total of 4,300 square feet. This modification will allow for a total of 57 children within the play area at one time. Although the outdoor play area will be larger, the child care center will continue to have a maximum capacity of 94 children.

Other Changes

The primary modifications to the site plan resulted in a few minor changes to the plans, including floor plan modifications, relocation of the existing trash enclosure to the east of the playground, and a loss of seven (7) additional parking spaces. With the reduction in on-site parking, the shopping center continues to provide 261 parking spaces, which is adequate for all uses on-site.

RECOMMENDED ACTION

The Planning Division recommends that the Planning Commission adopt a Resolution entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. CUP-19-07 FOR THE ESTABLISHMENT OF A CHILD CARE/PRESCHOOL FACILITY WITHIN AN EXISTING 5,040 SQUARE FOOT COMMERCIAL BUILDING INCLUDING THE CONSTRUCTION OF AN OUTDOOR PLAY AREA WITHIN A THE COMMERCIAL/OFFICE MIXED-USE (C/O-MU) GENERAL PLAN LAND USE DESIGNATION AND COMMERCIAL/OFFICE MIXED-USE (C/O-MU) ZONE LOCATED AT 710 E. FOOTHILL BOULEVARD (APN: 1046-101-08).

MOTION

- Move to find the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301, Existing Facilities, Class 1 (a), of the CEQA Guidelines, since the proposed project consists of a negligible change in use within an existing structure.

- Move to approve Conditional Use Permit No. CUP-19-07 for the establishment of a child care/preschool facility, based on the findings and subject to the conditions of approval, as set for in the Resolution.

EXHIBITS

Exhibit A: Revised Draft Resolution
Exhibit B: Revised Project Plans
Exhibit C: Planning Commission Staff Report for CUP-19-07 – August 12, 2020.

Exhibit A – Revised Draft Resolution

EXHIBIT A

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND APPROVING CONDITIONAL USE PERMIT NO. CUP-19-07 FOR THE ESTABLISHMENT OF A CHILD CARE/PRESCHOOL FACILITY WITHIN AN EXISTING 5,040 SQUARE FOOT COMMERCIAL BUILDING INCLUDING THE CONSTRUCTION OF AN OUTDOOR PLAY AREA WITHIN A COMMERCIAL/OFFICE MIXED-USE (C/O-MU) GENERAL PLAN LAND USE DESIGNATION AND COMMERCIAL/OFFICE MIXED-USE (C/O-MU) ZONE LOCATED AT 710 E. FOOTHILL BOULEVARD (APN: 1046-101-08)

Intent of the Parties and Findings

WHEREAS, Wei Zhao (Applicant) has filed an application requesting approval of the Project; and

WHEREAS, the Project is considered a project as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

WHEREAS, the Development Services Director determined that the Project qualifies for a Categorical Exemption from the provisions of CEQA per Section 15301, Existing Facilities, of the CEQA Guidelines in that a Class 1 exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of the existing private structure, and involves no expansion of use beyond that existing at the time of the lead agency's determination; and

WHEREAS, the City of Upland Planning Division on July 30, 2020 and September 10, 2020, posted two (2) true and correct copies of the legal notice at the Upland City Hall Bulletin Board and at the Upland Public Library in accordance with the Upland Municipal Code Section 17.46.020; and

WHEREAS, the City of Upland Planning Division on July 28, 2020 and September 10, 2020, mailed the public hearing notice to each property owner within a 300-foot radius of the project site indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, the City of Upland Planning Division on July 31, 2020 and September 11, 2020, published a legal notice in the Inland Valley Daily Bulletin, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, the City of Upland Planning Commission conducted a duly noticed public hearing on August 12, 2020 at 6:30 p.m. and September 23, 2020, at 6:30 p.m. at which time it received public testimony concerning the Project, and considered the CEQA Exemption for the proposed Project and the project itself.

NOW, THEREFORE, the Planning Commission of the City of Upland hereby finds, determines and resolves as follows:

Section 1. FINDINGS. The Planning Commission hereby makes the following findings and determinations in connection with the approval of the Project:

A. The above Recitals are true and correct.

B. The project is consistent with the following General Plan Policies:

1. Policy LU-1.4 Complete and Balanced Community. Foster new land uses and building types that contribute to City revenues and increase employment while also ensuring the provision of sufficient housing, shopping, civic, cultural, open space, and recreational opportunities.

   Fact: The business owner provides a new business that will cater to Upland residents and provides a valuable service for workers child care needs, as well as employment opportunities. Additionally, the use will draw people to a center that is experiencing a high vacancy rate.

2. Goal ES-1 A sustainable business environment that supports local entrepreneurial growth and attracts commercial and industrial investment and revitalization.

   Fact: The action supports entrepreneurial growth by supporting new business investment and supports Upland residents and workers by allowing for needed support services. The project also provides new investments into a currently vacant building.

C. In accordance with Upland Municipal Code Section 17.44.040 F, the Planning Commission may approve an application for a Conditional Use Permit only if the proposed project complies with applicable standards in the Zoning Ordinance, other City ordinances, the General Plan, and any other applicable community or specific plans, and as supported by all of the following findings:

1. Finding: The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses near the subject property.

   Evidence: The site is located within an existing commercial development with nearby commercial and residential uses and adjacent to the Campus Avenue and Foothill Boulevard commercial corridor. The proposed tenant space would be large enough to accommodate the number of children the applicant has requested. The traffic analysis shows the operation would not result in traffic impacts, and the staggered drop off would reduce potential traffic impacts from students arriving or departing the site. There is sufficient parking on-site to accommodate the existing and proposed use for the site under the Upland Zoning Code.

2. Finding: The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g. fire and medical) access and public services and utilities.

   Evidence: The use is located within an existing commercial site, primarily surrounded by commercial uses with multi-family residential uses to the south. The design of the project will utilize the existing parking and circulation, which is adequate. The design of the outdoor play ground a 6-foot high decorative tubular steel fence and 5 foot landscaping planter will surround the playground area to further buffer the playground from the drive aisle. The size and shape of the existing site and building provide sufficient space to accommodate the proposed use, including classrooms, required restrooms and outdoor space. The center's parking lot would allow child drop offs and pick-ups to occur away from the public right of way and would not conflict with existing uses. The existing circulation is adequate for public access, including public service and emergency vehicles.

3. Finding: The proposed use will not be detrimental to the public health, safety, and welfare of the persons residing or working in the neighborhood of the proposed use.

   Evidence: The proposed use would be located within an existing commercial office development with operation occurring during normal business hours. The proposed use would operate indoors with a proposed outdoor playground. Parents will be required to sign in their children at arrival times and again sign out their child upon picking up their children. The project is consistent with the development standards of the Commercial/Residential Mixed-Use (C/R-MU) zone intended to protect the public health, safety and welfare. The use is appropriately conditioned to ensure the public health, safety, and welfare are protected. Conditions include limitations of hours of operations as well as security and maintenance requirements.

Section 2. DETERMINATION. In light of the evidence presented at the public hearing and based on the findings set forth above, the Planning Commission hereby finds that the requirements necessary for the approval of Conditional Use Permit No. CUP-19-07 have been met, subject to all applicable provisions of the Upland Municipal Code, and the following conditions of approval:

10.0 General Conditions

10.1 The approved project includes a Child Care Center/Preschool for 2 to 6 year olds within an existing 5,040 square foot building; including a 4,300 square foot outdoor playground. Expansion of project beyond the scope and nature of the project, which would increase the projected scale of

the project, shall not be permitted except upon application for and approval of modification to this approval.

10.2 All Ordinances, Policy Resolutions, and Standards of the City in effect at the time this project is approved shall be complied with as a condition of this approval.

10.3 Development of the project shall be consistent with the stamped approved plans on file with the City of Upland Planning Division.

10.4 Prior to issuance of permits, all tenant improvements shall be subject to plan check with the Planning Division, Building Division, Engineering Division, Public Works Department and Fire Department.

10.5 All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris at all times. Dead, damaged, and/or missing landscaping shall be replaced/replanted, subject to the satisfaction of the Planning Division.

10.6 To the maximum extent permitted by law, Applicant must defend, indemnify, and hold City and its elected officials, officers, contractors serving as City officials, agents, and employees ("Indemnitees") harmless from liability for damage and/or claims for damage for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with Conditional Use Permit No. CUP-19-07("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims for damage, as described above, regardless of whether or not the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. The City shall have the right to select counsel of its choice that the Applicant reasonably approves. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge or take any position adverse to the Applicant in connection with such third-party challenge.

10.7 Within 15 calendar days of this approval, the Property Owner or Project Applicant, shall submit to the Development Services Department written evidence of agreement with all conditions of this approval before the approval becomes effective. (UMC 17.45.030)

10.8 The applicant shall not engage in any construction activities other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in case of urgent necessity in the interest of public health and safety or as otherwise approved by the Development Services Director.

10.9 Termination of approval if either: (1) development has not been diligently commenced and actively pursued to completion thereafter within a two (2) year period from the date of approval (i.e. September 23, 2022); or, (2) if the use approved hereunder is discontinued for a period of one hundred and eighty days or longer; or, (3) non-compliance with any provision of the Upland Municipal (UMC) not specifically waived in compliance with City procedures.

20.0 Planning Division Conditions

20.1 Child Care hours of operation are limited from 6:00 am to 6:30 pm, Monday through Friday. This limitation excludes administrative operations.

20.2 The child care facility is limited to a maximum of 94 children.

20.3 The operator shall ensure the ratio of 75 square foot per child is maintained while the outdoor playground is in use. Currently, due to the size of the outdoor playground, the total number of children allowed within the outdoor playground at any given time shall not exceed 57. If the applicant desires to expand the outdoor play area, the applicant shall submit plans and applications, as required by the Development Services Director, for review and approval by the Development Services Director

20.4 If traffic or circulation issues occur as a result of this use the operator is required to make any modifications to operation of the school, up to and including suspending the use, necessary to resolve the issues, to the satisfaction of the Development Services Director.

20.5 The project shall be operated in accordance with all local, state and federal regulations.

20.6 Curbside drop-offs in front of the building shall be prohibited at all times. Each child shall be walked into the building upon arrival and picked-up inside the building upon departure. No idling, double parking or blocking of the drive aisles shall be allowed. The applicant shall ensure that all parents are provided with a written copy of this policy upon enrollment and as a reminder in any regularly published newsletters.

20.7 The applicant shall provide parents/guardians with a written advisory and diagram that details the protocols for entering, parking, and exiting the site. The applicant shall require parents/guardians to acknowledge (in writing) that they have read and will abide by the provisions of the advisory.

20.8 The applicant shall monitor the queues in front of the building. Should the vehicle queues extend onto the drive aisles, modifications to the size of individual classes, the class schedule, or additional assistance during loading/unloading time will be required. Such modifications shall be subject to the approval of the Development Services Director.

20.9 Applicant shall utilize non-toxic and age appropriate play equipment and plant materials.

20.10 The proposed playground equipment shall conform to the standards set forth by the American Society for Testing and Materials.

20.11 Prior to the issuance of building permits for tenant improvements, the applicant shall provide cut sheets for the proposed fencing/wall materials surrounding the outdoor play area. Fencing/walls shall be constructed out of decorative tubular steel/wrought iron and a stuccoed concrete wall to the satisfaction of the Development Services Director or designee.

20.12 The tenant improvement plans submitted for plan check shall include the following:

a. A detailed site plan for the outdoor playground area, including manufacturers cut sheet (spec sheet) and specific playground equipment and furniture.
b. The plan shall identify all outdoor playground materials, including but not limited to, ground covers, sand boxes and equipment, furniture, etc.
c. The plans shall also include a landscape plan for the new proposed landscape planters surrounding the outdoor play area.
d. The plan shall reorient the outdoor playground so the fencing does not block the primary entrance to the satisfaction of the Building Official and Development Services Director.

30.0 Police Department

30.1 The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Upland Police Department and City Planning.

30.2 A 6-month review/inspection shall be conducted to ensure permittee's compliance with all operating conditions.

30.3 Public access shall be restricted to a single point of entry which may include double doors.

30.4 All doors shall be alarmed so as to notify staff when someone is entering or exiting through any point of the business.

30.5 All exterior doors shall be equipped with a lighting device capable of providing a minimum of two foot-candle of light at ground level.

30.6 Lighting is required in all areas of public access.

30.7 All exterior lighting shall be oriented inward into the project so as not to interfere with adjacent residential areas or vehicular traffic on adjacent public streets.

30.8 At a minimum, internally illuminated address signs/numbers are required for each building, to the satisfaction of the Deputy Fire Marshal and the Chief of Police.

30.9 A digital video surveillance system is required at the premise. It is recommended to have a surveillance video/visual media that shall be maintained for a minimum of sixty (60) days and upon request, shall be accessible to law enforcement personnel for viewing, copying and collection purposes during regular business hours. The system shall be able to make license plates discernable. The video system shall cover all ingress and egress points of the parking lots, the building, and inside of the premises.

30.10 Provide UPD with contact information of person responsible for maintaining video equipment/system and who has access to retrieve and copy surveillance video. The surveillance video/visual media shall be remotely accessible to the Upland Police Department.

30.11 Signs shall comply with all City of Upland sign requirements (UMC 17.15 et seq.). No more than 25% of the total window area and clear doors shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the public sidewalk or entrance to the premises (this applies to all windows of this location).

30.12 Signs prohibiting loitering shall be installed to the satisfaction of the Chief of Police. They shall be mounted between six and ten feet above ground. The following must be printed on the sign in letters at least two inches tall: "PC647 (h), UMC l 0.72.010." and "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES." The signs shall be posted on the front, rear, and sides of the building, and shall be clearly visible to patrons of the licensee.

30.13 Graffiti abatement by the business owner/licensee shall be immediate and ongoing on the licensed premises, but in no event shall graffiti be allowed unabated on the premises for more than 48 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee shall notify the City within 24 hours of any graffiti elsewhere on the property not under the business owner/licensee's control so that it may be abated by the property owner.

30.14 All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris at all times.

30.15 The applicant shall be responsible for maintaining the area adjacent to the premises over which they have control free of litter.

30.16 If any community issues arise, such as noise, odors, parking, crime, etc., the owner/operator shall be responsible for immediate implementation of measures to address the issues, including additional restrictions on the intensity of the use, to the satisfaction of the Development Services Director and/or the Chief of Police.

30.17 Violation of any of the aforementioned conditions, may result in revocation of the CUP, consistent the process established in UMC Section 17.45.100, Permit Revocation or Modification.

40.0 Building and Safety

40.1 The applicant shall obtain building permits for all tenant improvements, receive a final inspection for said permits and a Certificate of Occupancy prior to the issuance of a Business License.

40.2 All tenant improvements shall be in compliance with the 2019 California Building Code.

40.3 The fencing around the outdoor play area shall include an exit with panic hardware adjacent to the buildings primary entrance.

40.4 The Fencing adjacent to the primary entrance of the day care shall include a gate for ADA accessibility to the satisfaction of the Building Official.

50.0 San Bernardino County Fire Protection District (SBCoFD)

50.1 The development shall have a minimum of 2 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have

access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions. b. Multi-Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.

50.2 Prior to the issuance of building permits, building plans shall be submitted to the Fire Department for review and approval.

50.3 The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

50.4 An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

50.5 Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

50.6 An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.

50.7 An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.

50.8 Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for Fire Final.

50.9 In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office. Deferred Submittal required for Alarms, Sprinklers and Underground Fire water.

50.10 This standard, in conjunction with the latest edition of NFPA 13, NFPA 13R and NFPA 24, shall apply to the design and installation of, and the modification to, all new and existing fire sprinkler systems in commercial and industrial buildings and multi-family dwellings. This standard and its interpretation shall take NOT precedent where there is any conflict with NFPA standards.

60.0 Review/Compliance

60.1 If the Development Services Director finds evidence that the conditions of approval have not been fulfilled or the use has or have resulted in a substantial adverse effect to the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Development Services Director may refer the conditional use permit back to the Planning Commission for review. If, upon such item the Commission finds that any of the results above have occurred the Commission may modify or revoke the conditional use permit.

60.2 The Planning Commission may review the use 90 days, 180 days, and on an annual basis following the date of final inspection, or as needed at the discretion of the Development Services Director, to determine whether the applicant and operators are operating the use in a manner that is compatible with the community. The Planning Commission may establish additional conditions of approval that are necessary to eliminate any issues that arise from the operation of the use that adversely impact the public health, welfare, and safety, or may direct staff to initiate revocation proceedings. The conditional use permit may be revoked if the permittee, his agents or assigns, or employee(s) of the establishment, or any other person connected or associated with the permittee or his business establishment, or any person who is exercising managerial authority of the business establishment has:

a. Violated any rule, regulation, or condition of approval adopted by the Planning Commission relating to the conditional use permit or contained in the Upland Municipal Code, or state or federal regulations. Violation of any provision of the Upland Municipal Code (UMC) or the conditions of approval set forth in this resolution, shall be deemed to constitute an infraction of the Upland Municipal Code, and shall be subject to the applicable fines and penalties, including the possibility of revocation of this permit.

b. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety, and general welfare of the public, or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities that negatively affects adjacent properties or creates an increased demand for public services.

Section 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). The project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15301, Existing Facilities, Class 1 (a), of the California Environmental Quality Act Guidelines, since the proposed project consists of a negligible change in use within an existing structure.

Section 4. APPEAL. Pursuant to Upland Municipal Code Section 17.47.040, the decision of the Planning Commission may be appealed to the City Council provided that written notice of the appeal is filed with the City Clerk within ten (10) days following the date the decision was rendered, unless a longer appeal period is specified as part of the project approval. Failure to file a timely appeal shall constitute a waiver of the right of appeal, and the decision of the Planning Commission shall be final.

Section 5. INCONSISTENCY. If any section, division, sentence, clause, phrase or portion of this resolution or the document in the record in support of this resolution is determined by a court of competent jurisdiction to be invalid, unenforceable, unconstitutional or otherwise void, that determination shall not affect the validity of the remaining sections, divisions, sentences, clauses, phrases of this resolution.

Section 6. CERTIFICATION. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and their certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 23rd day of September, 2020.

_____
Robin Aspinall, CHAIR

ATTEST:

_____

Robert D. Dalquest, SECRETARY

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a regular adjourned meeting thereof held on the 23rd day of September, 2020, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

_____

Robert D. Dalquest, SECRETARY

Exhibit B – Revised Project Plans

FAIRYTALE CHILDCARE CENTER

710 E. FOOTHILL BLVD.

UPLAND, CA 91786

GENERAL NOTES

1. THE CONTRACTOR AND/OR SUB-CONTRACTORS SHALL VISIT AND REVIEW CONDITIONS PRIOR TO SUBMITTING BIDS.
2. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPON--SILBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT INCLUDING SAFETY OF ALL PERSONS & PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY & NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR SHALL PROVIDE PUBLIC PROTECTION AS NECESSARY & REQUIRED BY GOVERNING CITY AGENCIES.
3. THE WORK SHALL CONFIRM TO THE APPLICABLE BUILDING CODE AND OTHER ORDINANCES CODES & REGULATIONS LISTED IN THE SPECIFICATIONS OR ON THE DRAWINGS, & REQUIRED BY LOCAL BUILDING AUTHORITIES. THE GOVERNING CODES, RULES & REGULATIONS ARE COLLECTIVELY REFERRED TO AS "THE CODE". THE CONTRACTOR SHALL REPORT ANY INCONSISTENCIES, CONFLICTS OR OMISSIONS HE MAY DISCOVER TO THE ARCHITECT FOR INTERPRETATION PRIOR TO PERFORMING THE WORK.
4. THE GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS & DIMENSIONS ON THE JOB SITE & REPORT ANY & ALL DISCREPANCIES AND/OR UNUSUAL CONDITIONS TO THE DESIGNER PRIOR TO FINALIZING BIDS OR COMMENCEMENT OF ANY CONSTRUCTION.
5. TRADE NAMES AND MANUFACTURES REFERRED TO ARE FOR QUALITY STANDARDS ONLY. SUBSTITUTIONS WILL BE PERMITTED WHERE SUBMITTED TO AND APPROVED BY THE OWNER & DESIGNER PRIOR TO THEIR PURCHASE AND INCORPORATION INTO THE WORK.
6. PROVIDE APPROVED FIRE EXTINGUISHERS AS REQUIRED BY FIRE MARSHALL. LOCATIONS SHALL BE DETERMINED IN THE FIELD BY THE FIRE MARSHALL.
7. THE CONTRACTOR SHALL OBTAIN & PAY FOR ALL PERMITS & VERIFY GOVERNING AUTHORITIES' REQUIREMENTS FOR CONSTRUCTION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS FOR INSPECTIONS AND/OR TESTS, UNLESS NOTED OTHERWISE.
9. ALL RAMPS SHALL HAVE A NON-SLIP FINISH.
10. DO NOT SCALE THESE DRAWINGS. SHOULD ANY DIMENSIONAL DISCREPANCIES BE ENCOUNTERED, CLARIFICATIONS SHALL BE OBTAIN FROM THE DESIGNER
11. UNLESS OTHERWISE NOTED ON THESE DRAWINGS OR IN THE SPECIFICATIONS AS BEING N.I.C. OR EXISTING, ALL ITEMS, MATERIALS, etc.,& THE INSTALLATION OF SAME ARE A PART OF THE CONTRACT DEFINED BY THESE DRAWING SPECIFICATIONS.
12. THE BUILDING & ITS FACILITIES SHALL BE ACCESSIBLE TO & FUNCTIONAL TO THE PHYSICALLY HANDICAPPED.
13. PROVIDE EXIT SIGNS AT ALL LEGAL EXITS AS REQUIRED BY CODE. EXIT SIGNS, WHERE, INDICATED ON PLANS, SHALL BE ILLUMINATED & READ "EXIT" IN 6" HIGH LETTERS. EXITS SIGNS SHALL BE ON CIRCUIT & INDEPENDENTLY CONTROLLED REFER TO ELECTRICAL DRAWINGS.
14. DETAILS ARE INTENDED TO SHOW THE INTENT OF THE DESIGN. MINOR MODIFICATIONS MAY REQUIRED TO SUIT THE FIELD DIMENSIONS OR CONDITIONS & SUCH MODIFICATION SHALL BE INCLUDED AS PART OF THE WORK OF THE CONTRACT.
15. ALL INTERIOR WALL DIMENSIONS ARE TO THE FACE OF THE STUD UNLESS OTHERWISE NOTED.
16. ALL EXTERIOR WALL DIMENSIONS ARE TO FACE OF CONCRETE BLOCK OR TO FACE OF STUD, UNLESS OTHERWISE NOTED.
17. THE CLIENT, DESIGNER, CONSULTANTS & ALL INSPECTORS FROM PERTINENT AGENCIES SHALL BE PERMITTED ACCESS TO THE JOB SITE AT ALL TIMES DURING NORMAL WORKING HOURS.
18. THE CONTRACTOR SHALL PROVIDE SOLID BLOCKING, UNLESS NOTED OTHERWISE AS REQUIRED FOR NAILING OF ALL INTERIOR & EXTERIOR TRIMS, FINISHES, AND SHALL PROVIDE FOR ALL THE NECESSARY FRAMING & BRACING FOR THE INSTALLATION OF N.I.C. EQUIPMENT INDICATED.
19. PROVIDE VENTILATION FOR ALL ELECTRICAL & TELEPHONE EQUIPMENT ROOMS.
20. MECHANICAL VENTILATION SHALL SUPPLY A MINIMUM 5 CFM OF OUTSIDE AIR, EXCEPT IN TOILET ROOMS WHERE FIVE (5) AIR CHANGES PER HOUR SHALL BE PROVIDED. SYSTEM MUST PROVIDE A TOTAL CIRCULATION OF NOT LESS THE 15 CUBIC FEET PER MINUTE PER OCCUPANT IN ALL PORTIONS OF THE BUILDING. REFER TO MECHANICAL DRAWINGS.
21. PROVIDE METAL TRIM OR CASING AT ALL EDGES OF PLASTER OR DRYWALL WHERE IT TERMINATES OR MEETS ANY OTHER MATERIAL, EXCEPTS FLOORS.
22. THE CONTRACTOR SHALL VERIFY LOCATION & SIZE OF ALL FLOOR, ROOF, & WALL OPENINGS WITH ALL APPLICABLE DRAWINGS
23. KEEP PIPING AS CLOSE TO WALLS & AS HIGH TO UNDERSIDE OF ROOF FRAMING AS POSSIBLE.
24. WHERE LARGER STUDS OR FURRING ARE REQUIRED TO COVER DUCTS, PIPING CONDUIT, etc., THE LARGER STUD OR FURRING SHALL EXTEND THE FULL LENGTH OF THE SURFACE INVOLVED.
25. THE CONTRACTOR SHALL VERIFY INSERTS & EMBEDDED ITEMS W/ ALL APPLICABLE DRAWINGS BEFORE POURING CONCRETE.
26. ALL EXTERIOR EXPOSED METAL (TRIMS, RAILING, FRAMES, MOLDINGS etc.) SHALL BE PAINTED, UNLESS NOTED OTHERWISE.
27. IN ALL CASES, PROVIDE ISOLATION OF ALUMINUM FROM ADJACENT STEEL OR COAT SURFACES IN CONTACT WITH BITUMINOUS PAINT.
28. ALL EXTERIOR WALL OPENINGS, FLASHING, COPING, & EXPANSION JOINTS SHALL BE WEATHERPROOF.
29. ALL ROOF DRAINS SHALL BE LOCATED AT THE LOWEST POINT OF THE ROOF TAKING INTO CONSIDERATION THE CAMBER OF BEAMS & DEFLECTION OF CANTILEVERS. CONTRACTOR SHALL VERIFY THAT POSITIVE DRAINAGE EXISTS FROM ALL POINTS ON ROOF PRIOR TO INSTALLING DECK.
30. SIZES OF MECHANICAL EQUIPMENT PADS, BASES, ROOF EQUIPMENT PADS, & OPENINGS ARE BASIS FOR DESIGN ONLY. CONTRACTOR SHALL VERIFY ALL DIMENSIONS OF ALL EQUIPMENT PADS & BASES WITH EQUIPMENT MANUFACTURERS. MECHANICAL CONTRACTORS SHALL VERIFY ALL SIZES & LOCATIONS OF DUCT OPENINGS ON ROOF.
31. GLAZING NOTES:
    - A: ALL FIXED & OPENABLE WINDOWS FROM ZERO TO 50 SQ. FT. IN AREA SHALL HAVE 6" MINIMUM GLASS GRIP & 0 MINIMUM GLASS EDGE CLEARANCE.
    - B: ALL FIXED & OPENABLE WINDOWS OVER 50 SQ. FT. IN AREA SHALL HAVE 1 MINIMUM GLASS GRIP & 0 MINIMUM GLASS EDGE CLEARANCES.

GENERAL NOTES

- C: GLAZING IN ALUMINUM DOORS SHALL HAVE 1" MINIMUM GLASS GRIP & è MINIMUM GLASS EDGE CLEARANCE.
- D: ALL WINDOWS & DOOR GLAZING SHALL HAVE CONTINUOUS GLAZING RABBET & GLASS RETAINER & RESILIENT SETTING MATERIAL.

32. SUSPENDED ACOUSTICAL CEILING SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH 2014 LA COUNTY CODE.
33. THE BUILDING SHALL BE COMPLETELY SPRINKLED WITH AN AUTOMATIC FIRE EXTINGUISHING SYSTEM AS APPROVED BY THE GOVERNING FIRE DEPARTMENT, BUILDING DEPARTMENT, AND THE OWNER'S FIRE INSURANCE RATING BUREAU. COPIES OF FIRE DEPART--MENT & INSURANCE BUREAU APPROVED PLANS SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT FOR CHECKING & APPROVAL PRIOR TO INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DESIGN & CONSTRUCTION OF A COMPLETE SYSTEM, FROM CONNECTION TO THE SITE WATER MAIN (OR SITE FIRE SERVICE VAULT WHERE PROVIDED) TO THE BUILDING INTERIOR SPRINKLER DISTRIBU--TION. REFER TO SITE UTILITY PLANS. ALL SPRINKLER LINES SHALL RUN CONCEALED IN ALL FINISHED, AREAS, INTERFERENCE WITH LIGHTS , DUCTS, PIPES, etc., SHALL BE AVOIDED. EXPOSED PIPING IN FINISHED AREAS WILL NOT BE ACCEPTABLE. AUTOMATIC FIRE EXTINGUISHERS SYSTEM MUST BE FULLY OPERATIONAL & ENERGIZED PRIOR TO FIXTURIZATION OF THE BUILDING.

FIRE NOTES

1. K CLASS FIRE EXTINGUISHER(S) WITHIN 30 FEET OF COOKING INVOLVING VEGETABLE OR ANIMAL OIL AND FATS (SUCH AS DEE FAT FRYERS), AS MEASURED ALONG AN UNOBSTRUCTED PATH OF TRAVEL, ARE REQUIRED IN THE KITCHEN AREA.
2. PANIC HARDWARE OR FIRE EXIT HARDWARE (RATED PANIC HARDWARE),AS APPLICABLE, ARE REQUIRED ON ALL EXIT DOOR FORM ASSEMBLY AREAS/ ROOMS.
3. ASSEMBLY PERMIT IS REQUIRED. CONTACT THE BUREAU OF FIRE PREVENTION AT FIRE DEPARTMENT FOR INFORMATION.
4. ALL PORTIONS OF THE BUILDING SHALL BE WITHIN 75 FEET OF A FIRE EXTINGUISHER. THE MINIMUM SIZE OF THE EXTINGUISHER SHALL BE 2-A:10-BC.
5. TACTILE EXIT SIGNS SHALL BE PROVIDED AS REQUIRED TO COMPLY WITHIN SECTION 1003.2.8.6.
6. EMERGENCY LIGHTING PER SECTION 1003.2.9.2 IS REQUIRED.
7. EACH SINGLE SYSTEM PROVIDING HEATING OR COOLING AIR IN EXCESS OF 2,000 CUBIC FEET PER MINUTE SHALL BE EQUIPPED WITH AN AUTOMATIC SHUTOFF ACTIVATED BY SMOKE DETECTORS.
8. COMBINATION FIRE/ SMOKE DAMPERS (FSD'S) SHALL BE PROVIDED AS REQUIRED TO COMPLY WITH SECTIONS 713.10 & 713.11.
9. A MANUAL FIRE SPRINKLER SYSTEM AS REQUIRED FOR GROUP A, DIVISION A 2.1 OCCUPANCIES SHALL BE PROVIDED. SUBMIT SHOP DRAWINGS (3 SETS) AND A PERMIT APPLICATION TO THE CITY OF UPLAND FIRE DEPARTMENT FOR APPROVAL BEFORE ALTERING THE SYSTEM.
10. THE CITY OF UPLAND FIRE DEPARTMENT MUST BE CONTACTED A MINIMUM OF 7-10 DAYS IN ADVANCE TO SCHEDULE INSPECTIONS.
11. MISSING FIREPROOFING MATERIAL MUST BE REPLACED BEFORE CONSTRUCTION FINAL.
12. PENETRATIONS INTO, OR THROUGH, FIRE RESISTIVE CONSTRUCTION MUST ABLE FIRESTOPPED IN ACCORDANCE WITH CBS, CHAPTER 7.
13. PREMISE IDENTIFICATION NUMBERS SHALL BE MOUNTED ON THE FRONT AND REAR DOORS.

    DEMOLITION AND CONSTRUCTION SAFETY MUST COMPLY WITH CFC, ARTICLE 87 AND CBC CHAPTER 33.
14. PLACEMENT OF PORTABLE FIRE EXTINGUISHERS SHALL BE DETERMINED BY THE FIRE INSPECTOR. EQUIPMENT MUST BE MOUNTED BEFORE CONSTRUCTION FINAL. MINIMUM RATING IS 2A10BC.
15. ALL FIRE DEPARTMENT FEES SHALL BE REVIEWED, APPROVED AND PAID AT FIRE ADMINISTRATION (IF THERE IS A BALANCE) BEFORE CONSTRUCTION FINAL OR ISSUANCE OF TEMPORARY OCCUPANCY.
    - A. PLAN REVIEW
    - B. EXPEDITE PLAN REVIEW OR INSPECTIONS
    - C. FIRE PROTECTION INSPECTIONS IN EXCESS OF 2 INSPECTIONS
    - D. ALL CONSTRUCTION INSPECTIONS
    - E. NON-COMPLIANCE FEES
    - F. ADDITIONAL ACCUMULATED FEES RELATED TO THE ABOVE ITEMS
16. A LOCK BOX MUST BE INSTALLED AT A LOCATION DETERMINED BY THE FIRE INSPECTOR. APPLICATIONS ARE AVAILABLE FROM FIRE ADMINISTRATION. INSTALLATION SHALL BE COMPLETED BEFORE CONSTRUCTION FINAL.
17. DECORATIVE MATERIALS AND FINISHES SHALL COMPLY WITH C.C.R. TITLE 19, SECTION 3.08 AND CBC, CHAPTER 8 REQUIREMENTS.

PROJECT DATA

ZONING CODE :	C
OCCUPANCY GROUP:	I-4
CONSTRUCTION TYPE :	V-B
AUTOMATIC FIRE SPRINKLERS :	YES
APN:	1046-101-08

PROPOSED CHILD DAYCARE CENTER:

INDOOR AREA :	5,040 SQ.FT.
OUTDOOR PLAYGROUND :	4,300 SQ.FT.

PROPOSED 6 FT HT. WROUGHT IRON FENCE AROUND OUTDOOR AREA. 124 L.T.

FIRE SPRINKLERS & FIRE ALARM SYSTEM UNDER SEPARATE PERMIT

SHEET INDEX

A-0.1 TITLE SHEET PROJECT DATA
A-1.1 PROPOSED SITE PLAN
A-2.1 EXISTING FLOOR PLAN
A-2.2 PROPOSED FLOOR PLAN
AD-1 ARCHITECTURE DETAILS

CONSULTANTS

TENANT:

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710 E. FOOTHILL BLVD.
UPLAND, CA 91786
CONTACT: FENG XUE
TEL: 626-877-5576

ENGINEER / DESIGNER:

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E- MAIL : HOWARDDU@JWLDESIGN.NET
CONTACT: HOWARD DU

VICINITY MAP

N. T. S.

APPLICABLE BUILDING CODES

2016 CBC, CALIFORNIA BUILDING CODE
2016 CFC, CALIFORNIA FIRE CODE
2016 CRC, CALIFORNIA RESIDENTIAL CODE
2016 CPC, CALIFORNIA PLUMBING CODE
2016 CMC, CALIFORNIA MECHANICAL CODE
2016 CEC, CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA GREEN BUILDING STANDARDS CODE
CALIFORNIA CODE OF REGULATION T24
2016 ENERGY COMPLIANCE CRITERIA

SCOPE OF WORK

PROPOSED NEW CHILD DAYCARE CENTER.

TENANT IMPROVEMENT EXISTING COMMERCIAL BUILDING TO CHILD DAYCARE CENTER. (5,040 S.F.)

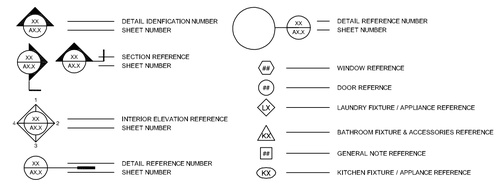
PROPOSED OUTDOOR PLAYGROUND AREA (3,526 S.F.)

PROPOSED 6 FT HT. WROUGHT IRON FENCE AROUND OUTDOOR AREA.

ABBREVIATIONS

AC. T.	-ACOUSTIC TILE
AFF	-ABOVE FINISH FLOOR
ALT	-ALTERNATE
ALUM	-ALUMINUM
ANCH	-ANCHOR
APPROX	-APPROXIMATELY
ARCH	-ARCHITECT/ARCHITECTURAL
BR. CS.	-BRICK COURSE
BLDG	-BUILDING
BLK	-BLOCK
B.M.	-BENCH MARK
BM	-BEAM
B.N.	-BULL NOSE
BNT	-BENT
BMT	-BOTTOM
C.B.	-CATCH BASIN
CEM	-CEMENT
CER. T.	-CERAMIC TILE
C.J.	-CONTROL JOINT
CLR.	-CLEAR
CLG	-CEILING
CMU	-CONCRETE MASONRY UNIT
COL	-COLUMN
COMP.	-COMPOSITION
CONC.	-CONCRETE
CONSTR.	-CONSTRUCTION
CONT.	-CONTINUOUS
CONTR.	-CONTRACTOR
CTR.	-CENTER
DET.	-DETAIL
D.F.	-DRINKING FOUNTAIN
DIA.	-DIAMETER
DIM	-DIMENSION
D.O.	-DOOR OPENING
DS	-DOWNSPOUT
DWG	-DRAWING
EIFS	-EXT. INSULATION & FINISH SYSTEM
EL	-ELEVATION (SEA LEVEL)
ELEC.	-ELECTRICAL
ELEV.	-ELEVATION
EXP	-EXPANSION
E.J.	-EXPANSION JOINT
EXT	-EXTERIOR
F.D.	-FLOOR DRAIN
F.E.	-FIRE EXTINGUISHER
FIN	-FINISH
FLR	-FLOOR
FDN	-FOUNDATION
FOM	-FACE OF MASONRY
FPHB	-FROST PROOF HOSE BIBB
F.S.	-FULL SIZE OR FLOOR SINK
FTG	-FOOTING
FURR	-FURRING
FVC	-FIRE VALVE CABINET
GA.	-GAUGE
GALV.	-GALVANIZED
GEN	-GENERAL
GRFC	-GLASS FIBER REINFORCED CONCRETE
GRFG	-GLASS FIBER REINFORCED GYPSUM
GL	-GLASS/GLAZING
G.S.	-GRAVEL STOP
GYP. BD.	-GYPSUM BOARD
HDWE	-HARDWARE
HB	-HOSE BIBB
H.M.	-HOLLOW METAL
HYD	-HYDRANT
I.D.	-INSIDE DIAMETER
INSUL	-INSULATION
JT	-JOINT
LAV	-LAVATORY
LG.	-LONG
LLH	-LONG LEG HORIZONTAL
LLV	-LONG LEG VERTICAL
L.P.	-LOW POINT/LIGHT PANEL
LT	-LIGHT
MAR	-MARBLE
MAS	-MASONRY
MAX	-MAXIMUM
MECH.	-MECHANICAL
MTL	-METAL
MFR	-MANUFACTURER
MH	-MANHOLE
MIN.	-MINIMUM
MISC.	-MISCELLANEOUS
M.O.	-MASONRY OPENING
METTHRES.	-METAL THRESHOLD
NIC	-NOT IN CONTRACT
NO	-NUMBER
O/A	-OVERALL
O/C	-ON CENTER
O.D.	-OUTSIDE DIAMETER
OH	-OVERHELD
O/O	-OUT TO OUT
OPNG	-OPENING
PC	-PIECE
PL	-PLATE
PLAS	-PLASTER
PLBG	-PLUMBING NUMBER
PLYWD	-PLYWOOD
POL	-POLISHED
PROJ	-PROJECT
PTD	-PAINTED
R	-RADIUS
RAILG	
R.D.	-ROOF DRAIN
REINF.	-REINFORCEMENT/REINFORCED
REQD.	-REQUIRED
RM	-ROOM
R.O.	-ROUGH OPENING
S	-SINK
SHT.	-SHEET
S.M.	-SHEET METAL
SQ.	-SQUARE
SPM	-SINGLE PLY MEMBRANE
S.S.	-SLOP/SERVICE SINK
S. STL	-STAINLESS STEEL
STD	-STANDARD
STRUCT	-STRUCTURAL
SUSP	-SUSPENDED
T/	-TOP OF
T.D.	-TRENCH DRAIN
TERR	-TERRAZZO
TYP	-TYPICAL
VCT	-VINYL COMPOSITION TILE
W.C.	-WATER CLOSET
WD	-WOOD
WT	-WEIGHT
WWF	-WELDED WIRE FABRIC

REFERENCE SYMBOLS



ATTACHMENT A

ATTACHMENT A

BEST MANAGEMENT PRACTICES
FOR CONSTRUCTION ACTIVITIES*

Storm Water Pollution Control Requirements for Construction Activities
Minimum Water Quality Protection Requirements for All Development Construction Projects/Certification Statement

The following is intended as minimum notes or as an attachment for building and grading plans and represent the minimum standards of good housekeeping that must be implemented on all construction sites regardless of size. (Applies to all permits)

- Eroded sediments and other pollutants must be retained on site and may not be transported from the site via sheetflow, swales, area drains, natural drainage courses or wind.
- Stockpiles of earth and other construction related materials must be protected from being transported from the site by the forces of wind or water.
- Fuels, oils, solvents and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil and surface waters. All approved storage containers are to be protected from the weather. Spills must be cleaned up immediately and disposed of in a proper manner. Spills may not be washed into the drainage system.
- Non-stormwater runoff from equipment and vehicle washing and any other activity shall be contained at the project site.
- Excess or waste concrete may not be washed into the public way or any other drainage system. Provisions shall be made to retain concrete wastes on site until they can be disposed of as solid waste.
- Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.
- Sediments and other materials may not be tracked from the site by vehicle traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental depositions must be swept up immediately and may not be washed down by rain or other means.
- Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to inhibit erosion by wind and water.
- Other: _____

As the project owner or authorized agent of the owner, I have read and understand the requirements listed above, necessary to control storm water pollution from sediments, erosion, and construction materials, and I certify that I will comply with these requirements.

Print Name _____
(Owner or authorized agent of the owner)

Signature _____ Date _____
(Owner or authorized agent of the owner)

*The above Best Management Practices are detailed in the California Storm Water Best Management Practices Handbook, January 2003. www.calstormwaterbmp.com

Attachment A BMP Notes.doc

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ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF THE DESIGNER AND THE SAME MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR AND NOTIFY THE DESIGNER OF ANY DISCREPANCIES BEFORE PROCEEDING WITH AND/OR BEGINNING ANY WORK

THE CONTRACTOR SHALL COORDINATE ALL STRUCTURAL WORK WITH THE ARCHITECTURAL, MECHANICAL AND ANY OTHER RELATED DRAWINGS, AND NOTIFY THE DESIGNER OF ANY DISCREPANCIES BEFORE PROCEEDING AND/OR BEGINNING ANY WORK

PROPOSED FOR:
FAIRYTALE CHILDCARE CENTER
710 E. FOOTHILL BLVD.
UPLAND, CA 91786

REGISTERED PROFESSIONAL ENGINEER
KUO-PING WANG
43144
Exp. 03-31-22
CIVIL
STATE OF CALIFORNIA

SHEET TITLE:
TITLE SHEET PROJECT DATA

Issue Date: XX-XX-XX	
Revisions	
No.	Date	Description
1		
2		
3		
Project No: 2019_0046	Drawn By: J.S.
Designer: J.S.	Checked By:

Sheet Number:

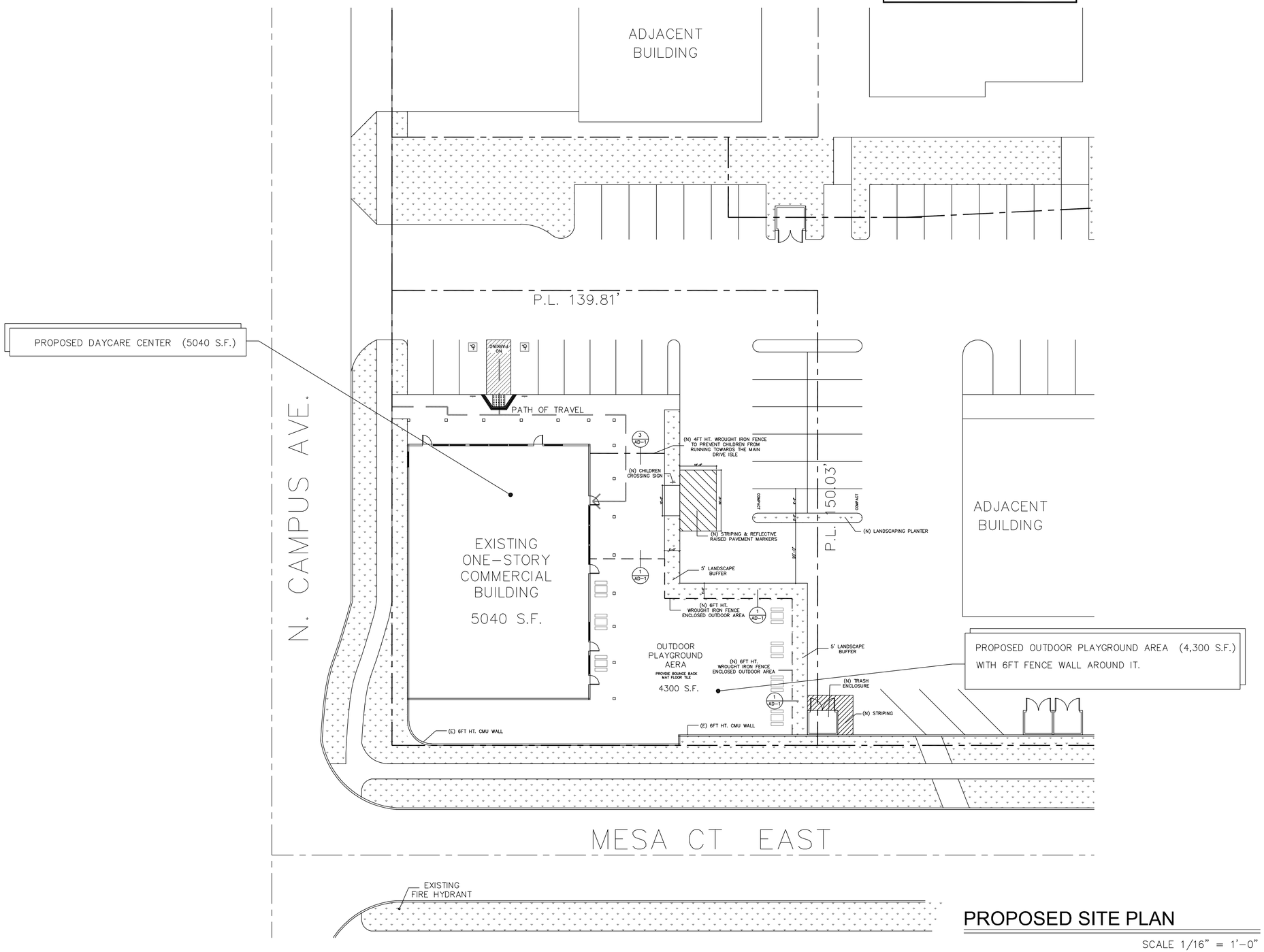
A-0.1

PERMIT SET, NOT FOR CONSTRUCTION BID

PROVIDE SERVICE TO 94 CHILDREN
8 STAFF
PROPOSED OCCUPANCY GROUP: E
REQUIRE PARKING:
5,040 / 350 = 14.4
PARKING PROVIDED : 15
WITH 2 ACCESSIBLE PARKING

LEGEND

EXISTING LANDSCAPE AREA



PROPOSED SITE PLAN

SCALE 1/16" = 1'-0"

N

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CIVIL
STATE OF CALIFORNIA

SHEET TITLE: EXISTING SITE PLAN

Issue Date: XX-XX-XX		
Revisions		
No.	Date	Description
1		
2		
3		
Project No: 2019_0046		Drawn By: J.S.
Designer: J.S.		Checked By:

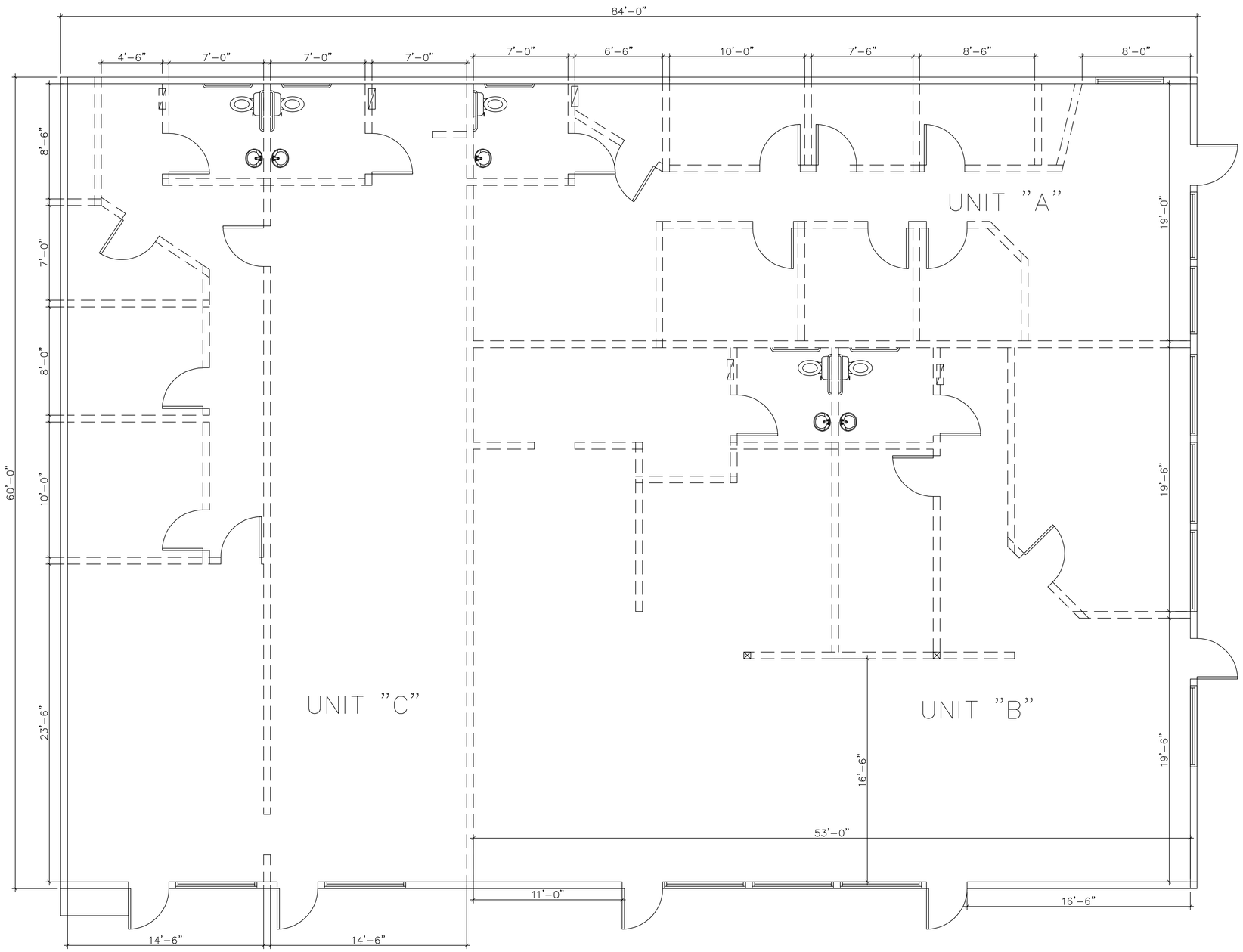
Sheet Number:

A-1.1

PERMIT SET, NOT FOR CONSTRUCTION BID

LEGEND

- EXISTING WINDOW
- EXISTING WALL.
- EXISTING WALL TOBE REMOVED



EXISTING AND DEMOLITION PLAN

SCALE 1/4" = 1'-0"

N

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PROPOSED FOR:

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43144
Exp. 03-31-22
CIVIL
STATE OF CALIFORNIA

SHEET TITLE:

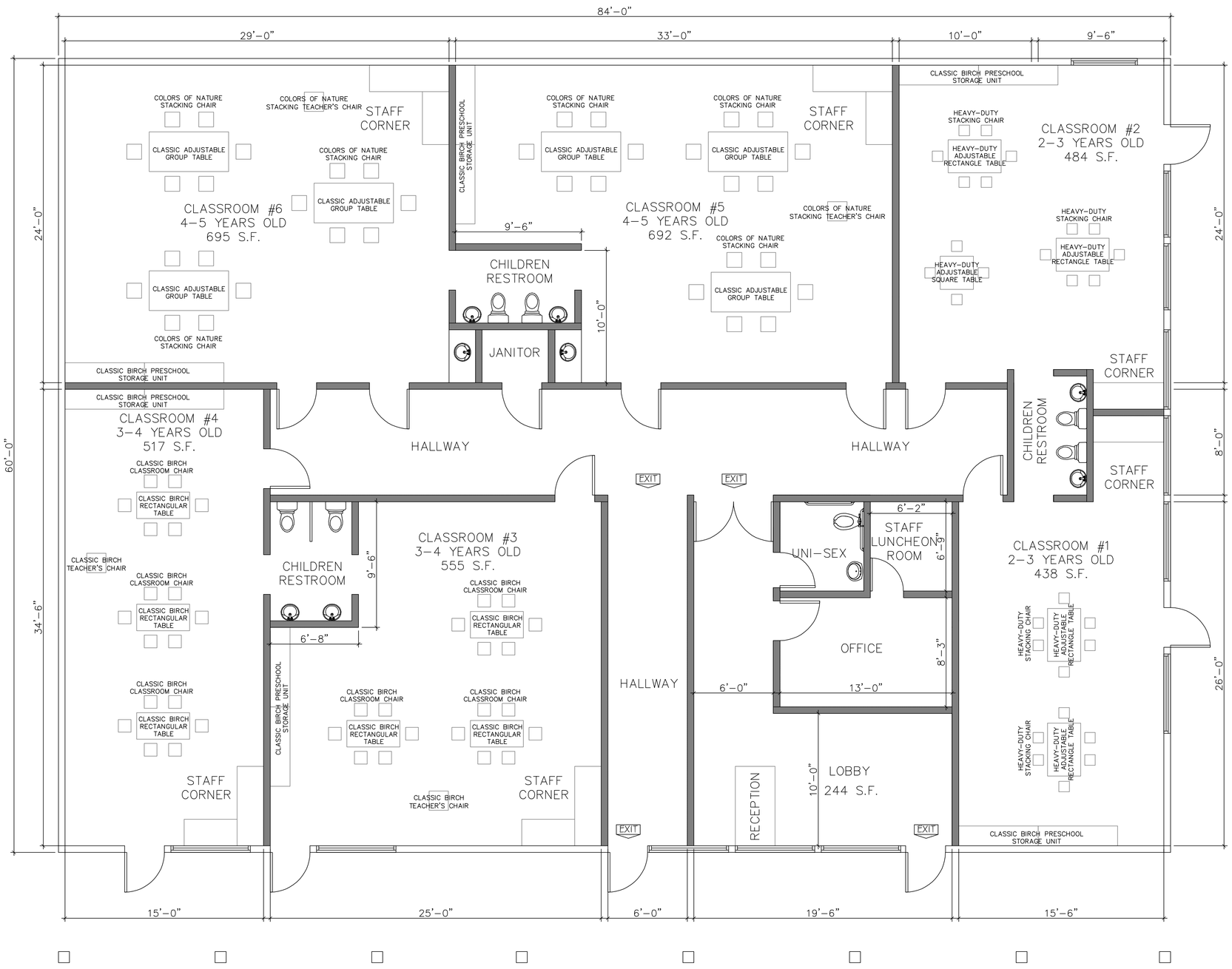
BUILDING AND DEMOLITION FLOOR PLAN

Issue Date: XX-XX-XX		
Revisions		
No.	Date	Description
1		
2		
3		
Project No: 2019_0046		Drawn By: J.S.
Designer: J.S.		Checked By:

Sheet Number:

A-2.1

PERMIT SET, NOT FOR CONSTRUCTION BID



LEGEND

EXISTING WINDOW

EXISTING WALL.

NOTE:

1. FIRE SPRINKLER & FIRE ALARM SYSTEM IS REQUIRED AND IS UNDER SEPARATE PERMIT
2. CORRIDOR, HALLWAY AND LOBBY SHALL BE 1 HR FIRE-RESISTANCE RATING
3. PENETRATIONS FOR HVAC SHALL BE PROTECTED WITH LISTED DAMPERS
4. ALL DOORS OPENING INTO CORRIDOR, HALLWAY AND LOBBY SHALL BE 20-MINUTE FIRE-RESISTANCE RATING

NO COOKING ON SITE
FOOD CATERING ONLY

PROPOSED FLOOR PLAN

SCALE 1/4" = 1'-0"

N

JWL ASSOCIATES INC

ARCHITECTURAL & ENGINEERING

1221 S. HACIENDA BLVD.
HACIENDA HEIGHTS, CA 91745

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PROPOSED FOR:

FAIRYTALE CHILDCARE CENTER

710 E. FOOTHILL BLVD.
UPLAND, CA. 91786

REGISTERED PROFESSIONAL ENGINEER
KUO-PING WANG
43144
Exp. 03-31-22
CIVIL
STATE OF CALIFORNIA

SHEET TITLE:

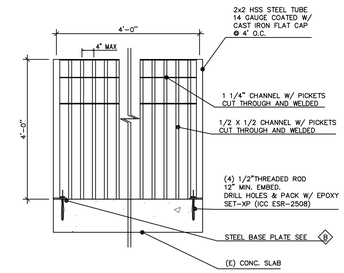
BUILDING "B", "C"
EXISTING FLOOR PLAN

Issue Date: XX-XX-XX		
Revisions		
No.	Date	Description
1		
2		
3		
Project No: 2019_0046		Drawn By: J.S.
Designer: J.S.		Checked By:

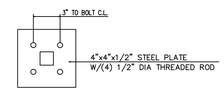
Sheet Number:

A-2.2

PERMIT SET, NOT FOR CONSTRUCTION BID

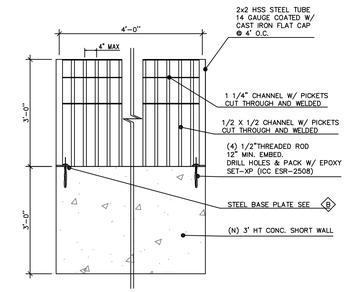


A FENCE ELEVATION



B BASEPLATE PLAN

3 FENCE WALL ELEVATION & DETAIL Scale: N.T.S.



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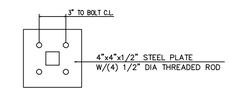
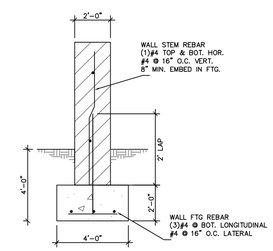


B BASEPLATE PLAN

1 FENCE WALL ELEVATION & DETAIL Scale: N.T.S.



2 CONCRETE SHORT WALL DETAIL Scale: N.T.S.

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PROPOSED FOR:
FAIRYTALE CHILDCARE CENTER
710 E. FOOTHILL BLVD.
UPLAND, CA 91786

REGISTERED PROFESSIONAL ENGINEER
SUO-PING WANG
43144
Exp. 03-31-22
CIVIL
STATE OF CALIFORNIA

SHEET TITLE:
ARCHITECTURE DETAILS

Issue Date: XX-XX-XX

Revisions		
No.	Date	Description
1		
2		
3		

Project No: 2019_0046	Drawn By: J.S.
Designer: J.S.	Checked By:

Sheet Number:

AD-1

PERMIT SET, NOT FOR CONSTRUCTION BID

Exhibit C – Planning Commission Staff Report for CUP-19-07, August 12, 2020

PLANNING COMMISSION REPORT

ITEM NO. 1

DATE: **AUGUST 12, 2020**

TO: **PLANNING COMMISSION**

FROM: **ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR**

PREPARED BY: **JOSHUA WINTER, ASSOCIATE PLANNER**

SUBJECT: **CONDITIONAL USE PERMIT NO. CUP-19-07 FOR THE ESTABLISHMENT OF A CHILD CARE/PRESCHOOL FACILITY FOR UP TO 94 CHILDREN WITHIN AN EXISTING 5,040 SQUARE FOOT TENANT SPACE IN A COMMERCIAL CENTER, INCLUDING THE CONSTRUCTION OF AN OUTDOOR PLAY AREA WITHIN THE COMMERCIAL/OFFICE MIXED-USE (C/O-MU) GENERAL PLAN LAND USE DESIGNATION AND COMMERCIAL/OFFICE MIXED-USE (C/O-MU) ZONE LOCATED AT 710 E. FOOTHILL BOULEVARD (APN: 1046-101-08)**

REQUEST

The applicant is seeking approval of a Conditional Use Permit to establish a child care/preschool facility within an existing 5,040 square foot tenant space in a commercial center and a new outdoor play area (See Exhibit A – Draft Resolution). The application for the project includes:

Conditional Use Permit No. 19-07. A Conditional Use Permit is required for a child care center within the Commercial/Office Mixed-Use (C/O-MU) zone.

SYNOPSIS

Applicant:	Wei Zhao
Representative:	Same as Applicant
Property Owner:	Manco International c/o Manny Borookhim

Excerpt from Planning Commission Agenda Packet on 8/12/2020

Property Location:	710 E. Foothill Blvd. (1046-101-08)
Existing General Plan Land Use Designation:	Commercial/Office Mixed-Use (C/O-MU)
Existing Zoning Classification:	Commercial/Office Mixed-Use (C/O-MU)
Site Size:	20,975 square feet
Building/Suite Size:	5,040 square feet
Access:	Driveway off North Campus and two driveways off of East Foothill Boulevard.
Existing Conditions:	Existing building and parking.
Surrounding Land Uses:	

Direction	Land Use	General Plan	Zone
North	7/11 and Vehicle Repair Shop	C/R-MU	C/R-MU
East	CVS store and Carl's Jr. restaurant	C/R-MU	C/R-MU
South	Single-family Residential.	SFR-M	RS-7.5
West	Commercial/ Restaurant	C/R-MU	C/R-MU

See Exhibit B – Vicinity Map

Previous Applications/Entitlement:	N/A

AUTHORIZATION/GUIDELINES

Section 17.44.040(C) of the Upland Municipal Code requires the Planning Commission to approve, conditionally approve, or deny all conditional use permit applications.

PUBLIC NOTICE

This project included the following types of notification to the public, in accordance with Upland Municipal Code (UMC) Section 17.46.020.

1. On July 28, 2020, a Notice of Public Hearing was mailed to all property owners within 300 feet of the project site. This resulted in a total of 12 property owners being noticed.

2. On July 31, 2020, the Public Hearing Notice was published in the Inland Valley Daily Bulletin, as well as posted in two physical locations (Upland City Hall and Upland Library).

Excerpt from Planning Commission Agenda Packet on 8/12/2020

BACKGROUND

According to building permit records, the existing commercial building was originally constructed in 1985. The building is located in the Upland Country Village shopping center which was also constructed between 1984 and 1985. The building has contained multiple tenants throughout its history. Most recently, the building was divided into 3 units, and contained a chiropractor's office and salon & day spa. Currently, the building is completely vacant. No previous land use entitlements were found for the building. Neighboring uses within the shopping center include Goodwill, El Pollo Loco, Round Table Pizza and Brandon's Diner among other commercial uses.

ANALYSIS

General Plan

The project site has a "Commercial/Office Mixed-Use" General Plan Land Use Designation. The designation is intended to accommodate for mixed office and commercial uses along Foothill Boulevard near San Antonio Hospital in order to support regional employment opportunities. Commercial uses are also supported within this designation, including the proposed child care center, which will provide employment opportunities and necessary services for local workers. The business is consistent with the General Plan goals and/or policies as shown in Table 1 below.

Table 1

Goal/Policy	Consistency
Policy LU-1.4 Complete and Balanced Community. Foster new land uses and building types that contribute to City revenues and increase employment while also ensuring the provision of sufficient housing, shopping, civic, cultural, open space, and recreational opportunities.	The business owner provides a new business that will cater to Upland residents and provides a valuable service for workers child care needs, as well as employment opportunities. Additionally, the use will draw people to a center that is experiencing a high vacancy rate.
Goal ES-1 A sustainable business environment that supports local entrepreneurial growth and attracts commercial and industrial investment and revitalization.	The action supports entrepreneurial growth by supporting a new business investment. The project also provides new investments into a currently vacant building.

Zoning

The C/O-MU Zone is situated along Foothill Boulevard near San Antonio Hospital and along Mountain Avenue near the I-10 Freeway. The zone is intended to support mixed office and commercial uses in support of regional employment opportunities. The zoning designation allows for a variety of retail, service, and office users, and specifically requires the approval of a Conditional Use Permit for a child care center. (See Exhibit D – General Plan and Zoning Map)

Excerpt from Planning Commission Agenda Packet on 8/12/2020

Project Description

The applicant requests approval of a Conditional Use Permit to allow a child care center/preschool facility for up to 94 children within a 5,040 square square-foot building, and including a new 3,526 square-foot outdoor playground (see Exhibit D – Project Plans). The proposed child care center/preschool would be available to children between the ages of two years and six years old. The facility would include 1 teacher for every 12 children, or 1 teacher and 1 teacher aid for up to 15 children plus additional administrative staff, with the applicant anticipating approximately 21 employees.

The proposed age group breakdown is provided in the Table 2 below.

Table 2

Age	Number
2/3 years	30
3/4 years	30
5/6 years	34
Total	**94**

Operations

The proposed use will operate between the hours of 6:30 a.m. and 6:00 p.m. Children will leave and arrive at various times during the day according to each family's needs. The preschool will cater in meals for children, with breakfast served from 7:30 am to 8:30 am, Lunch service from 12:00 pm to 1:00 pm and a snack will be served from 2:30 pm to 3:30 pm. Children of every age will be required to be walked into the facility and signed-in and -out by a parent or guardian each day. There will be no designated drop off and pickup areas; parents must park and enter the facility to drop off and pick up their child. Outside playtime will be staggered between age groups. The use will also include various special activities throughout the year, for example, a Halloween parade will occur during the Halloween season. For additional operational details, please see Exhibit E – "Fairytale Castle Parent Handbook".

Site and Floor Plan

The proposed facility will occupy the entirety of the existing 5,040 square foot building. The floor plan includes space for the reception area, classrooms, bathrooms, and employee break space. (See Exhibit D)

The project proposes no exterior changes to the building and maintains the existing building setbacks, floor area, lot coverage, and height. The project will include interior tenant improvements, which will consists of offices, breakrooms, storage rooms, a utility room, classrooms, and the remainder of the space will be used for

Excerpt from Planning Commission Agenda Packet on 8/12/2020

restroom facilities and corridor space. The size and use of the classrooms and building are broken down as shown below in Table 3:

Table 3

Classroom 1 - 2/3 years	421 square feet
Classroom 2 - 2/3 years	425 square feet
Classroom 3 - 3/4 years	555 square feet
Classroom 4 - 3/4 years	517 square feet
Classroom 5 - 5/6 years	695 square feet
Classroom 6 - 5/6 years	692 square feet
Remainder square footage devoted to office/reception/lobby/hallways	1735 square feet
Total Square Footage	5,040 Square Feet

Outdoor Playground

State Law (State of California, Title 22, Division 12, Chapter 1 of the Manual of Policies and Procedures for Community Care Licensing, Section 101238.2, Outdoor Activity Space), requires the following for infants, toddlers and preschoolers (6 weeks – 6 years):

- There shall be at least 75 square feet per child of outdoor activity space.
- The outdoor space shall provide a shaded rest area and permit children to reach the activity space safely.
- The surface of the activity space shall be in a safe condition and free of hazards.
- The areas around and under climbing equipment, swings slides and similar equipment shall be cushioned with material that absorbs falls.
- Sandboxes shall be inspected daily and kept free of foreign materials.
- The playground shall be enclosed by a fence at least four feet high.

The applicant is providing a 3,526 square foot outdoor play area at the east side of the building, built over 9 existing parking stalls. There will be a total of 94 children permitted to be at the facility, therefore, 7,050 square feet (94 children x 75 square feet) of outdoor activity space is required. Because the applicant's outdoor space is not large enough to meet the State requirement, the applicant is required to stagger outdoor playtime by age group in order to ensure the children are provided adequate outdoor area. Conditions of approval have been included on the project to ensure the ratio of 75 square foot per child is maintained while the outdoor playground is in use.

The outdoor play area will be improved with a rubber play surface, various playground equipment and bench seating. The applicant has proposed a 6 foot high decorative fence, consisting of 3 feet of decorative wrought iron and 3 feet of concrete wall. In addition, a 5 foot landscaping planter will surround the playground area to further buffer the playground from the drive aisle. Finally, the plans currently show the fencing going in front of the primary entrance of the building, which is not permitted,

therefore, a condition has been included required that access be maintained and the outdoor area be reoriented away from the front entrance.

The project would introduce a new outdoor noise source, but the noise generation will be during the day, and, the noise of children playing is not anticipated to exceed the City of Upland's allowed daytime noise levels of 65 dBA, found in Chapter 9.40 of the Municipal Code.

Parking and Circulation

Access to the project is provided by Foothill Boulevard to the north and Campus Avenue to the west. Both streets are designated as Major arterials. In order to ensure traffic associated with the use will not result in any impacts, a Trip Generation Analysis was prepared for the project which determined that the number of trips generated by the project would not create a significant impact. Trip rates were calculated based on the Institute of Transportation Engineers Trip Generation Manual (10th Addition (ITE, 2017). It was determined that the project would generate 240 total daily trips and 55 AM peak hour trips, and 56 PM peak hour trips. Staff required the applicant to provide a Level of Service (LOS) Analysis for the intersection of Campus Avenue and Foothill Boulevard. The LOS Analysis found that, with the new traffic generated by the project, the intersection will continue to operate at an LOS C during both a.m. and p.m. peak hours, and comply with the General Plan Goal of maintaining an LOS D (General Plan Policy CIR-1.1). Therefore, the project will not result in a significant impact related to traffic. (See Exhibit F – Traffic Impact Analysis)

While the analysis shows that the project will not result in a significant traffic impact, the project's traffic engineer has noted the existing traffic at the intersection of Foothill Boulevard and Campus Avenue does back-up to the south, which blocks the project site's driveway off of Campus Avenue, often blocking left turns from said driveway. Therefore, the traffic engineer has recommended a sign be placed at the intersection of the project site driveway onto Campus Avenue that prohibits left turns during peak hours. A Condition of Approval has been added requiring this recommendation, for the Planning Commissions consideration.

In accordance with Upland Municipal Code Section 17.11.030/Table 17.11-1(On-site Parking Requirements), the required parking for the proposed Child Care Center is 1 parking space for every 350 square feet of gross floor area. Therefore, at 5,040 square feet, the use requires a total of 15 parking spaces.

The shopping center currently has 268 parking spaces. Based on the existing uses in the shopping center, including the proposed Child Care Facility, the center requires a total of 193 parking spaces. This results in a surplus of 75 parking spaces, therefore parking is adequate for the proposed child care facility, including the loss of 9 parking spaces for the outdoor play area, and all existing uses on site.

Excerpt from Planning Commission Agenda Packet on 8/12/2020

ENVIRONMENTAL ASSESSMENT

The project has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301, Existing Facilities, Class 1 (a), of the CEQA Guidelines as the project involves minor interior and exterior alterations to an existing building and site.

REQUIRED FINDINGS

According to Municipal Code Section 17.44.040, in order to approve a conditional use permit, the Planning Commission is required to make specific findings. Section 1 of the Planning Commission Resolution contains the mandated findings for the Planning Commission's consideration.

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee reviewed the project, and recommended approval, subject to conditions of approval that have been incorporated into the draft resolution. As part of this process, the application was reviewed by the Upland Police Department, who has provided conditions of approval that include requirements for a video surveillance system and the allowance for an inspection of the premises every six (6) months by the Upland Police Department.

RECOMMENDED ACTION

The Planning Division recommends that the Planning Commission adopt a Resolution entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. CUP-19-07 FOR THE ESTABLISHMENT OF A CHILD CARE/PRESCHOOL FACILITY WITHIN AN EXISTING 5,040 SQUARE FOOT COMMERCIAL BUILDING INCLUDING THE CONSTRUCTION OF AN OUTDOOR PLAY AREA WITHIN A THE COMMERCIAL/OFFICE MIXED-USE (C/O-MU) GENERAL PLAN LAND USE DESIGNATION AND COMMERCIAL/OFFICE MIXED-USE (C/O-MU) ZONE LOCATED AT 710 E. FOOTHILL BOULEVARD (APN: 1046-101-08).

MOTION

- Move to find the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301, Existing Facilities, Class 1 (a), of the CEQA Guidelines, since the proposed project consists of a negligible change in use within an existing structure.

- Move to approve Conditional Use Permit No. CUP-19-07 for the establishment of a child care/preschool facility, based on the findings and subject to the conditions of approval, as set for in the Resolution.

Excerpt from Planning Commission Agenda Packet on 8/12/2020

EXHIBITS

Exhibit A: Draft Resolution
Exhibit B: Vicinity Map
Exhibit C: General Plan and Zoning Map
Exhibit D: Project Plans
Exhibit E: Fairytale Castle Parent Handbook
Exhibit F: Traffic Impact Analysis

Exhibit A – Draft Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND APPROVING CONDITIONAL USE PERMIT NO. CUP-19-07 FOR THE ESTABLISHMENT OF A CHILD CARE/PRESCHOOL FACILITY WITHIN AN EXISTING 5,040 SQUARE FOOT COMMERCIAL BUILDING INCLUDING THE CONSTRUCTION OF AN OUTDOOR PLAY AREA WITHIN A COMMERCIAL/OFFICE MIXED-USE (C/O-MU) GENERAL PLAN LAND USE DESIGNATION AND COMMERCIAL/OFFICE MIXED-USE (C/O-MU) ZONE LOCATED AT 710 E. FOOTHILL BOULEVARD (APN: 1046-101-08)

Intent of the Parties and Findings

WHEREAS, Wei Zhao (Applicant) has filed an application requesting approval of the Project; and

WHEREAS, the Project is considered a project as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

WHEREAS, the Development Services Director determined that the Project qualifies for a Categorical Exemption from the provisions of CEQA per Section 15301, Existing Facilities, of the CEQA Guidelines in that a Class 1 exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of the existing private structure, and involves no expansion of use beyond that existing at the time of the lead agency's determination; and

WHEREAS, the City of Upland Planning Division on July 30, 2020, posted two (2) true and correct copies of the legal notice at the Upland City Hall Bulletin Board and at the Upland Public Library in accordance with the Upland Municipal Code Section 17.46.020; and

WHEREAS, the City of Upland Planning Division on July 28, 2020, mailed the public hearing notice to each property owner within a 300-foot radius of the project site indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, the City of Upland Planning Division on July 31, 2020, published a legal notice in the Inland Valley Daily Bulletin, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, the City of Upland Planning Commission conducted a duly noticed public hearing on August 12, 2020, at which time it received public testimony concerning the Project, and considered the CEQA Exemption for the proposed Project and the project itself.

NOW, THEREFORE, the Planning Commission of the City of Upland hereby finds, determines and resolves as follows:

Section 1. FINDINGS. The Planning Commission hereby makes the following findings and determinations in connection with the approval of the Project:

A. The above Recitals are true and correct.

B. The project is consistent with the following General Plan Policies:

1. Policy LU-1.4 Complete and Balanced Community. Foster new land uses and building types that contribute to City revenues and increase employment while also ensuring the provision of sufficient housing, shopping, civic, cultural, open space, and recreational opportunities.

   Fact: The business owner provides a new business that will cater to Upland residents and provides a valuable service for workers child care needs, as well as employment opportunities. Additionally, the use will draw people to a center that is experiencing a high vacancy rate.

2. Goal ES-1 A sustainable business environment that supports local entrepreneurial growth and attracts commercial and industrial investment and revitalization.

   Fact: The action supports entrepreneurial growth by supporting new business investment and supports Upland residents and workers by allowing for needed support services. The project also provides new investments into a currently vacant building.

C. In accordance with Upland Municipal Code Section 17.44.040 F, the Planning Commission may approve an application for a Conditional Use Permit only if the proposed project complies with applicable standards in the Zoning Ordinance, other City ordinances, the General Plan, and any other applicable community or specific plans, and as supported by all of the following findings:

1. Finding: The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses near the subject property.

   Evidence: The site is located within an existing commercial development with nearby commercial and residential uses and adjacent to the Campus Avenue and Foothill Boulevard commercial corridor. The proposed tenant space would be large enough to accommodate the number of children the applicant has requested. The traffic analysis shows the operation would not result in traffic impacts, and the staggered drop off would reduce potential traffic impacts from students arriving or departing the site. There is sufficient parking on-site to accommodate the existing and proposed use for the site under the Upland Zoning Code.

2. Finding: The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g. fire and medical) access and public services and utilities.

   Evidence: The use is located within an existing commercial site, primarily surrounded by commercial uses with multi-family residential uses to the south. The design of the project will utilize the existing parking and circulation, which is adequate. The design of the outdoor play ground a 6-foot high decorative tubular steel fence and 5 foot landscaping planter will surround the playground area to further buffer the playground from the drive aisle. The size and shape of the existing site and building provide sufficient space to accommodate the proposed use, including classrooms, required restrooms and outdoor space. The center's parking lot would allow child drop offs and pick-ups to occur away from the public right of way and would not conflict with existing uses. The existing circulation is adequate for public access, including public service and emergency vehicles.

3. Finding: The proposed use will not be detrimental to the public health, safety, and welfare of the persons residing or working in the neighborhood of the proposed use.

   Evidence: The proposed use would be located within an existing commercial office development with operation occurring during normal business hours. The proposed use would operate indoors with a proposed outdoor playground. Parents will be required to sign in their children at arrival times and again sign out their child upon picking up their children. The project is consistent with the development standards of the Commercial/Residential Mixed-Use (C/R-MU) zone intended to protect the public health, safety and welfare. The use is appropriately conditioned to ensure the public health, safety, and welfare are protected. Conditions include limitations of hours of operations as well as security and maintenance requirements.

Section 2. DETERMINATION. In light of the evidence presented at the public hearing and based on the findings set forth above, the Planning Commission hereby finds that the requirements necessary for the approval of Conditional Use Permit No. CUP-19-07 have been met, subject to all applicable provisions of the Upland Municipal Code, and the following conditions of approval:

10.0 General Conditions

10.1 The approved project includes a Child Care Center/Preschool for 2 to 6 year olds within an existing 5,040 square foot building; including a 3,526 square foot outdoor playground. Expansion of project beyond the scope and nature of the project, which would increase the projected scale of

the project, shall not be permitted except upon application for and approval of modification to this approval.

10.2 All Ordinances, Policy Resolutions, and Standards of the City in effect at the time this project is approved shall be complied with as a condition of this approval.

10.3 Development of the project shall be consistent with the stamped approved plans on file with the City of Upland Planning Division.

10.4 Prior to issuance of permits, all tenant improvements shall be subject to plan check with the Planning Division, Building Division, Engineering Division, Public Works Department and Fire Department.

10.5 All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris at all times. Dead, damaged, and/or missing landscaping shall be replaced/replanted, subject to the satisfaction of the Planning Division.

10.6 To the maximum extent permitted by law, Applicant must defend, indemnify, and hold City and its elected officials, officers, contractors serving as City officials, agents, and employees ("Indemnitees") harmless from liability for damage and/or claims for damage for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with Conditional Use Permit No. CUP-19-07("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims for damage, as described above, regardless of whether or not the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. The City shall have the right to select counsel of its choice that the Applicant reasonably approves. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge or take any position adverse to the Applicant in connection with such third-party challenge.

10.7 Within 15 calendar days of this approval, the Property Owner or Project Applicant, shall submit to the Development Services Department written evidence of agreement with all conditions of this approval before the approval becomes effective. (UMC 17.45.030)

10.8 The applicant shall not engage in any construction activities other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in case of urgent necessity in the interest of public health and safety or as otherwise approved by the Development Services Director.

10.9 Termination of approval if either: (1) development has not been diligently commenced and actively pursued to completion thereafter within a two (2) year period from the date of approval (i.e. August 12, 2022); or, (2) if the use approved hereunder is discontinued for a period of one hundred and eighty days or longer; or, (3) non-compliance with any provision of the Upland Municipal (UMC) not specifically waived in compliance with City procedures.

20.0 Planning Division Conditions

20.1 Child Care hours of operation are limited from 6:00 am to 6:00 pm, Monday through Friday. This limitation excludes administrative operations.

20.2 The child care facility is limited to a maximum of 94 children.

20.3 The operator shall ensure the ratio of 75 square foot per child is maintained while the outdoor playground is in use. Currently, due to the size of the outdoor playground, the total number of children allowed within the outdoor playground at any given time shall not exceed 47. If the applicant desires to expand the outdoor play area, the applicant shall submit plans and applications, as required by the Development Services Director, for review and approval by the Development Services Director

20.4 If traffic or circulation issues occur as a result of this use the operator is required to make any modifications to operation of the school, up to and including suspending the use, necessary to resolve the issues, to the satisfaction of the Development Services Director.

20.5 The project shall be operated in accordance with all local, state and federal regulations.

20.6 Curbside drop-offs in front of the building shall be prohibited at all times. Each child shall be walked into the building upon arrival and picked-up inside the building upon departure. No idling, double parking or blocking of the drive aisles shall be allowed. The applicant shall ensure that all parents are provided with a written copy of this policy upon enrollment and as a reminder in any regularly published newsletters.

20.7 The applicant shall provide parents/guardians with a written advisory and diagram that details the protocols for entering, parking, and exiting the site. The applicant shall require parents/guardians to acknowledge (in writing) that they have read and will abide by the provisions of the advisory.

20.8 The applicant shall monitor the queues in front of the building. Should the vehicle queues extend onto the drive aisles, modifications to the size of individual classes, the class schedule, or additional assistance during loading/unloading time will be required. Such modifications shall be subject to the approval of the Development Services Director.

20.9 All children shall be signed in by a parent upon arrival and signed out prior to departing the premises.

20.10 Applicant shall utilize non-toxic and age appropriate play equipment and plant materials.

20.11 The proposed playground equipment shall conform to the standards set forth by the American Society for Testing and Materials.

20.12 Prior to the issuance of building permits for tenant improvements, the applicant shall provide cut sheets for the proposed fencing/wall materials. Fencing shall be constructed out of decorative tubular steel/wrought iron and a stuccoed concrete wall to the satisfaction of the Development Services Director or designee.

20.13 The tenant improvement plans submitted for plan check shall include the following:

a. A detailed site plan for the outdoor playground area, including manufacturers cut sheet (spec sheet) and specific playground equipment and furniture.
b. The plan shall identify all outdoor playground materials, including but not limited to, ground covers, sand boxes and equipment, furniture, etc.
c. The plans shall also include a landscape plan for the new proposed landscape planters surrounding the outdoor play area.
d. The plan shall reorient the outdoor playground so the fencing does not block the primary entrance to the satisfaction of the Building Official and Development Services Director.

30.0 Police Department

30.1 The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Upland Police Department, and City Planning.

30.2 A 6-month review/inspection shall be conducted to ensure permittee's

compliance with all operating conditions.

30.3 Public access shall be restricted to a single point of entry which may include double doors.

30.4 All doors shall be alarmed so as to notify staff when someone is entering or exiting through any point of the business.

30.5 All exterior doors shall be equipped with a lighting device capable of providing a minimum of two foot-candle of light at ground level.

30.6 Lighting is required in all areas of public access.

30.7 All exterior lighting shall be oriented inward into the project so as not to interfere with adjacent residential areas or vehicular traffic on adjacent public streets.

30.8 At a minimum, internally illuminated address signs/numbers are required for each building, to the satisfaction of the Deputy Fire Marshal and the Chief of Police.

30.9 A digital video surveillance system is required at the premise. It is recommended to have a surveillance video/visual media that shall be maintained for a minimum of sixty (60) days and upon request, shall be accessible to law enforcement personnel for viewing, copying and collection purposes during regular business hours. The system shall be able to make license plates discernable. The video system shall cover all ingress and egress points of the parking lots, the building, and inside of the premises.

30.10 Provide UPD with contact information of person responsible for maintaining video equipment/system and who has access to retrieve and copy surveillance video. The surveillance video/visual media shall be remotely accessible to the Upland Police Department.

30.11 Signs shall comply with all City of Upland sign requirements (UMC 17.15 et seq.). No more than 25% of the total window area and clear doors shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the public sidewalk or entrance to the premises (this applies to all windows of this location).

30.12 Signs prohibiting loitering shall be installed to the satisfaction of the Chief of Police. They shall be mounted between six and ten feet above ground. The following must be printed on the sign in letters at least two inches tall: "PC647 (h), UMC l 0.72.010." and "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES." The signs shall be posted on the front, rear, and sides of the building, and shall be clearly

visible to patrons of the licensee.

30.13 Graffiti abatement by the business owner/licensee shall be immediate and ongoing on the licensed premises, but in no event shall graffiti be allowed unabated on the premises for more than 48 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee shall notify the City within 24 hours of any graffiti elsewhere on the property not under the business owner/licensee's control so that it may be abated by the property owner.

30.14 All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris at all times.

30.15 The applicant shall be responsible for maintaining the area adjacent to the premises over which they have control free of litter.

30.16 If any community issues arise, such as noise, odors, parking, crime, etc., the owner/operator shall be responsible for immediate implementation of measures to address the issues, including additional restrictions on the intensity of the use, to the satisfaction of the Development Services Director and/or the Chief of Police.

30.17 Violation of any of the aforementioned conditions, may result in revocation of the CUP, consistent the process established in UMC Section 17.45.100, Permit Revocation or Modification.

40.0 Building and Safety

40.1 The applicant shall obtain building permits for all tenant improvements, receive a final inspection for said permits and a Certificate of Occupancy prior to the issuance of a Business License.

40.2 All tenant improvements shall be in compliance with the 2019 California Building Code.

40.3 The primary entrance shall not be blocked by any fencing.

50.0 San Bernardino County Fire Protection District (SBCoFD)

50.1 The development shall have a minimum of 2 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions. b. Multi-

Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.

50.2 Prior to the issuance of building permits, building plans shall be submitted to the Fire Department for review and approval.

50.3 The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

50.4 An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

50.5 Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

50.6 An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.

50.7 An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.

50.8 Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for Fire Final.

50.9 In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office. Deferred Submittal required for Alarms, Sprinklers and Underground Fire water.

50.10 This standard, in conjunction with the latest edition of NFPA 13, NFPA 13R and NFPA 24, shall apply to the design and installation of, and the modification to, all new and existing fire sprinkler systems in commercial and industrial buildings and multi-family dwellings. This standard and

its interpretation shall take NOT precedent where there is any conflict with NFPA standards.

60.0 Review/Compliance

60.1 If the Development Services Director finds evidence that the conditions of approval have not been fulfilled or the use has or have resulted in a substantial adverse effect to the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Development Services Director may refer the conditional use permit back to the Planning Commission for review. If, upon such item the Commission finds that any of the results above have occurred the Commission may modify or revoke the conditional use permit.

60.2 The Planning Commission may review the use 90 days, 180 days, and on an annual basis following the date of final inspection, or as needed at the discretion of the Development Services Director, to determine whether the applicant and operators are operating the use in a manner that is compatible with the community. The Planning Commission may establish additional conditions of approval that are necessary to eliminate any issues that arise from the operation of the use that adversely impact the public health, welfare, and safety, or may direct staff to initiate revocation proceedings. The conditional use permit may be revoked if the permittee, his agents or assigns, or employee(s) of the establishment, or any other person connected or associated with the permittee or his business establishment, or any person who is exercising managerial authority of the business establishment has:

a. Violated any rule, regulation, or condition of approval adopted by the Planning Commission relating to the conditional use permit or contained in the Upland Municipal Code, or state or federal regulations. Violation of any provision of the Upland Municipal Code (UMC) or the conditions of approval set forth in this resolution, shall be deemed to constitute an infraction of the Upland Municipal Code, and shall be subject to the applicable fines and penalties, including the possibility of revocation of this permit.

b. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety, and general welfare of the public, or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities that negatively affects adjacent properties or creates an increased demand for public services.

Section 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). The project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15301, Existing Facilities, Class 1 (a), of the California Environmental Quality

Act Guidelines, since the proposed project consists of a negligible change in use within an existing structure.

Section 4. APPEAL. Pursuant to Upland Municipal Code Section 17.47.040, the decision of the Planning Commission may be appealed to the City Council provided that written notice of the appeal is filed with the City Clerk within ten (10) days following the date the decision was rendered, unless a longer appeal period is specified as part of the project approval. Failure to file a timely appeal shall constitute a waiver of the right of appeal, and the decision of the Planning Commission shall be final.

Section 5. INCONSISTENCY. If any section, division, sentence, clause, phrase or portion of this resolution or the document in the record in support of this resolution is determined by a court of competent jurisdiction to be invalid, unenforceable, unconstitutional or otherwise void, that determination shall not affect the validity of the remaining sections, divisions, sentences, clauses, phrases of this resolution.

Section 6. CERTIFICATION. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and their certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 12th day of August, 2020.

_____

Robin Aspinall, CHAIR

ATTEST:

_____

Robert D. Dalquest, SECRETARY

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a special adjourned meeting thereof held on the 12th day of August, 2020, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

_____

Robert D. Dalquest, SECRETARY

Exhibit B – Vicinity Map

EXHIBIT B – VICINITY MAP

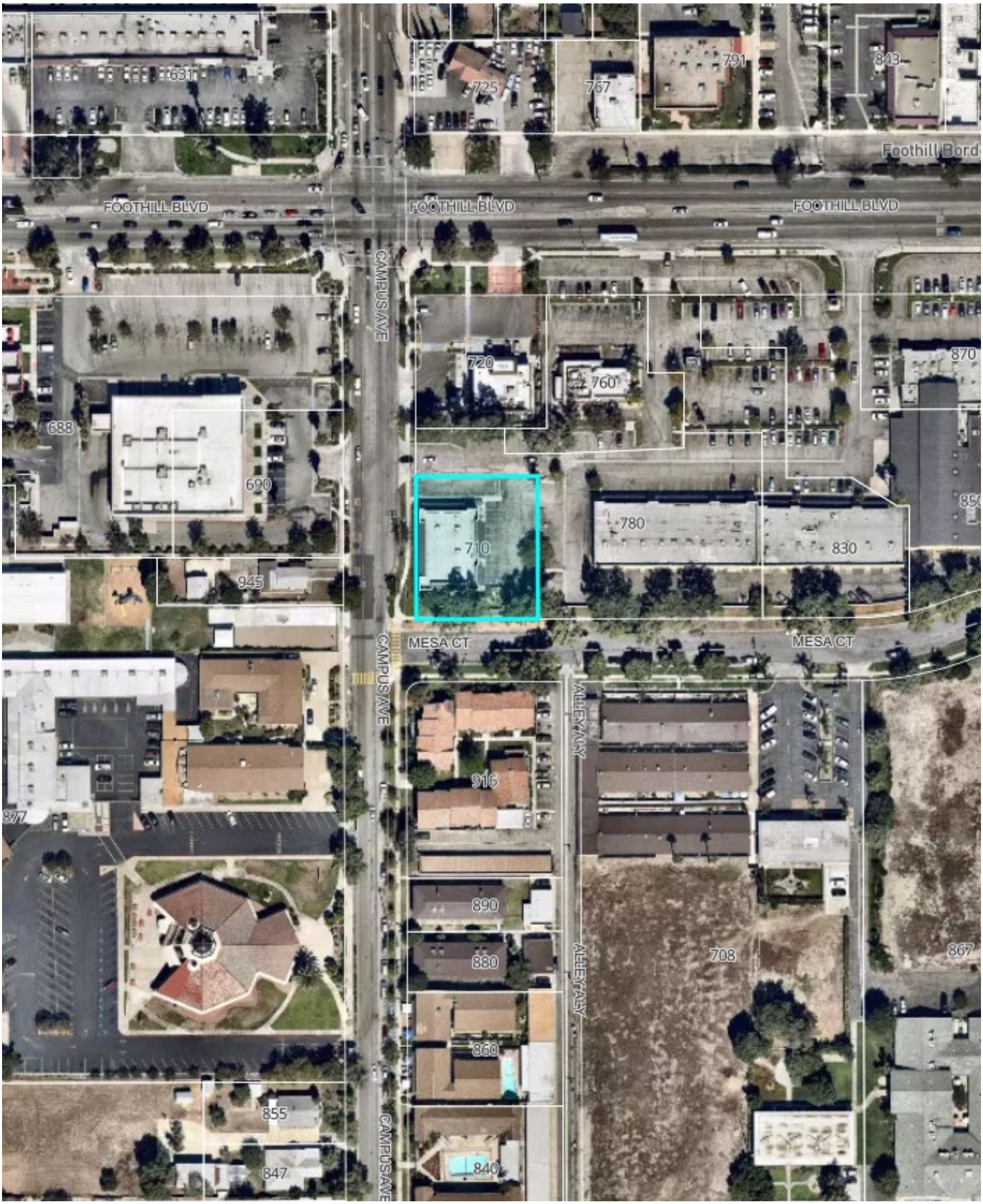
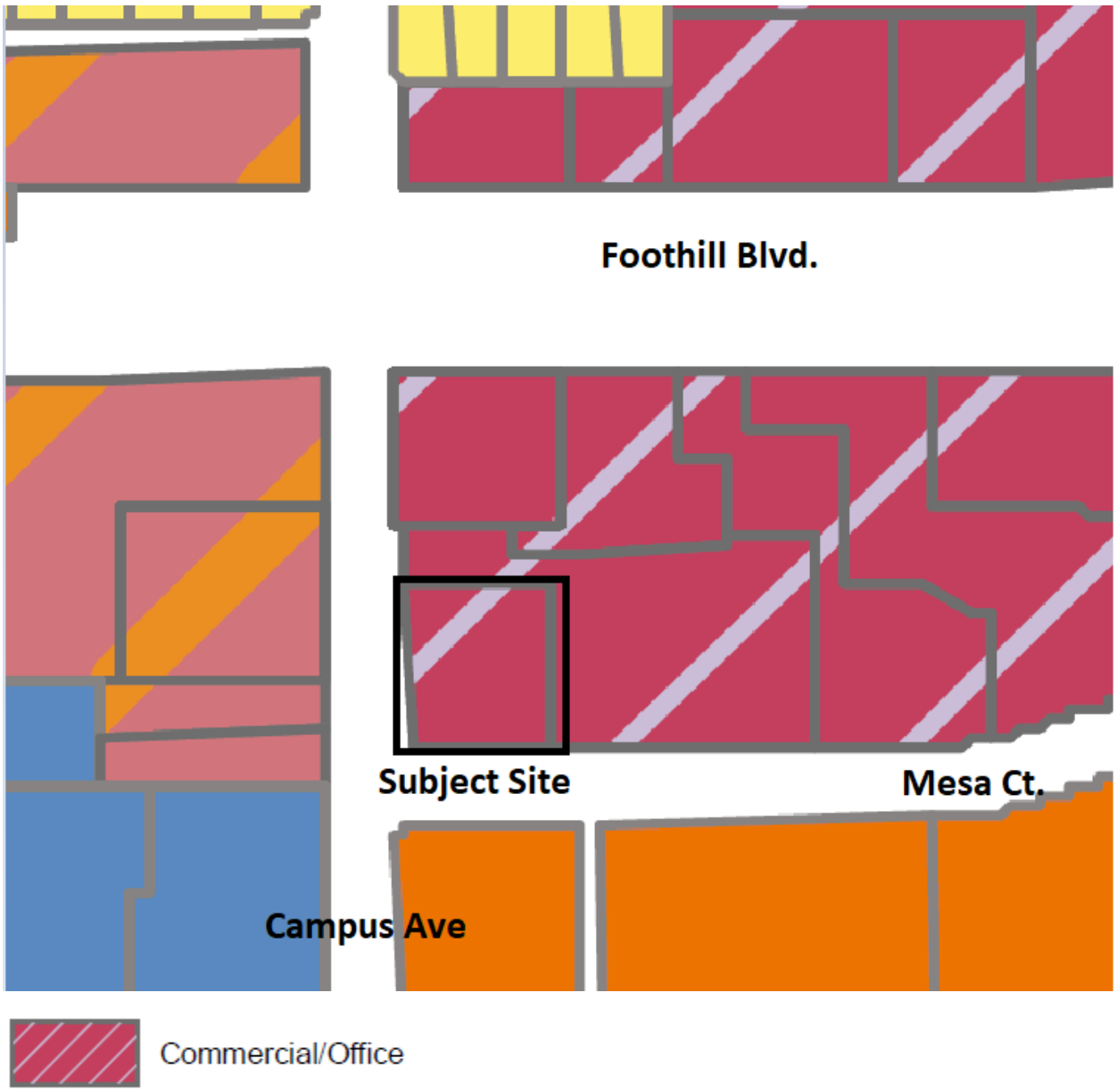


Exhibit C – General Plan and Zoning Map

Excerpt from Planning Commission Agenda Packet on 8/12/2020

Exhibit C - General Plan and Zoning Map

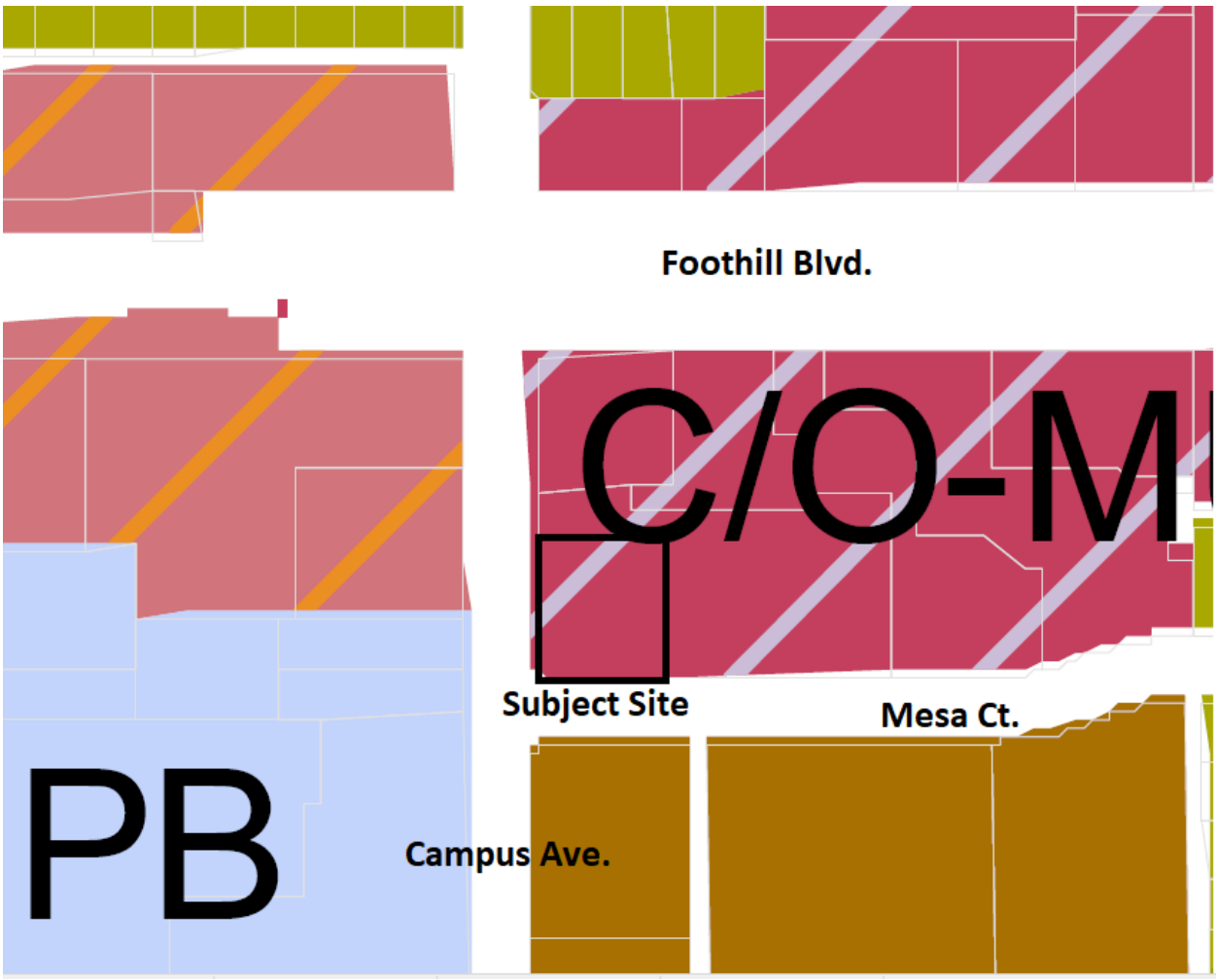
General Plan Land Use Map



Excerpt from Planning Commission Agenda Packet on 8/12/2020

Exhibit C - General Plan and Zoning Map

Zoning Map



Commercial/Office Mixed-Use (C/O-MU)

Exhibit D – Project Plans

Excerpt from Planning Commission Agenda Packet on 8/12/2020

FAIRYTALE CHILDCARE CENTER

710 E. FOOTHILL BLVD.

UPLAND, CA 91786

GENERAL NOTES

1. THE CONTRACTOR AND/OR SUB-CONTRACTORS SHALL VISIT AND REVIEW CONDITIONS PRIOR TO SUBMITTING BIDS.
2. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPON--SILBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT INCLUDING SAFETY OF ALL PERSONS & PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY & NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR SHALL PROVIDE PUBLIC PROTECTION AS NECESSARY & REQUIRED BY GOVERNING CITY AGENCIES.
3. THE WORK SHALL CONFIRM TO THE APPLICABLE BUILDING CODE AND OTHER ORDINANCES CODES & REGULATIONS LISTED IN THE SPECIFICATIONS OR ON THE DRAWINGS, & REQUIRED BY LOCAL BUILDING AUTHORITIES. THE GOVERNING CODES, RULES & REGULATIONS ARE COLLECTIVELY REFERRED TO AS "THE CODE". THE CONTRACTOR SHALL REPORT ANY INCONSISTENCIES, CONFLICTS OR OMISSIONS HE MAY DISCOVER TO THE ARCHITECT FOR INTERPRETATION PRIOR TO PERFORMING THE WORK.
4. THE GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS & DIMENSIONS ON THE JOB SITE & REPORT ANY & ALL DISCREPANCIES AND/OR UNUSUAL CONDITIONS TO THE DESIGNER PRIOR TO FINALIZING BIDS OR COMMENCEMENT OF ANY CONSTRUCTION.
5. TRADE NAMES AND MANUFACTURES REFERRED TO ARE FOR QUALITY STANDARDS ONLY. SUBSTITUTIONS WILL BE PERMITTED WHERE SUBMITTED TO AND APPROVED BY THE OWNER & DESIGNER PRIOR TO THEIR PURCHASE AND INCORPORATION INTO THE WORK.
6. PROVIDE APPROVED FIRE EXTINGUISHERS AS REQUIRED BY FIRE MARSHALL. LOCATIONS SHALL BE DETERMINED IN THE FIELD BY THE FIRE MARSHALL.
7. THE CONTRACTOR SHALL OBTAIN & PAY FOR ALL PERMITS & VERIFY GOVERNING AUTHORITIES' REQUIREMENTS FOR CONSTRUCTION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS FOR INSPECTIONS AND/OR TESTS, UNLESS NOTED OTHERWISE.
9. ALL RAMPS SHALL HAVE A NON-SLIP FINISH.
10. DO NOT SCALE THESE DRAWINGS. SHOULD ANY DIMENSIONAL DISCREPANCIES BE ENCOUNTERED, CLARIFICATIONS SHALL BE OBTAIN FROM THE DESIGNER
11. UNLESS OTHERWISE NOTED ON THESE DRAWINGS OR IN THE SPECIFICATIONS AS BEING N.I.C. OR EXISTING, ALL ITEMS, MATERIALS, etc.,& THE INSTALLATION OF SAME ARE A PART OF THE CONTRACT DEFINED BY THESE DRAWING SPECIFICATIONS.
12. THE BUILDING & ITS FACILITIES SHALL BE ACCESSIBLE TO & FUNCTIONAL TO THE PHYSICALLY HANDICAPPED.
13. PROVIDE EXIT SIGNS AT ALL LEGAL EXITS AS REQUIRED BY CODE. EXIT SIGNS, WHERE, INDICATED ON PLANS, SHALL BE ILLUMINATED & READ "EXIT" IN 6" HIGH LETTERS. EXITS SIGNS SHALL BE ON CIRCUIT & INDEPENDENTLY CONTROLLED REFER TO ELECTRICAL DRAWINGS.
14. DETAILS ARE INTENDED TO SHOW THE INTENT OF THE DESIGN. MINOR MODIFICATIONS MAY REQUIRED TO SUIT THE FIELD DIMENSIONS OR CONDITIONS & SUCH MODIFICATION SHALL BE INCLUDED AS PART OF THE WORK OF THE CONTRACT.
15. ALL INTERIOR WALL DIMENSIONS ARE TO THE FACE OF THE STUD UNLESS OTHERWISE NOTED.
16. ALL EXTERIOR WALL DIMENSIONS ARE TO FACE OF CONCRETE BLOCK OR TO FACE OF STUD, UNLESS OTHERWISE NOTED.
17. THE CLIENT, DESIGNER, CONSULTANTS & ALL INSPECTORS FROM PERTINENT AGENCIES SHALL BE PERMITTED ACCESS TO THE JOB SITE AT ALL TIMES DURING NORMAL WORKING HOURS.
18. THE CONTRACTOR SHALL PROVIDE SOLID BLOCKING, UNLESS NOTED OTHERWISE AS REQUIRED FOR NAILING OF ALL INTERIOR & EXTERIOR TRIMS, FINISHES, AND SHALL PROVIDE FOR ALL THE NECESSARY FRAMING & BRACING FOR THE INSTALLATION OF N.I.C. EQUIPMENT INDICATED.
19. PROVIDE VENTILATION FOR ALL ELECTRICAL & TELEPHONE EQUIPMENT ROOMS.
20. MECHANICAL VENTILATION SHALL SUPPLY A MINIMUM 5 CFM OF OUTSIDE AIR, EXCEPT IN TOILET ROOMS WHERE FIVE (5) AIR CHANGES PER HOUR SHALL BE PROVIDED. SYSTEM MUST PROVIDE A TOTAL CIRCULATION OF NOT LESS THE 15 CUBIC FEET PER MINUTE PER OCCUPANT IN ALL PORTIONS OF THE BUILDING. REFER TO MECHANICAL DRAWINGS.
21. PROVIDE METAL TRIM OR CASING AT ALL EDGES OF PLASTER OR DRYWALL WHERE IT TERMINATES OR MEETS ANY OTHER MATERIAL, EXCEPTS FLOORS.
22. THE CONTRACTOR SHALL VERIFY LOCATION & SIZE OF ALL FLOOR, ROOF, & WALL OPENINGS WITH ALL APPLICABLE DRAWINGS
23. KEEP PIPING AS CLOSE TO WALLS & AS HIGH TO UNDERSIDE OF ROOF FRAMING AS POSSIBLE.
24. WHERE LARGER STUDS OR FURRING ARE REQUIRED TO COVER DUCTS, PIPING CONDUIT, etc., THE LARGER STUD OR FURRING SHALL EXTEND THE FULL LENGTH OF THE SURFACE INVOLVED.
25. THE CONTRACTOR SHALL VERIFY INSERTS & EMBEDDED ITEMS W/ ALL APPLICABLE DRAWINGS BEFORE POURING CONCRETE.
26. ALL EXTERIOR EXPOSED METAL (TRIMS, RAILING, FRAMES, MOLDINGS etc.) SHALL BE PAINTED, UNLESS NOTED OTHERWISE.
27. IN ALL CASES, PROVIDE ISOLATION OF ALUMINUM FROM ADJACENT STEEL OR COAT SURFACES IN CONTACT WITH BITUMINOUS PAINT.
28. ALL EXTERIOR WALL OPENINGS, FLASHING, COPING, & EXPANSION JOINTS SHALL BE WEATHERPROOF.
29. ALL ROOF DRAINS SHALL BE LOCATED AT THE LOWEST POINT OF THE ROOF TAKING INTO CONSIDERATION THE CAMBER OF BEAMS & DEFLECTION OF CANTILEVERS. CONTRACTOR SHALL VERIFY THAT POSITIVE DRAINAGE EXISTS FROM ALL POINTS ON ROOF PRIOR TO INSTALLING DECK.
30. SIZES OF MECHANICAL EQUIPMENT PADS, BASES, ROOF EQUIPMENT PADS, & OPENINGS ARE BASIS FOR DESIGN ONLY. CONTRACTOR SHALL VERIFY ALL DIMENSIONS OF ALL EQUIPMENT PADS & BASES WITH EQUIPMENT MANUFACTURERS. MECHANICAL CONTRACTORS SHALL VERIFY ALL SIZES & LOCATIONS OF DUCT OPENINGS ON ROOF.
31. GLAZING NOTES:
    - A: ALL FIXED & OPENABLE WINDOWS FROM ZERO TO 50 SQ. FT. IN AREA SHALL HAVE 6" MINIMUM GLASS GRIP & 0 MINIMUM GLASS EDGE CLEARANCE.
    - B: ALL FIXED & OPENABLE WINDOWS OVER 50 SQ. FT. IN AREA SHALL HAVE 1 MINIMUM GLASS GRIP & 0 MINIMUM GLASS EDGE CLEARANCES.

GENERAL NOTES

- C: GLAZING IN ALUMINUM DOORS SHALL HAVE 1" MINIMUM GLASS GRIP & è MINIMUM GLASS EDGE CLEARANCE.
- D: ALL WINDOWS & DOOR GLAZING SHALL HAVE CONTINUOUS GLAZING RABBET & GLASS RETAINER & RESILIENT SETTING MATERIAL.

32. SUSPENDED ACOUSTICAL CEILING SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH 2014 LA COUNTY CODE.
33. THE BUILDING SHALL BE COMPLETELY SPRINKLED WITH AN AUTOMATIC FIRE EXTINGUISHING SYSTEM AS APPROVED BY THE GOVERNING FIRE DEPARTMENT, BUILDING DEPARTMENT, AND THE OWNER'S FIRE INSURANCE RATING BUREAU. COPIES OF FIRE DEPART--MENT & INSURANCE BUREAU APPROVED PLANS SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT FOR CHECKING & APPROVAL PRIOR TO INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DESIGN & CONSTRUCTION OF A COMPLETE SYSTEM, FROM CONNECTION TO THE SITE WATER MAIN (OR SITE FIRE SERVICE VAULT WHERE PROVIDED) TO THE BUILDING INTERIOR SPRINKLER DISTRIBU--TION. REFER TO SITE UTILITY PLANS. ALL SPRINKLER LINES SHALL RUN CONCEALED IN ALL FINISHED, AREAS, INTERFERENCE WITH LIGHTS , DUCTS, PIPES, etc., SHALL BE AVOIDED. EXPOSED PIPING IN FINISHED AREAS WILL NOT BE ACCEPTABLE. AUTOMATIC FIRE EXTINGUISHERS SYSTEM MUST BE FULLY OPERATIONAL & ENERGIZED PRIOR TO FIXTURIZATION OF THE BUILDING.

FIRE NOTES

1. K CLASS FIRE EXTINGUISHER(S) WITHIN 30 FEET OF COOKING INVOLVING VEGETABLE OR ANIMAL OIL AND FATS (SUCH AS DEE FAT FRYERS), AS MEASURED ALONG AN UNOBSTRUCTED PATH OF TRAVEL, ARE REQUIRED IN THE KITCHEN AREA.
2. PANIC HARDWARE OR FIRE EXIT HARDWARE (RATED PANIC HARDWARE),AS APPLICABLE, ARE REQUIRED ON ALL EXIT DOOR FORM ASSEMBLY AREAS/ ROOMS.
3. ASSEMBLY PERMIT IS REQUIRED. CONTACT THE BUREAU OF FIRE PREVENTION AT FIRE DEPARTMENT FOR INFORMATION.
4. ALL PORTIONS OF THE BUILDING SHALL BE WITHIN 75 FEET OF A FIRE EXTINGUISHER. THE MINIMUM SIZE OF THE EXTINGUISHER SHALL BE 2-A:10-BC.
5. TACTILE EXIT SIGNS SHALL BE PROVIDED AS REQUIRED TO COMPLY WITHIN SECTION 1003.2.8.6.
6. EMERGENCY LIGHTING PER SECTION 1003.2.9.2 IS REQUIRED.
7. EACH SINGLE SYSTEM PROVIDING HEATING OR COOLING AIR IN EXCESS OF 2,000 CUBIC FEET PER MINUTE SHALL BE EQUIPPED WITH AN AUTOMATIC SHUTOFF ACTIVATED BY SMOKE DETECTORS.
8. COMBINATION FIRE/ SMOKE DAMPERS (FSD'S) SHALL BE PROVIDED AS REQUIRED TO COMPLY WITH SECTIONS 713.10 & 713.11.
9. A MANUAL FIRE SPRINKLER SYSTEM AS REQUIRED FOR GROUP A, DIVISION A 2.1 OCCUPANCIES SHALL BE PROVIDED. SUBMIT SHOP DRAWINGS (3 SETS) AND A PERMIT APPLICATION TO THE CITY OF UPLAND FIRE DEPARTMENT FOR APPROVAL BEFORE ALTERING THE SYSTEM.
10. THE CITY OF UPLAND FIRE DEPARTMENT MUST BE CONTACTED A MINIMUM OF 7-10 DAYS IN ADVANCE TO SCHEDULE INSPECTIONS.
11. MISSING FIREPROOFING MATERIAL MUST BE REPLACED BEFORE CONSTRUCTION FINAL.
12. PENETRATIONS INTO, OR THROUGH, FIRE RESISTIVE CONSTRUCTION MUST ABLE FIRESTOPPED IN ACCORDANCE WITH CBS, CHAPTER 7.
13. PREMISE IDENTIFICATION NUMBERS SHALL BE MOUNTED ON THE FRONT AND REAR DOORS.

    DEMOLITION AND CONSTRUCTION SAFETY MUST COMPLY WITH CFC, ARTICLE 87 AND CBC CHAPTER 33.
14. PLACEMENT OF PORTABLE FIRE EXTINGUISHERS SHALL BE DETERMINED BY THE FIRE INSPECTOR. EQUIPMENT MUST BE MOUNTED BEFORE CONSTRUCTION FINAL. MINIMUM RATING IS 2A10BC.
15. ALL FIRE DEPARTMENT FEES SHALL BE REVIEWED, APPROVED AND PAID AT FIRE ADMINISTRATION (IF THERE IS A BALANCE) BEFORE CONSTRUCTION FINAL OR ISSUANCE OF TEMPORARY OCCUPANCY.
    - A. PLAN REVIEW
    - B. EXPEDITE PLAN REVIEW OR INSPECTIONS
    - C. FIRE PROTECTION INSPECTIONS IN EXCESS OF 2 INSPECTIONS
    - D. ALL CONSTRUCTION INSPECTIONS
    - E. NON-COMPLIANCE FEES
    - F. ADDITIONAL ACCUMULATED FEES RELATED TO THE ABOVE ITEMS
16. A LOCK BOX MUST BE INSTALLED AT A LOCATION DETERMINED BY THE FIRE INSPECTOR. APPLICATIONS ARE AVAILABLE FROM FIRE ADMINISTRATION. INSTALLATION SHALL BE COMPLETED BEFORE CONSTRUCTION FINAL.
17. DECORATIVE MATERIALS AND FINISHES SHALL COMPLY WITH C.C.R. TITLE 19, SECTION 3.08 AND CBC, CHAPTER 8 REQUIREMENTS.

PROJECT DATA

ZONING CODE :	C
OCCUPANCY GROUP:	I-4
CONSTRUCTION TYPE :	V-B
AUTOMATIC FIRE SPRINKLERS :	YES
APN:	1046-101-08

PROPOSED CHILD DAYCARE CENTER:

INDOOR AREA :	5,040 SQ.FT.
OUTDOOR PLAYGROUND :	3,526 SQ.FT.

PROPOSED 6 FT HT. WROUGHT IRON FENCE AROUND OUTDOOR AREA. 268 L.T.

FIRE SPRINKLERS & FIRE ALARM SYSTEM UNDER SEPARATE PERMIT

SHEET INDEX

A-0.1 TITLE SHEET PROJECT DATA
A-1.1 PROPOSED SITE PLAN
A-2.1 EXISTING FLOOR PLAN
A-2.2 PROPOSED FLOOR PLAN
AD-1 ARCHITECTURE DETAILS

CONSULTANTS

TENANT:

FAIRYTALE CHILDCARE CENTER
710 E. FOOTHILL BLVD.
UPLAND, CA 91786
CONTACT: FENG XUE
TEL: 626-877-5576

ENGINEER / DESIGNER:

JWL ASSOCIATES, INC.
1221 S. HACIENDA BLVD.
HACIENDA HEIGHTS, CA 91745
TEL: (626) 956-0168
FAX: (626) 369-8978
E- MAIL : HOWARDDU@JWLDESIGN.NET
CONTACT: HOWARD DU

VICINITY MAP

N. T. S.

APPLICABLE BUILDING CODES

2016 CBC, CALIFORNIA BUILDING CODE
2016 CFC, CALIFORNIA FIRE CODE
2016 CRC, CALIFORNIA RESIDENTIAL CODE
2016 CPC, CALIFORNIA PLUMBING CODE
2016 CMC, CALIFORNIA MECHANICAL CODE
2016 CEC, CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA GREEN BUILDING STANDARDS CODE
CALIFORNIA CODE OF REGULATION T24
2016 ENERGY COMPLIANCE CRITERIA

SCOPE OF WORK

PROPOSED NEW CHILD DAYCARE CENTER.

TENANT IMPROVEMENT EXISTING COMMERCIAL BUILDING TO CHILD DAYCARE CENTER. (5,040 S.F.)

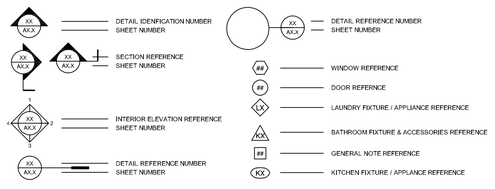
PROPOSED OUTDOOR PLAYGROUND AREA (3,526 S.F.)

PROPOSED 6 FT HT. WROUGHT IRON FENCE AROUND OUTDOOR AREA.

ABBREVIATIONS

AC. T.	-ACOUSTIC TILE	DWG	-DRAWING	LAV	-LAVATORY	RAILG	
AFF	-ABOVE FINISH FLOOR	EIFS	-EXT. INSULATION & FINISH SYSTEM	LG.	-LONG	R.D.	-ROOF DRAIN
ALT	-ALTERNATE	EL	-ELEVATION (SEA LEVEL)	LLH	-LONG LEG HORIZONTAL	REINF.	-REINFORCEMENT/REINFORCED
ALUM	-ALUMINUM	ELEC.	-ELECTRICAL	LLV	-LONG LEG VERTICAL	REQD.	-REQUIRED
ANCH	-ANCHOR	ELEV.	-ELEVATION	L.P.	-LOW POINT/LIGHT PANEL	RM	-ROOM
APPROX	-APPROXIMATELY	EXP	-EXPANSION	LT	-LIGHT	R.O.	-ROUGH OPENING
ARCH	-ARCHITECT/ARCHITECTURAL	E.J.	-EXPANSION JOINT	MAR	-MARBLE	S	-SINK
BR. CS.	-BRICK COURSE	EXT	-EXTERIOR	MAS	-MASONRY	SHT.	-SHEET
BLDG	-BUILDING	F.D.	-FLOOR DRAIN	MAX	-MAXIMUM	S.M.	-SHEET METAL
BLK	-BLOCK	F.E.	-FIRE EXTINGUISHER	MECH.	-MECHANICAL	SQ.	-SQUARE
B.M.	-BENCH MARK	FIN	-FINISH	MTL	-METAL	SPM	-SINGLE PLY MEMBRANE
BM	-BEAM	FLR	-FLOOR	MFR	-MANUFACTURER	S.S.	-SLOP/SERVICE SINK
B.N.	-BULL NOSE	FDN	-FOUNDATION	MH	-MANHOLE	S. STL	-STAINLESS STEEL
BNT	-BENT	FOM	-FACE OF MASONRY	MIN.	-MINIMUM	STD	-STANDARD
BMT	-BOTTOM	FPHB	-FROST PROOF HOSE BIBB	MISC.	-MISCELLANEOUS	STRUCT	-STRUCTURAL
C.B.	-CATCH BASIN	F.S.	-FULL SIZE OR FLOOR SINK	M.O.	-MASONRY OPENING	SUSP	-SUSPENDED
CEM	-CEMENT	FTG	-FOOTING	METTHRES.	-METAL THRESHOLD	T/	-TOP OF
CER. T.	-CERAMIC TILE	FURR	-FURRING	NIC	-NOT IN CONTRACT	T.D.	-TRENCH DRAIN
C.J.	-CONTROL JOINT	FVC	-FIRE VALVE CABINET	NO	-NUMBER	TERR	-TERRAZZO
CLR.	-CLEAR	GA.	-GAUGE	O/A	-OVERALL	TYP	-TYPICAL
CLG	-CEILING	GALV.	-GALVANIZED	O/C	-ON CENTER	VCT	-VINYL COMPOSITION TILE
CMU	-CONCRETE MASONRY UNIT	GEN	-GENERAL	O.D.	-OUTSIDE DIAMETER	W.C.	-WATER CLOSET
COL	-COLUMN	GRFC	-GLASS FIBER REINFORCED CONCRETE	OH	-OVERHELD	WD	-WOOD
COMP.	-COMPOSITION	GRFG	-GLASS FIBER REINFORCED GYPSUM	O/O	-OUT TO OUT	WT	-WEIGHT
CONC.	-CONCRETE	GL	-GLASS/GLAZING	OPNG	-OPENING	WWF	-WELDED WIRE FABRIC
CONSTR.	-CONSTRUCTION	G.S.	-GRAVEL STOP	PC	-PIECE		
CONT.	-CONTINUOUS	GYP. BD.	-GYPSUM BOARD	PL	-PLATE		
CONTR.	-CONTRACTOR	HDWE	-HARDWARE	PLAS	-PLASTER		
CTR.	-CENTER	HB	-HOSE BIBB	PLBG	-PLUMBING NUMBER		
DET.	-DETAIL	H.M.	-HOLLOW METAL	PLYWD	-PLYWOOD		
D.F.	-DRINKING FOUNTAIN	HYD	-HYDRANT	POL	-POLISHED		
DIA.	-DIAMETER	I.D.	-INSIDE DIAMETER	PROJ	-PROJECT		
DIM	-DIMENSION	INSUL	-INSULATION	PTD	-PAINTED		
D.O.	-DOOR OPENING	JT	-JOINT	R	-RADIUS		
DS	-DOWNSPOUT						

REFERENCE SYMBOLS



ATTACHMENT A

ATTACHMENT A

BEST MANAGEMENT PRACTICES
FOR CONSTRUCTION ACTIVITIES*

Storm Water Pollution Control Requirements for Construction Activities
Minimum Water Quality Protection Requirements for All Development Construction Projects/Certification Statement

The following is intended as minimum notes or as an attachment for building and grading plans and represent the minimum standards of good housekeeping that must be implemented on all construction sites regardless of size. (Applies to all permits)

- Eroded sediments and other pollutants must be retained on site and may not be transported from the site via sheetflow, swales, area drains, natural drainage courses or wind.
- Stockpiles of earth and other construction related materials must be protected from being transported from the site by the forces of wind or water.
- Fuels, oils, solvents and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil and surface waters. All approved storage containers are to be protected from the weather. Spills must be cleaned up immediately and disposed of in a proper manner. Spills may not be washed into the drainage system.
- Non-stormwater runoff from equipment and vehicle washing and any other activity shall be contained at the project site.
- Excess or waste concrete may not be washed into the public way or any other drainage system. Provisions shall be made to retain concrete wastes on site until they can be disposed of as solid waste.
- Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.
- Sediments and other materials may not be tracked from the site by vehicle traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental depositions must be swept up immediately and may not be washed down by rain or other means.
- Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to inhibit erosion by wind and water.
- Other: _____

As the project owner or authorized agent of the owner, I have read and understand the requirements listed above, necessary to control storm water pollution from sediments, erosion, and construction materials, and I certify that I will comply with these requirements.

Print Name _____
(Owner or authorized agent of the owner)

Signature _____ Date _____
(Owner or authorized agent of the owner)

*The above Best Management Practices are detailed in the California Storm Water Best Management Practices Handbook, January 2003. www.cabmphandbooks.com

Attachment A BMP Notes.doc

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PROPOSED FOR:
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710 E. FOOTHILL BLVD.
UPLAND, CA 91786

REGISTERED PROFESSIONAL ENGINEER
KUO-PING WANG
43144
Exp. 03-31-22
CIVIL
STATE OF CALIFORNIA

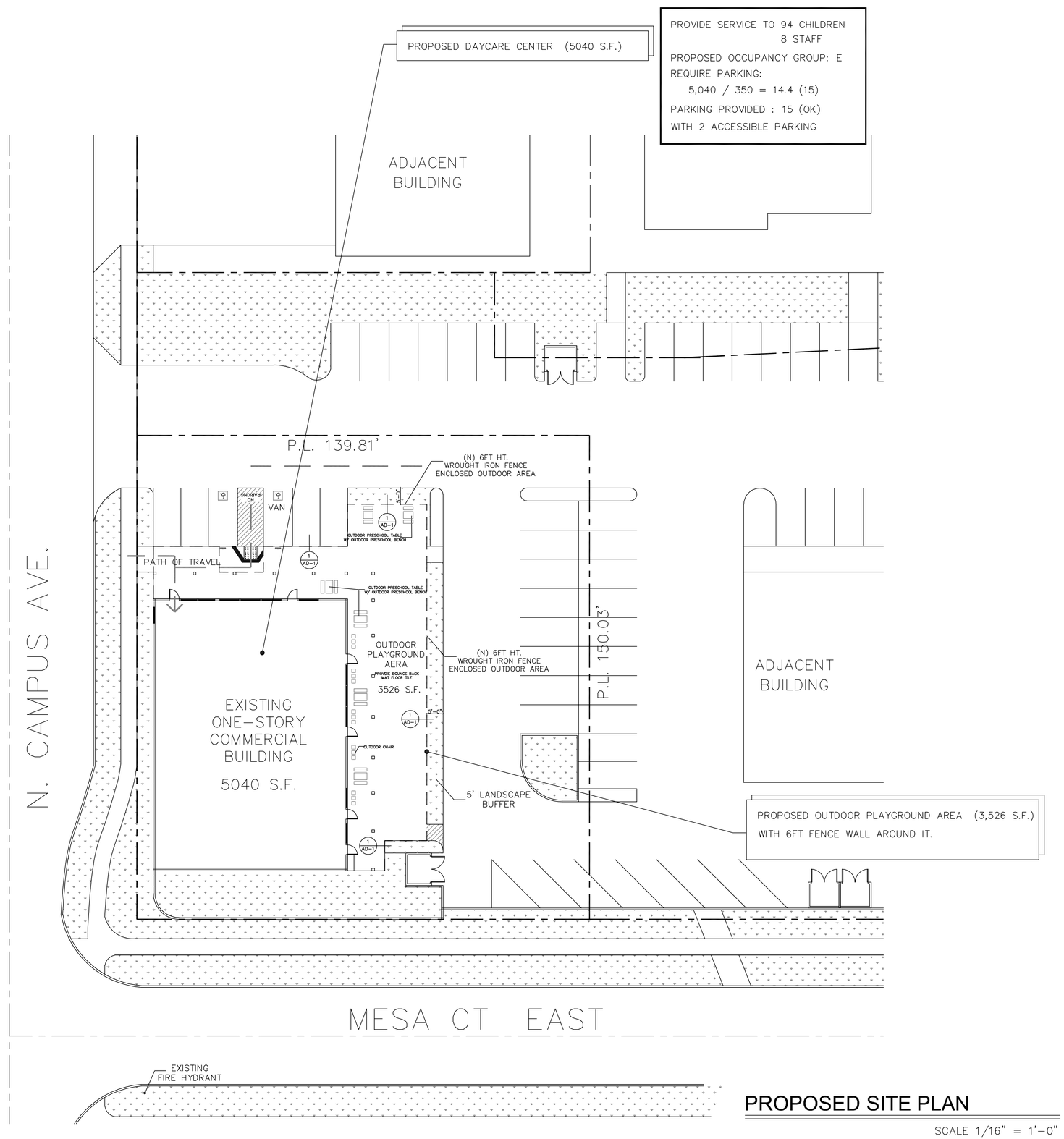
SHEET TITLE:
TITLE SHEET PROJECT DATA

Issue Date: XX-XX-XX	
Revisions	
No.	Date	Description
1		
2		
3		
Project No: 2019_0046	Drawn By: J.S.
Designer: J.S.	Checked By:

Sheet Number:

A-0.1

PERMIT SET, NOT FOR CONSTRUCTION BID



PROPOSED SITE PLAN

SCALE 1/16" = 1'-0"

N

LEGEND

EXISTING LANDSCAPE AREA

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SHEET TITLE:
EXISTING SITE PLAN

Issue Date: XX-XX-XX		
Revisions		
No.	Date	Description
1		
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3		
Project No: 2019_0046		Drawn By: J.S.
Designer: J.S.		Checked By:

Sheet Number:

A-1.1

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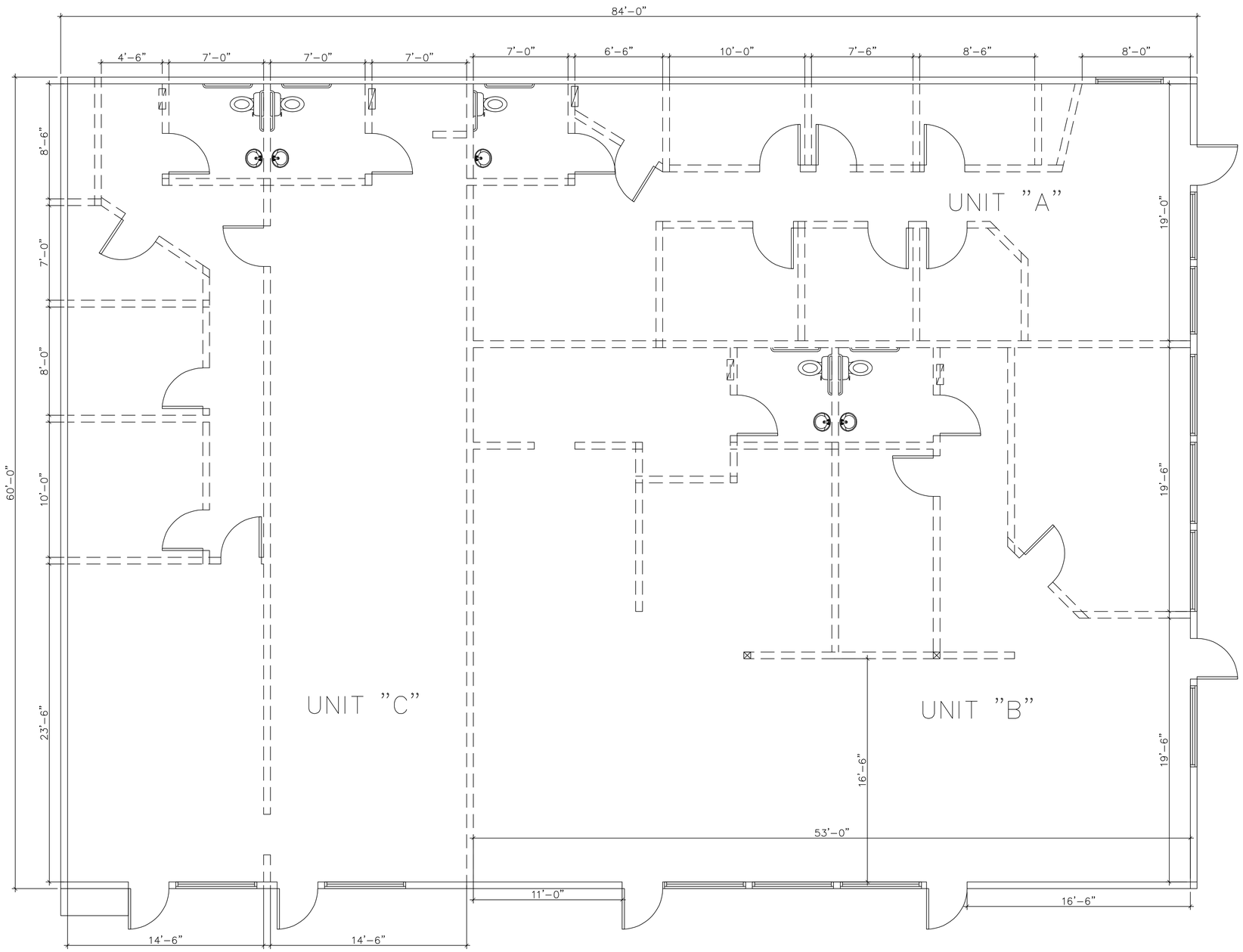
LEGEND

- EXISTING WINDOW
- EXISTING WALL.
- EXISTING WALL TOBE REMOVED



EXISTING AND DEMOLITION PLAN

SCALE 1/4" = 1'-0"

N

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SHEET TITLE:

BUILDING AND DEMOLITION FLOOR PLAN

Issue Date: XX-XX-XX		
Revisions		
No.	Date	Description
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Project No: 2019_0046		Drawn By: J.S.
Designer: J.S.		Checked By:

Sheet Number:

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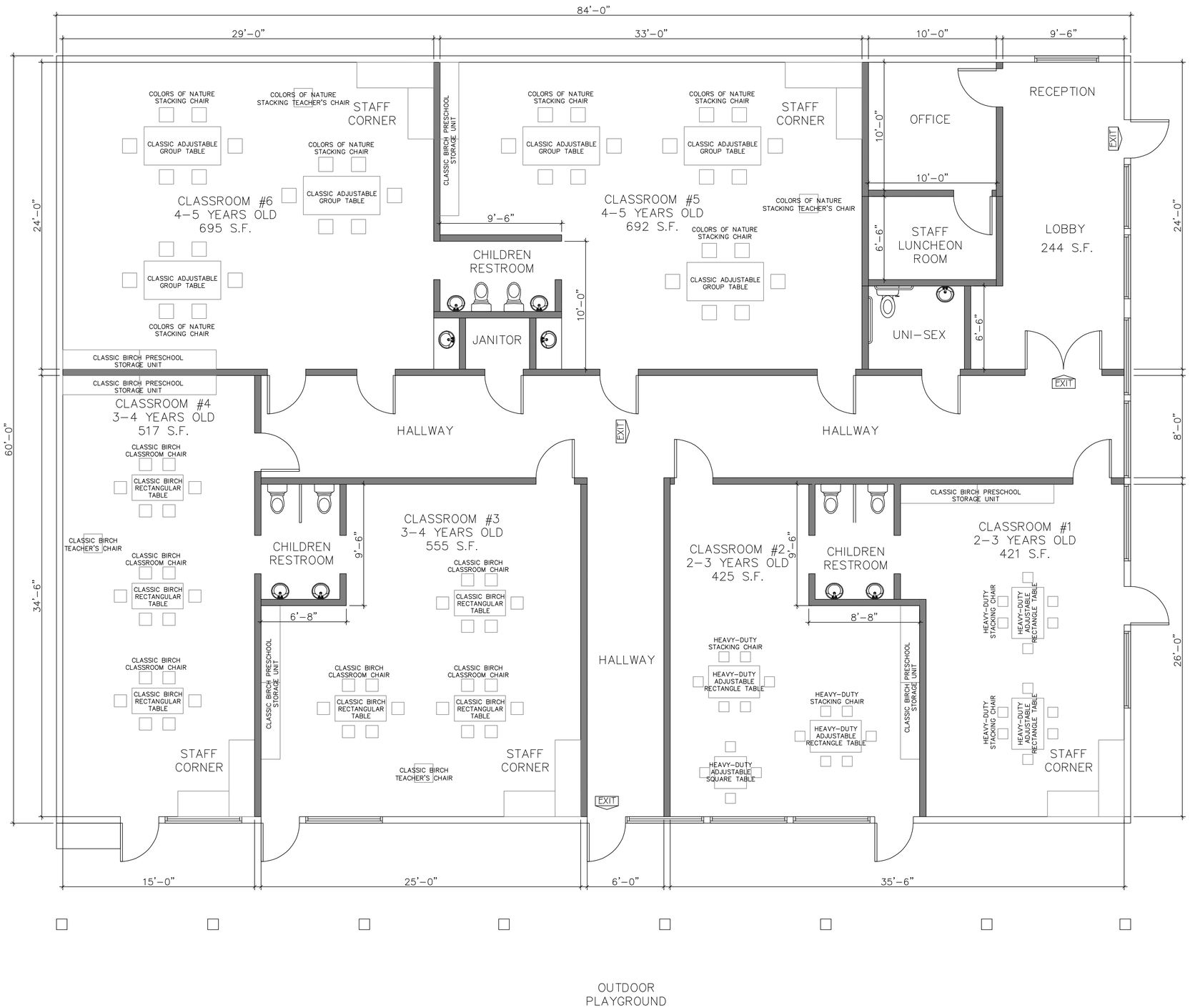

PROPOSED FLOOR PLAN

SCALE 1/4" = 1'-0"

N

LEGEND

EXISTING WINDOW

EXISTING WALL.

NOTE:

1. FIRE SPRINKLER & FIRE ALARM SYSTEM IS REQUIRED AND IS UNDER SEPARATE PERMIT
2. CORRIDOR, HALLWAY AND LOBBY SHALL BE 1 HR FIRE-RESISTANCE RATING
3. PENETRATIONS FOR HVAC SHALL BE PROTECTED WITH LISTED DAMPERS
4. ALL DOORS OPENING INTO CORRIDOR, HALLWAY AND LOBBY SHALL BE 20-MINUTE FIRE-RESISTANCE RATING

NO COOKING ON SITE
FOOD CATERING ONLY

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CIVIL
STATE OF CALIFORNIA

SHEET TITLE:

BUILDING "B", "C"
EXISTING FLOOR PLAN

Issue Date: XX-XX-XX		
Revisions		
No.	Date	Description
1		
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Project No: 2019.0046		Drawn By: J.S.
Designer: J.S.		Checked By:

Sheet Number:

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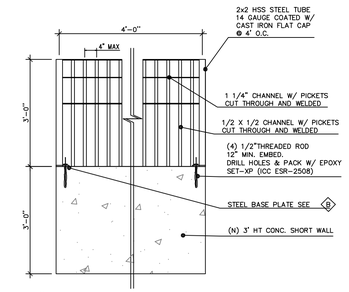
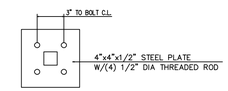
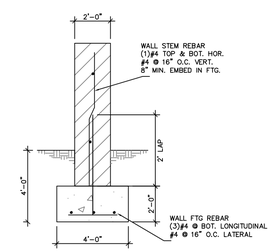


A FENCE ELEVATION



B BASEPLATE PLAN

1 FENCE WALL ELEVATION & DETAIL Scale: N.T.S.



2 CONCRETE SHORT WALL DETAIL Scale: N.T.S.

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STATE OF CALIFORNIA

SHEET TITLE:
ARCHITECTURE DETAILS

Issue Date: XX-XX-XX		
Revisions		
No.	Date	Description
1		
2		
3		
Project No: 2019_0046		Drawn By: J.S.
Designer: J.S.		Checked By:

Sheet Number:

AD-1

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Exhibit E – Fairytale Castle Parent Handbook

Fairytale Castle Parent Handbook

Mission Statement:
Welcome to Fairytale Castle Preschool. We are a preschool learning center located in North Upland, California. We value the partnership with parents and families. We ensure quality provision through our school, facility, and staff. Our teachers believe in play, as learning is fun and creative. We have a passion for treating children with love, kindness, and respect. Fairytale Castle Preschool provides a play-based, child-centered educational preschool program for ages 2-5 years old. Our team believes play is an essential avenue for learning. It is our goal to honor where each child is in their developmental stage and to make goals to foster the individual child's independence and development. It is our belief that ALL children want to be successful; we are committed to providing guidance that supports each child. At Fairytale Castle Preschool, we believe the foundation for how children perceive themselves as engaged learners, as confident and competent individuals, and as caring members of the community and the world lays in the quality of their early experiences. We believe that by building a strong foundation, we will increase the likelihood of our children becoming productive citizens.

Age of enrollment:
2 to 6 years-old

Days and hours of operation:
Mon-Fri 6:30 AM - 6:00 PM
Sat-Sun Closed

Meal and Snack:
Breakfast: 7:30 am to 8:30 am
Lunch: 12:00 to 1:00 pm
Snack: 2:30 pm to 3:30 pm
We provide daily snacks. We also occasionally, as a classroom activity, make a snack. If your child has food allergies, please let the teachers know. We will try to work with you to provide an alternate snack. If a child does not wish to eat a snack because he/she is not hungry or does not like the snack, he/she will not be forced to eat. Please use containers that can be easily opened by your child and cut food into small pieces. Label all containers, thermoses, lunch boxes, etc. If snacks and meals are provided by a parent and shared by the entire class, you must meet the needs of all children who require a special diet.

Naptime:
Full-day classes have approximately 75 minutes daily set aside for rest or nap time. This time is immediately following lunch. We will provide each child with a mat or a cot. We ask parent to provide a sheet and a blanket for your child. The items you send in will be kept at school through the week and sent home weekly for cleaning. Children are not required to sleep but will be encouraged to rest quietly on their nap mat. We will provide a quiet space for children who chose not to stay on a mat.

Times of Specific Activities:
Birthday celebrations:
Most birthday celebrations occur during snack time in the child's classroom, with parents generally providing a healthy special snack requested by the child having a birthday. Note that you can consider your child's school celebration, an official birthday party – the friends are available, and the classroom is set up to accommodate more young children than your home! You are welcome to make arrangements with your child's teacher to bring party napkins and plates and read a story to the class. Candy and junk food may not be brought to school. ALL snacks brought from home must be nut-free.
Special Holidays/Events:
Celebrations will be scheduled throughout the school year. Please look for sign-up sheets in your child's classroom when refreshments or volunteers are needed. For your convenience, please refer to the list of special events that will occur this year.
Parents' Day:
This is an exciting event for the children as they are proud of their accomplishments and appreciate sharing their school life with their parents and families.
Preschool Family Night:
At the end of the day, bring your family to school for a pizza dinner and fun.
Halloween Parade:
Children arrive in costume for the parade. Parents are welcome to join us for coffee before the parade and watch the students walk across campus.
Plays and Concerts:
It's a time for parents and families to enjoy the creative efforts of children and share in their enthusiasm for drama and singing.
Valentine's Day/Friendship Day:

Valentine's Day is celebrated with the children exchanging valentines with classmates and having parties in their classrooms. This is the day for children to share their friendships and kindness.

Excerpt from Planning Commission Agenda Packet on 8/12/2020

Winter Holidays:
All children learn about the major winter holidays in classroom lessons. They share the traditions of their own families and learn about the holidays of their classmates in age appropriate ways. Gifts are not exchanged among children at school. If a child wishes to give a gift to a teacher, a personal card, a simple hand-made gift is suggested.

Field Trip:
Filed Trips are an important extension of the program and a valuable and enjoyable experience. Many parents drive on each outing and accompany the class. Parents always have advance notice of field trips. Our enrollment forms include permission to travel with the class. School buses will not be used to transport children on field trips. It is the parent's responsibility to provide a car seat for their child. Children will not be allowed to travel without a car seat.

Parent-Teacher Conferences:
Communication with parents is vital to the success of each child. To request a conference, other than on a regularly scheduled conference, call or email your child's teacher. Research shows that students learn more, have higher grades, and have better school attendance when parents are involved in their child's education. Parent-Teacher conferences are a good way to meet your child's teacher and learn about your child's developmental stage. If you know what is expected in early developments, you can more easily support your child to success.

Transportation Arrangements:
We will not release children if parents don't have a car seat.

Per-admission visit:
The purpose per-admission visit is to give our staff a good measure of your child's developmental milestones. Can she/he answer questions? Can she/he identify shapes, numbers and colors? Can she/he follow simple instructions and solve simple problems? The staff evaluates your child based on these parameters and recognizes if there are any cases of special needs education. The process also acts as an assessment for the parents. We invite you to tour our campus so that you will have a personal connection to our teachers, curriculum and learning environment. We often find that your experience on a tour will help tell our story better than any other form of communication. This informal discussion allows us to understand more about your family, your own educational philosophies and your child's needs, unique abilities, and personality.

During the visit you will be given complete information about the children's program, the activities provided, and center policies and procedures. Referrals are available for resources such as food, housing, medical care, dental care, mental health, education, employment, clothing, transportation, legal aid, etc. A plan will be developed for the admission based on the individual needs of your child. The goal will be to make your child's adjustment to the program and separation from you as smooth as possible.

The relationships established during the initial enrollment will continue, as parents are asked to share in later decisions affecting their child's progress and participation in the program.

If your child is unable to visit during your visit, it is required that a classroom visit of at least 15 minutes be done before your child's first day of attendance.

Arrival/Departure:
Parents are responsible for escorting their child/ren to and from the preschool room each day. The teacher or assistant teacher must be aware that your child is present. Likewise, never leave with your child without informing the adult in charge.

Please pick up your child on time. He or she will worry if you are late. If you are more than 15 minutes late, your child will be taken to the School Office. If you cannot be reached, we will contact the emergency numbers provided on an Emergency Contact/Parental Consent form.

Authorized Persons to Pick Up/Identification & Emergency Information:
The center maintains an Emergency Contact/Parental Consent form for every enrolled child. Persons (in addition to the parents) you authorize to pick up your child must be listed on this form. A child will not be permitted to leave the center with anyone who has not been previously given authorization by the parent.

If it becomes necessary for someone else to pick up your child and they are not on the Emergency Contact/Parental Consent Form, then written advance authorization must be provided by the parent. In the event you are unable to provide written notification, the parent must call the center and speak directly.

It is essential that each child's Emergency Contact/Parental Consent be kept up to date, including phone numbers, addresses, and a list of authorized adults who may be contacted in case of an emergency. If there is a change in your contact information, please notify the center promptly.

Clothing:
Clothes should allow active participation in class activities. Play clothes are fine. Shoes should allow safety while running, jumping, and walking. Gym shoes are recommended. Shoes should stay on and tied for your child's safety. No high heels, sandals, cowboy boots, and/or fad shoes are permitted. Please make sure your child has a jacket or sweater to wear on chilly days. We will be going outside for outdoor play as weather permits.

Label all jackets, coats, and belongings with your child's name. Inappropriate attire will be addressed on an individual basis.

Excerpt from Planning Commission Agenda Packet on 8/12/2020

Children and Parent Rights:

According to California Community Care Licensing Department "Licensing form 613 A, Personal Rights, (a)Child Care Centers. Each child receiving services from a Child Care Center shall have rights which include, but are not limited to, the following:

(1) To be accorded dignity in his/her personal relationships with staff and other persons.

(2) To be accorded safe, healthful and comfortable accommodations, furnishings and equipment to meet his/her needs.

(3) To be free from corporal or unusual punishment, infliction of pain, humiliation, intimidation, ridicule, coercion, threat, mental abuse, or other actions of a punitive nature, including but not limited to: interference with daily living functions, including eating, sleeping, or toileting; or withholding of shelter, clothing, medication or aids to physical functioning.

(4)To be informed, and to have his/her authorized representative, if any, informed by the licensee of the provisions of law regarding complaints including, but not limited to, the address and telephone number of the complaint receiving unit of the licensing agency and of information regarding confidentiality.

(5)To be free to attend religious services or activities of his/her choice and to have visits from the spiritual advisor of his/her choice. Attendance at religious services, either in or outside the facility, shall be on a completely voluntary basis. In Child Care Centers, decisions concerning attendance at religious services or visits from spiritual advisors shall be made by the parent(s), or guardian(s) of the child.

(6) Not to be locked in any room, building, or facility premises by day or night.

(7) Not to be placed in any restraining device, except a supportive restraint approved in advance by the licensing agency.

Fairytale Castle welcomes parent participation in many aspects. The safety and security of the children as a whole however, have to be preserved by the following guidelines: adults must first report to the front desk upon entering the building. All visitors and parents must check in at the front desk. Visitors and parents may not go directly to any classroom. There is time for parents to get to know each other and communicate with their child's teacher at traditional events, such as the fall Orientation and Coffees.

Parent Engagements:

Parents are also encouraged to attend any school events and parent-teacher conferences. Parents are always welcome to arrange to read a book to their child's class. Field trips and school events often involve parents, and some teachers may ask for parent help with cooking and other special activities. We appreciate and depend on the support and volunteer time of our parents.

Immunization:

Each child must have a statement of good health and an updated record of immunizations from a physician or health professional on file in the office before school begins. By order of the Department of Human Services of the State of California, any child unable to produce an immunization card by the first day of school will not be allowed to enter school until such card arrives.

All children who attend childcare programs in California required by law to be fully vaccinated. Fairytale Castle requires all children enrolled in the program to be immunized.

*Important: It is your responsibility as parent or guardian, to maintain up-to-date immunizations and physical reports.

Children Ages 2 Months through 3 Months
1 dose of diphtheria, tetanus, pertussis (DPT)
1 dose of polio vaccine
1 dose Haemophilus influenzae type b vaccine
1 dose of hepatitis B vaccine
1 dose pneumococcal conjugate (PCV)

Children Ages 4 Months through 5 Months
2 doses DPT
2 doses polio vaccine
2 doses Haemophilus influenzae type b vaccine
2 doses hepatitis B vaccine
2 doses pneumococcal conjugate (PCV)

Children Ages 6 Months through 18 Months
3 doses DPT
2 doses polio vaccine
2 doses Haemophilus influenzae type b vaccine
2 doses hepatitis B vaccine
3 doses pneumococcal conjugate (PCV)

Children Ages 19 Months through 4 Years
4 doses diphtheria, tetanus, pertussis (DPT)
3 doses polio vaccine
4 doses pneumococcal conjugate (PCV)
3 doses hepatitis B

Complete series, or 1 dose Haemophilus influenza type b (Hib)
1 dose measles, mumps, rubella vaccine
1 dose Varicella

Excerpt from Planning Commission Agenda Packet on 8/12/2020

T.B Requirements:
All children must be evaluated for risk factors for tuberculosis (TB) as part of the medical assessment required for admission. (Form 701). A Mantoux TB skin test is only required when the physician determines the child has risk factors for TB.

Medical assessment:
Community Care Licensing requires all children have a Physician's Report, completed by a physician, on file within 30 days of enrollment. Children who do not have a completed Physician's Report on file after the first 30 days of enrollment will be denied admittance to the center until a completed Physician's Report is received.

Communicable Diseases and Health Wellness Policies:
Children with contagious or infectious diseases will be excluded from school for the period of time that they are liable to transmit the disease to others. The administration may require an examination by a physician to determine the diseased condition and the liability of transmitting the disease. Children will allow to return to the class with a doctor note only.
You are the best judge of your child's health and we trust you will not bring a sick child to the center. However, if while in our care your child becomes ill, displays an unknown rash, or acts out-of-character your child's teacher will consult the director and you may be called to come take your child home. When called, you (or an alternate emergency person) are expected to come immediately. This is to protect the health of your child and his/her classmates. Your cooperation is greatly appreciated. The following criteria will be considered in determining if your child must go home:

- Unknown rash.
- Fever of 100° or higher.
- Highly contagious condition such as head lice, chicken pox, strep throat, pin worms, mumps, impetigo, conjunctivitis (pink eye), etc.
- Diarrhea or vomiting (more than two loose, watery stools).
- Persistent cough for an extended period of time.

Your child may return to the center after:

- Obtaining written verification from a doctor.
- Fever-free for 24 hours without the aid of Tylenol, or other fever reducing medications.
- In the case of chicken pox, when all the lesions are scabbed over.
- In the case of head lice, following treatment with appropriate shampoo (such as Kwell or RID) so that all nits (eggs) are gone.
- In the case of a contagious illness, your child should take an antibiotic for 24 hours before returning.
- In the case of persistent cough, 24 hours without the aid of cough suppressants, or allergy medication.

Emergency Preparedness:
We practice both fire and earthquake drills on a regular schedule so children become accustomed to the sound of the alarm and the procedures for exiting the classroom to a safe location. First Aid kits are located in all classrooms, offices and outdoor playgrounds. All staff is CPR and First Aid certified every 2 years to remain current on all lifesaving procedures.
The doctor's and parent's authorization must be on the forms supplied by the center.

Medication Policy/Services Provided During a Medical and Dental Emergency/ Incidental Medical Services (IMS) Plan:
Fairytale Castle staff attempt to provide an environment in which the child will be safe from accidents and injuries. If a minor injury occurs, first aid will be administered. If the injury is serious, the school will notify the parent, or someone designated by the parent.
Fairytale Castle provides incidental medical services, which include administering prescription medications, inhaled medications, and Epi-pens. Should your child need medication have administered at the center, we need written authorization from you and the doctor on the required forms, which are available from the director. If you have not completed the required and necessary forms our staff will not be able to administer the medication. Medication must be brought in the original container.
Nebulizer & Inhaled Medication:
-LIC 9166 form is to be filled out by the parent or guardian
-Written instructions from the child's physician
-Written instructions and consent from the parent or guardian to administer inhaled medication
Epi-Pens
-LIC 9221 form is to be filled out by the parent or guardian
-Written instructions from the child's physician
-Written instructions and consent from the parent or guardian to administer inhaled medication
Medication Precautions & Communication
-Nebulizers/Inhaled Medications will be delivered each day by the parent/guardian and stored in our front office in a medical supply container. EpiPens will be kept in the medical box in each room.

-LIC 9166 form will be completed by the parent/guardian, written instruction from the child's doctor, and written consent from the child's parent/guardian prior to medication being approved or administered.

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-Each time the medication is used it will be logged on a Medication Treatment Log for Nebulizer/Inhaled medications, which will include times, dates, reactions (if any) & staff who administered medications. A parent will access to and receive a copy of this form upon request. Should there be any emergencies, 911 will be called and the parent/guardian will be notified immediately.
-The employees trained to administer medication will wear gloves at the time of any procedure as well as follow the Universal Precaution Instructions.
-Serious incidents and any change in this plan will be reported to the Department of Social Service licensing office and an Unusual Incident Report (LIC624) will be filed.
The Center reserves the right to decline or terminate enrollment of a child with any of the above conditions if we believe the condition/treatment needs are beyond the scope of our staff's training or ability to perform in the context of a group setting. In addition, enrollment may be suspended or terminated if communication with the parent does not support full understanding of treatment needs, or if parents fail to provide medication/supplies, instructions, and any required documentation.

Policy Statement

Praise and positive reinforcement are effective methods of behavior management of children. When children receive positive, nonviolent, and understanding interactions from adults and others, they develop good self-concepts, problem solving abilities, and self-discipline. Based on this belief, Fairytale Castle Preschool uses a positive approach to discipline and practices the following discipline and behavior management techniques.

WE DO
-Communicate to children using positive statements.
-Communicate with children on their level.
-Talk with children in a calm quiet manner.
-Explain unacceptable behavior to children.
-Give attention to children for positive behavior.
-Praise and encourage the children.
-Reason with and set limits for the children.
-Apply rules consistently.
-Model appropriate behavior.
-Set up the classroom environment to prevent problems.
-Provide alternatives and redirect children to acceptable activity.
-Give children opportunities to make choices and solve problems.
-Help children talk out problems and think of solutions.
-Listen to children and respect the children's needs, desires and feelings.
-Provide appropriate words to help solve conflicts.
-Use storybooks and discussion to work through common conflicts.

WE DO NOT
-Inflict corporal punishment in any manner upon a child. (Corporal punishment is defined as the use of physical force to the body as a discipline measure. Physical force to the body includes, but is not limited to, spanking, hitting, shaking, biting, pinching, pushing, pulling, or slapping.)
-Use any strategy that hurts, shames, or belittles a child.
-Use any strategy that threatens, intimidates, or forces a child.
-Use food as a form of reward or punishment.
-Use or withhold physical activity as a punishment.
-Shame or punish a child if a bathroom accident occurs.
-Embarrass any child in front of others.
-Compare children.
-Place children in a locked and/or dark room.
-Leave any child alone, unattended or without supervision.
-Allow discipline of a child by other children.
-Criticize, make fun of, or otherwise belittle a child's parents, families, or ethnic groups.

Conferences will be scheduled with parents if particular disciplinary problems occur. If a child's behavior consistently endangers the safety of the children around him/her, then the Director has the right, after meeting with the parents and documenting behavior problems and interventions, to terminate child care services for that particular child.
Note: If, at any point, there is an indication/suspicion that a child may have special needs, we will inform the child's family and make contact with Baby Net for assessment and assistance.

Exhibit F – Traffic Impact Analysis

Excerpt from Planning Commission Agenda Packet on 8/12/2020

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DEC 23 2019
DEVELOPMENT SERV DEPT

ganddini

transportation ▪ noise ▪ air quality | GANDDINI GROUP

December 11, 2019

Mr. Eddie Peng
JWL ASSOCIATES
1221 South Hacienda Boulevard
Hacienda Heights, CA 91745

Dear Mr. Peng:

INTRODUCTION

Ganddini Group, Inc. is pleased to provide this focused traffic analysis for the proposed 710 East Foothill Boulevard Daycare Facility project located on the northeast corner of North Campus Avenue and Mesa Court in the City of Upland. Figure 1 shows the project location map.

This focused traffic analysis consists of project trip generation and Level of Service analysis. The following two existing and future scenarios are analyzed during the weekday AM and PM peak hours:

- Existing Conditions
- Existing Plus Project Conditions

This focused traffic analysis summarizes our methodology, calculations, and findings. Although this is a technical report, effort has been made to write the report clearly and concisely. To assist the reader with terms unique to transportation engineering, a glossary is provided within Appendix A.

PROJECT DESCRIPTION

The project is proposing to occupy an existing 5,040 square foot commercial building which is currently vacant. The project site is proposed to utilize the existing access driveway on Campus Avenue. The site plan is illustrated on Figure 2.

PROJECT TRIP GENERATION AND ASSIGNMENT

Trip generation rates were determined for weekday AM and PM peak hour inbound/outbound trips for the proposed land uses. The project trips are determined by multiplying the trip generation rates by the land use quantities. Table 1 shows the project trip generation based upon rates obtained from the Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, 2017.

As shown in Table 1, the proposed project is forecast to generate approximately 240 daily vehicle trips, including 55 vehicle trips during the AM peak hour and 56 vehicle trips during the PM peak hour.

Figure 3 shows the project trip distribution patterns. The project trip distribution patterns are based on review of existing volume data, surrounding land uses and the local and regional roadway facilities in the project vicinity.

Mr. Eddie Peng
JWL ASSOCIATES
December 11, 2019

INTERSECTION ANALYSIS METHODOLOGY

The technique used to assess the performance of an intersection in the City of Upland is known as the intersection delay methodology based on the procedures contained in the Highway Capacity Manual (6th Edition, Transportation Research Board). The methodology compares the traffic volumes using the intersection to the capacity of the intersection to calculate the delay associated with the traffic control at the intersection. The intersection control delay is then correlated to a performance measure known as Level of Service based on the following thresholds:

Level of Service	Intersection Control Delay (Seconds / Vehicle)	
	Signalized Intersection	Unsignalized Intersection
A	≤ 10.0	≤ 10.0
B	> 10.0 to ≤ 20.0	> 10.0 to ≤ 15.0
C	> 20.0 to ≤ 35.0	> 15.0 to ≤ 25.0
D	> 35.0 to ≤ 55.0	> 25.0 to ≤ 35.0
E	> 55.0 to ≤ 80.0	> 35.0 to ≤ 50.0
F	> 80.0	> 50.0

Source: Highway Capacity Manual (6th Edition, Transportation Research Board).

Level of Service is used to qualitatively describe the performance of a roadway facility, ranging from Level of Service A (free-flow conditions) to Level of Service F (extreme congestion and system failure). Per the Highway Capacity Manual, Level of Service is based on the weighted average delay of the overall intersection for intersections with traffic signal or all way stop control. For intersections with cross street stop control, Level of Service is based on average delay of the worst individual movement (or movements sharing a lane).

EXISTING CONDITIONS

Figure 4 identifies the existing number of through lanes, intersection traffic controls, and intersection lane configuration based on a field survey of the study area.

Figure 5 shows Existing AM and PM peak hour intersection turning movement volumes. Existing peak hour volumes are based upon AM and PM peak period intersection turning movement volume counts conducted in December 2019. The AM peak period was counted between 7:00 AM and 9:00 AM and the PM peak period was counted between 4:00 PM and 6:00 PM. The actual peak hour within the peak period is the four consecutive 15-minute periods with the highest total volume when all movements are added together. Thus, the PM peak hour at one intersection may be 4:45 PM to 5:45 PM if those four consecutive 15-minute periods have the highest combined volume. The peak hour traffic volumes were adjusted to peak 15 minute volumes for analysis purposes using the existing measured peak hour factors for Existing and Existing Plus Project conditions. Intersection turning movement volume count worksheets are provided in Appendix B.

The AM and PM peak hour Levels of Service for Existing conditions have been calculated and are shown in Table 2. As shown in Table 2, the study intersection currently operates within acceptable Levels of Service during the AM and PM peak hours. Existing Level of Service worksheets are provided in Appendix C.

Mr. Eddie Peng
JWL ASSOCIATES
December 11, 2019

EXISTING PLUS PROJECT CONDITIONS

Existing Plus Project traffic volumes were derived by adding the project generated trips to existing traffic volumes. Existing Plus Project AM and PM peak hour intersection turning movement volumes are shown on Figure 6.

The AM and PM peak hour Levels of Service for Existing Plus Project conditions have been calculated and are shown in Table 3. As shown in Table 3, the study intersection is forecast to operate at acceptable Levels of Service during the AM and PM peak hours for Existing Plus Project conditions. Existing Plus Project Level of Service worksheets are provided in Appendix C.

Volume count data for the study intersection made note of existing vehicular queues on Campus Avenue in the northbound direction at the intersection of Campus Avenue and Foothill Boulevard spilling back to the project driveway, which impedes westbound left turn movements out of the project driveway. Although the northbound vehicular queuing on Campus Avenue is an existing traffic issue that is not caused by the additional project traffic and the project driveway will continue to operate at an acceptable LOS, it is recommended that the westbound left turn movement out of the project driveway be restricted during peak hours. The project should install signage at the Project Driveway restricting westbound left turns out during peak hours. Vehicles intending to travel southbound from the project may utilize the shopping center driveway on Foothill Boulevard to make a left towards Campus Avenue or a right towards Hospital Parkway and head south.

CONCLUSIONS

The study intersection currently operates within acceptable Levels of Service during the AM and PM peak hours for both Existing and Existing Plus Project conditions.

There are existing vehicular queues on Campus Avenue in the northbound direction at the intersection of Campus Avenue and Foothill Boulevard spilling back to the project driveway, which impedes westbound left turn movements out of the project driveway. Although the northbound vehicular queuing on Campus Avenue is an existing traffic issue that is not caused by the additional project traffic and the project driveway will continue to operate at an acceptable LOS, it is recommended that the westbound left turn movement out of the project driveway be restricted during peak hours. The project should install signage at the Project Driveway restricting westbound left turns out during peak hours.

It has been a pleasure to service your needs on the proposed 710 East Foothill Boulevard Daycare Facility project. Should you have any questions or if we can be of further assistance, please do not hesitate to call at (714) 795-3100 x 106.

Respectfully submitted,

Brandon Alvarado, EIT
Transportation Analyst

REGISTERED PROFESSIONAL ENGINEER
TOM SHAO-CHEN HUANG
TR 2575
EXP 6/30/20
TRAFFIC
STATE OF CALIFORNIA

Tom Huang, TE
Senior Traffic Engineer

Table 1
Project Trip Generation

Trip Generation Rates									
			AM Peak Hour			PM Peak Hour			
Land Use	Source[1]	Unit[2]	% In	% Out	Rate	% In	% Out	Rate	Daily
Day Care Center	ITE 565	TSF	53%	47%	11.00	47%	53%	11.12	47.62

Trips Generated									
			AM Peak Hour			PM Peak Hour			
Land Use	Quantity	Unit[2]	In	Out	Total	In	Out	Total	Daily
Daycare Facility	5.040	TSF	29	26	55	26	30	56	240

Notes:

(1) ITE = Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, 2017; ### = Land Use Code

(2) TSF = Thousand Square Feet

Table 2
Existing Intersection Level of Service

ID	Study Intersection	Traffic Control[1]	AM Peak Hour		PM Peak Hour	
			Delay[2]	LOS[3]	Delay[2]	LOS[3]
1.	North Campus Avenue at Project Driveway/CVS Driveway	CSS	18.1	C	18.5	C

Notes:

(1) TS = Traffic Signal; CSS = Cross Street Stop

(2) Delay is shown in seconds/vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and Level of Service are shown. For intersections with cross street stop control, Level of Service is based on average delay of the worst individual lane (or movements sharing a lane).

(3) LOS = Level of Service

Table 3
Existing Plus Project Intersection Level of Service

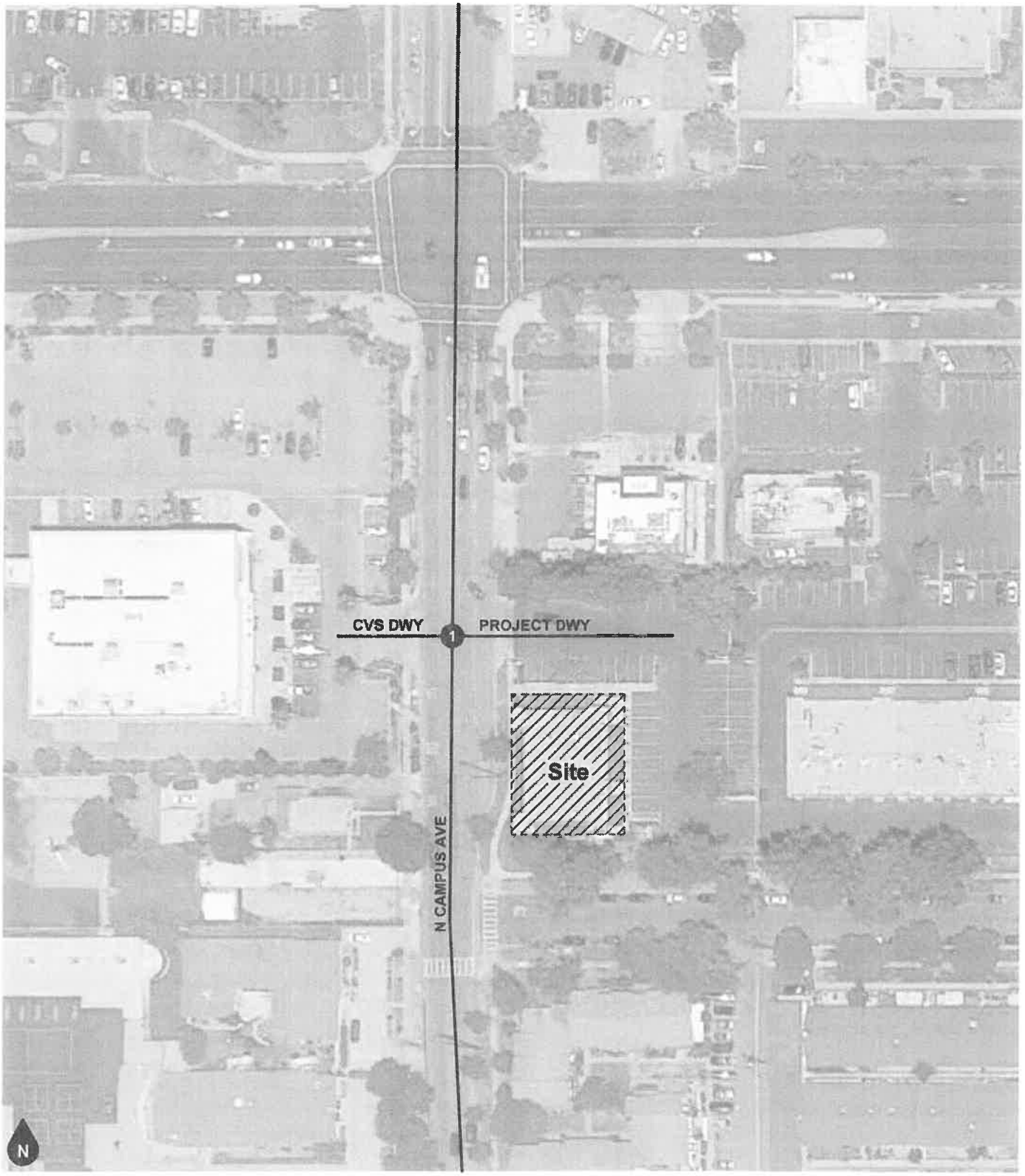
ID	Study Intersection	Traffic Control[1]	AM Peak Hour		PM Peak Hour	
			Delay[2]	LOS[3]	Delay[2]	LOS[3]
1.	North Campus Avenue at Project Driveway/CVS Driveway	CSS	19.8	C	19.8	C

Notes:

(1) TS = Traffic Signal; CSS = Cross Street Stop

(2) Delay is shown in seconds/vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and Level of Service are shown. For intersections with cross street stop control, Level of Service is based on average delay of the worst individual lane (or movements sharing a lane).

(3) LOS = Level of Service



Legend
Study Project Intersection/Dwy

Figure 1
Project Location Map

Excerpt from Planning Commission Agenda Packet on 8/12/2020

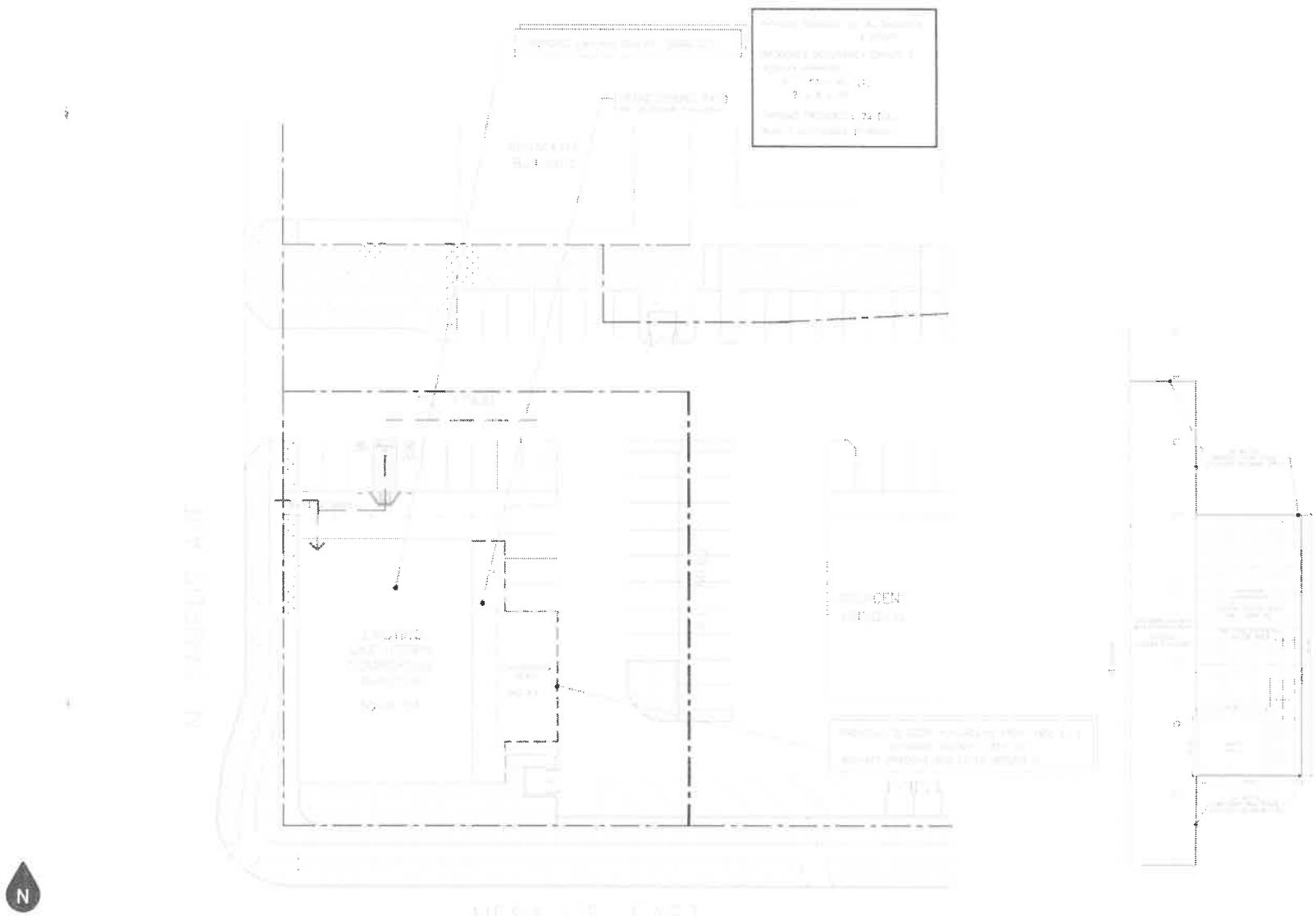
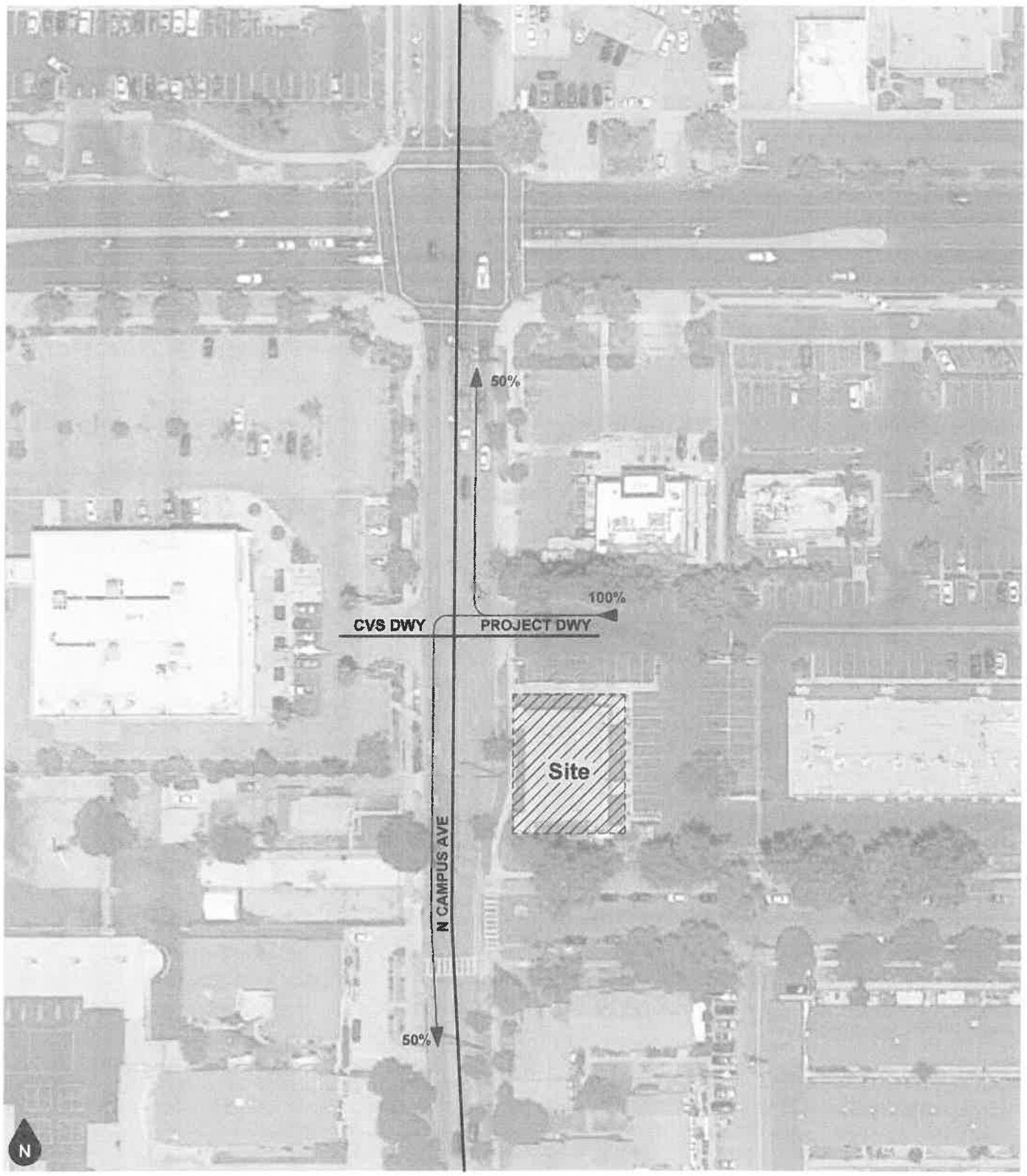
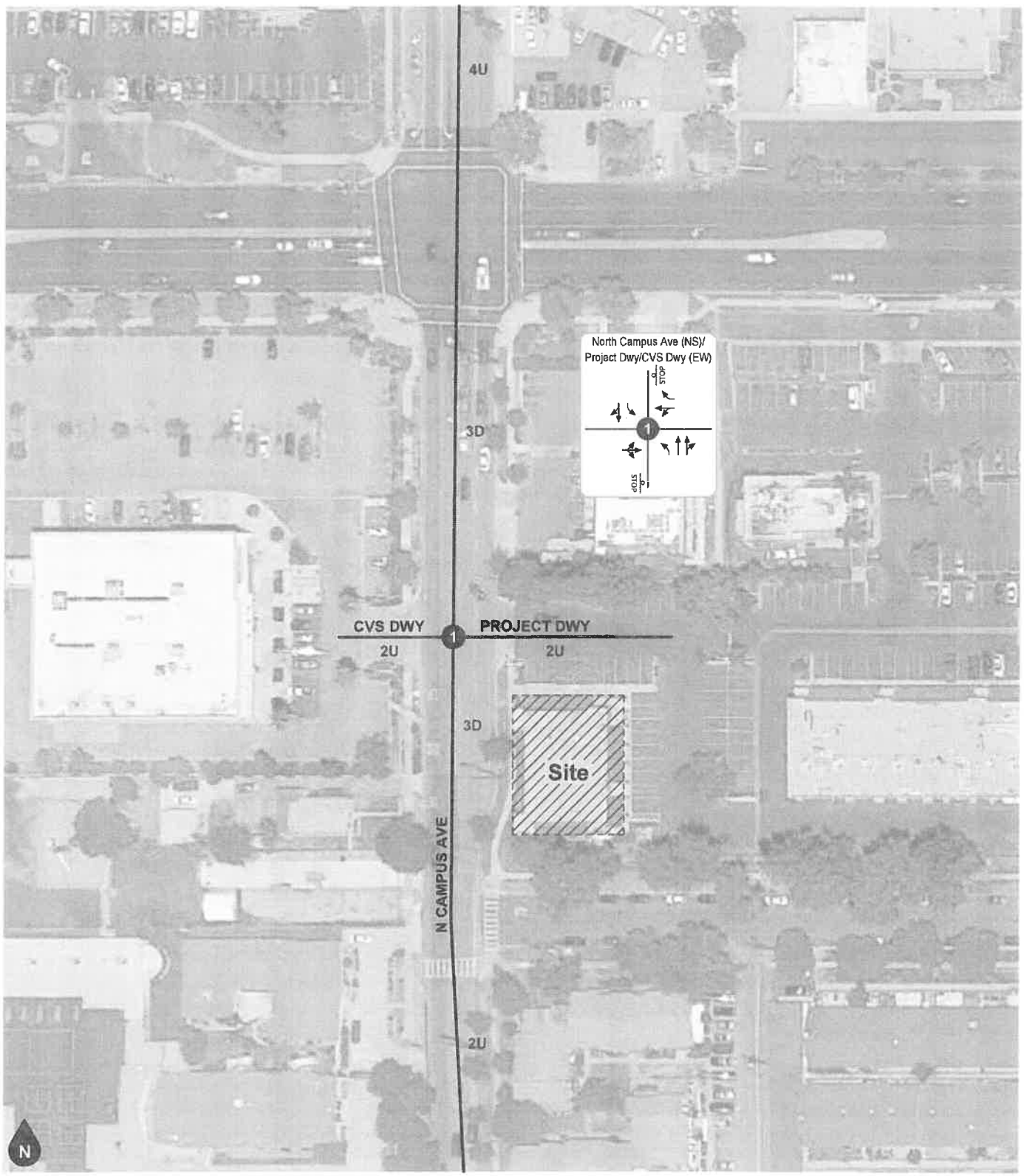


Figure 2
Site Plan



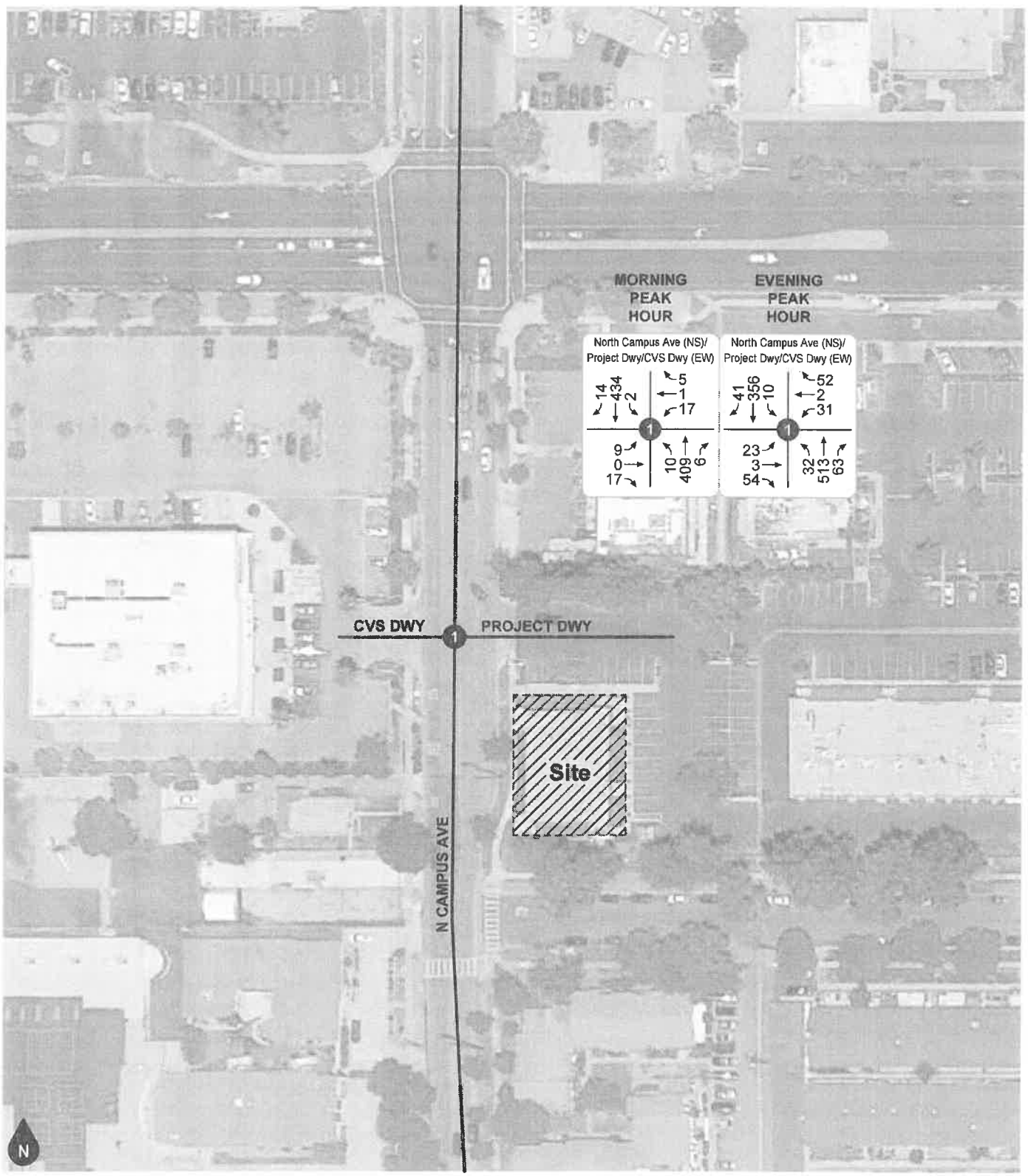
Legend
10% Percent From/To Project

Figure 3
Project Trip Distribution



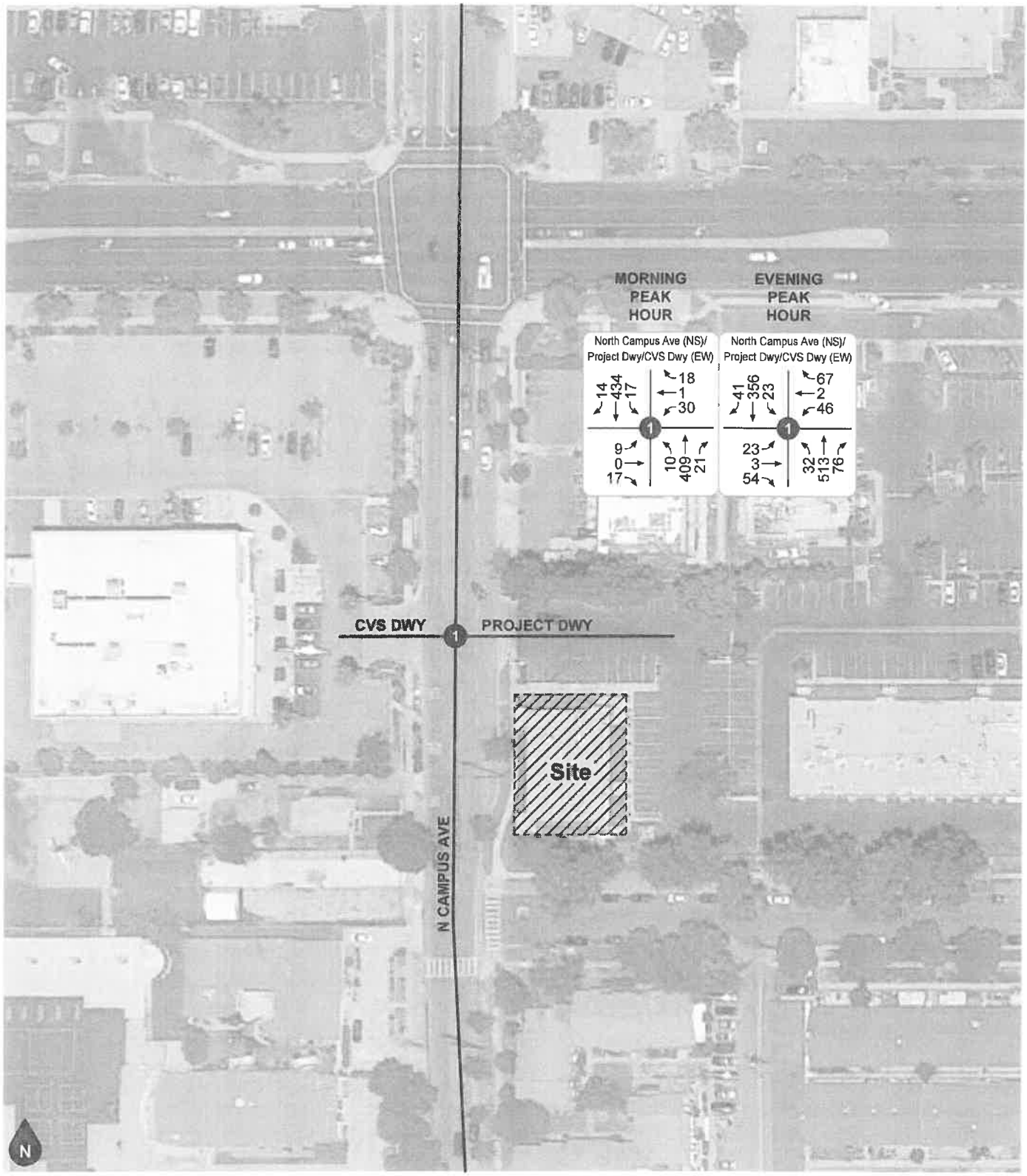
Legend
- STOP Stop Sign
- #D #-Lane Divided Roadway
- #U #-Lane Undivided Roadway
- Existing Lane

Figure 4
Existing Lane Geometry and Intersection Traffic Controls



Legend
Study Project Intersection/Dwy

Figure 5
Existing Peak Hour Intersection Turning Movement Volumes



Legend
Study Project Intersection/Dwy

Figure 6
Existing Plus Project
Peak Hour Intersection Turning Movement Volum

Excerpt from Planning Commission Agenda Packet on 8/12/2020

APPENDICES

Appendix A: Glossary

Appendix B: Existing Volume Count Worksheets

Appendix C: Level of Service Worksheets

Excerpt from Planning Commission Agenda Packet on 8/12/2020

APPENDIX A

GLOSSARY

GLOSSARY OF TERMS

ACRONYMS

AC	Acres
ADT	Average Daily Traffic
Caltrans	California Department of Transportation
DU	Dwelling Unit
ICU	Intersection Capacity Utilization
LOS	Level of Service
TSF	Thousand Square Feet
V/C	Volume/Capacity
VMT	Vehicle Miles Traveled

TERMS

AVERAGE DAILY TRAFFIC: The average 24-hour volume for a stated period divided by the number of days in that period. For example, Annual Average Daily Traffic is the total volume during a year divided by 365 days.

BANDWIDTH: The number of seconds of green time available for through traffic in a signal progression.

BOTTLENECK: A point of constriction along a roadway that limits the amount of traffic that can proceed downstream from its location.

CAPACITY: The maximum number of vehicles that can be reasonably expected to pass over a given section of a lane or a roadway in a given time period.

CHANNELIZATION: The separation or regulation of conflicting traffic movements into definite paths of travel by the use of pavement markings, raised islands, or other suitable means to facilitate the safe and orderly movements of both vehicles and pedestrians.

CLEARANCE INTERVAL: Nearly same as yellow time. If there is an all red interval after the end of a yellow, then that is also added into the clearance interval.

CONTROL DELAY: The component of delay, typically expressed in seconds per vehicle, resulting from the type of traffic control at an intersection. Control delay is measured by comparison with the uncontrolled condition; it includes delay incurred by slowing down, stopping/waiting, and speeding up.

CORDON: An imaginary line around an area across which vehicles, persons, or other items are counted (in and out).

CORNER SIGHT DISTANCE: The minimum sight distance required by the driver of a vehicle to cross or enter the lanes of the major roadway without requiring approaching traffic travelling at a given speed to radically alter their speed or trajectory. Corner sight distance is measured from the driver's eye at 42 inches above the pavement to an object height of 36 inches above the pavement in the center of the nearest approach lane.

CYCLE LENGTH: The time period in seconds required for a traffic signal to complete one full cycle of indications.

CUL-DE-SAC: A local street open at one end only and with special provisions for turning around.

DAILY CAPACITY: A theoretical value representing the daily traffic volume that will typically result in a peak hour volume equal to the capacity of the roadway.

DELAY: The time consumed while traffic is impeded in its movement by some element over which it has no control, usually expressed in seconds per vehicle.

DEMAND RESPONSIVE SIGNAL: Same as traffic-actuated signal.

DENSITY: The number of vehicles occupying in a unit length of the through traffic lanes of a roadway at any given instant. Usually expressed in vehicles per mile.

DETECTOR: A device that responds to a physical stimulus and transmits a resulting impulse to the signal controller.

DESIGN SPEED: A speed selected for purposes of design. Features of a highway, such as curvature, superelevation, and sight distance (upon which the safe operation of vehicles is dependent) are correlated to design speed.

DIRECTIONAL SPLIT: The percent of traffic in the peak direction at any point in time.

DIVERSION: The rerouting of peak hour traffic to avoid congestion.

FORCED FLOW: Opposite of free flow.

FREE FLOW: Volumes are well below capacity. Vehicles can maneuver freely and travel is unimpeded by other traffic.

GAP: Time or distance between successive vehicles in a traffic stream, rear bumper to front bumper.

HEADWAY: Time or distance spacing between successive vehicles in a traffic stream, front bumper to front bumper.

INTERCONNECTED SIGNAL SYSTEM: A number of intersections that are connected to achieve signal progression.

LEVEL OF SERVICE: A qualitative measure of a number of factors, which include speed and travel time, traffic interruptions, freedom to maneuver, safety, driving comfort and convenience, and operating costs.

LOOP DETECTOR: A vehicle detector consisting of a loop of wire embedded in the roadway, energized by alternating current and producing an output circuit closure when passed over by a vehicle.

MINIMUM ACCEPTABLE GAP: Smallest time headway between successive vehicles in a traffic stream into which another vehicle is willing and able to cross or merge.

MULTI-MODAL: More than one mode; such as automobile, bus transit, rail rapid transit, and bicycle transportation modes.

OFFSET: The time interval in seconds between the beginning of green at one intersection and the beginning of green at an adjacent intersection.

PLATOON: A closely grouped component of traffic that is composed of several vehicles moving, or standing ready to move, with clear spaces ahead and behind.

PASSENGER CAR EQUIVALENT (PCE): A metric used to assess the impact of larger vehicles, such as trucks, recreational vehicles, and buses, by converting the traffic volume of larger vehicles to an equivalent number of passenger cars.

PEAK HOUR: The 60 consecutive minutes with the highest number of vehicles.

PRETIMED SIGNAL: A type of traffic signal that directs traffic to stop and go on a predetermined time schedule without regard to traffic conditions. Also, fixed time signal.

PROGRESSION: A term used to describe the progressive movement of traffic through several signalized intersections.

QUEUE: The number of vehicles waiting at a service area such as a traffic signal, stop sign, or access gate.

QUEUE LENGTH: The length of vehicle queue, typically expressed in feet, waiting at a service area such as a traffic signal, stop sign, or access gate.

SCREEN-LINE: An imaginary line or physical feature across which all trips are counted, normally to verify the validity of mathematical traffic models.

SHARED/RECIPROCAL PARKING AGREEMENT: A written binding document executed between property owners to provide a designated number of off-street parking stalls within a designated area to be available for specified businesses or land uses.

SIGHT DISTANCE: The continuous length of roadway visible to a driver or roadway user.

SIGNAL CYCLE: The time period in seconds required for one complete sequence of signal indications.

SIGNAL PHASE: The part of the signal cycle allocated to one or more traffic movements.

STACKING DISTANCE: The length of area available behind a service area, such as a traffic signal or gate, for vehicle queueing to occur.

STARTING DELAY: The delay experienced in initiating the movement of queued traffic from a stop to an average running speed through an intersection.

STOPPING SIGHT DISTANCE: The minimum distance required by the driver of a vehicle on the major roadway travelling at a given speed to bring the vehicle to a stop after an object on the road becomes visible. Stopping sight distance is measured from the driver's eye at 42 inches above the pavement to an object height of 6 inches above the pavement.

TRAFFIC-ACTUATED SIGNAL: A type of traffic signal that directs traffic to stop and go in accordance with the demands of traffic, as registered by the actuation of detectors.

TRIP: The movement of a person or vehicle from one location (origin) to another (destination). For example, from home to store to home is two trips, not one.

TRIP-END: One end of a trip at either the origin or destination (i.e., each trip has two trip-ends). A trip-end occurs when a person, object, or message is transferred to or from a vehicle.

TRIP GENERATION RATE: The quantity of trips produced and/or attracted by a specific land use stated in terms of units such as per dwelling, per acre, and per 1,000 square feet of floor space.

TRUCK: A vehicle having dual tires on one or more axles, or having more than two axles.

TURNING RADIUS: The circular arc formed by the smallest turning path radius of the front outside tire of a vehicle, such as that performed by a U-turn maneuver. This is based on the length and width of the wheel base as well as the steering mechanism of the vehicle.

UNBALANCED FLOW: Heavier traffic flow in one direction than the other. On a daily basis, most facilities have balanced flow. During the peak hours, flow is seldom balanced in an urban area.

VEHICLE MILES OF TRAVEL: A measure of the amount of usage of a section of highway, obtained by multiplying the average daily traffic by length of facility in miles.

Excerpt from Planning Commission Agenda Packet on 8/12/2020

APPENDIX B

EXISTING VOLUME COUNT WORKSHEETS

INTERSECTION TURNING MOVEMENT COUNTS

PREPARED BY: AimTD LLC. tel: 714 253 7888 cs@aimtd.com

DATE:				
Tue, Dec 3, 19	LOCATION:	Upland	PROJECT #:	SC2449
	NORTH & SOUTH:	Campus	LOCATION #:	1
	EAST & WEST:	Driveway	CONTROL:	STOP E/W

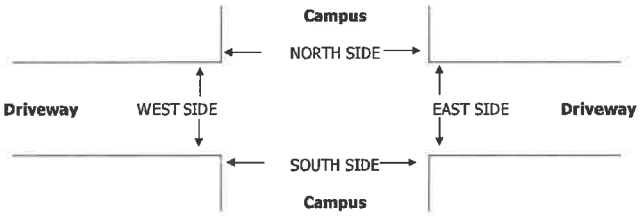
NOTES:

Queue NB AM/PM

N ▲ ◄ W E ► S ▼

☑ Add U-Turns to Left Turns

		NORTHBOUND Campus			SOUTHBOUND Campus			EASTBOUND Driveway			WESTBOUND Driveway				U-TURNS				
	LANES:	NL 0	NT 2	NR 0	SL 0	ST 1	SR 0	EL 0	ET 1	ER 0	WL 1	WT 0	WR 1	TOTAL	NB 0	SB 0	EB 0	WB 0	TTL
AM	7:00 AM	2	71	2	0	84	2	0	0	2	7	0	1	151	0	0	0	0	0
	7:15 AM	1	85	1	0	106	4	2	0	1	3	1	2	206	0	0	0	0	0
	7:30 AM	3	127	1	0	148	5	3	0	5	6	0	1	299	0	0	0	0	0
	7:45 AM	1	102	3	2	110	3	1	0	4	7	0	1	234	0	0	0	0	0
	8:00 AM	5	95	1	0	70	2	3	0	7	1	0	1	185	0	0	0	0	0
	8:15 AM	1	77	2	2	93	2	5	0	3	3	0	3	191	0	1	0	0	1
	8:30 AM	2	76	3	0	69	4	1	0	5	6	0	7	173	0	0	0	0	0
	8:45 AM	4	79	4	0	69	4	1	0	7	2	0	4	174	0	0	0	0	0
	VOLUMES	19	712	17	4	729	26	16	0	34	35	1	20	1,613	0	1	0	0	1
	APPROACH %	3%	95%	2%	1%	96%	3%	32%	0%	68%	63%	2%	36%						
	APP/DEPART	748	/	749	759	/	798	50	/	20	56	/	46	0					
	BEGIN PEAK HR		7:15 AM																
	VOLUMES	10	409	6	2	434	14	9	0	17	17	1	5	924					
	APPROACH %	2%	96%	1%	0%	96%	3%	35%	0%	65%	74%	4%	22%						
	PEAK HR FACTOR		0.811			0.735			0.650			0.719		0.773					
	APP/DEPART	425	/	423	450	/	468	26	/	8	23	/	25	0					
PM	4:00 PM	5	113	10	2	94	9	10	1	7	5	2	16	274	0	0	0	0	0
	4:15 PM	8	121	11	5	91	6	7	1	13	6	0	11	280	0	0	0	0	0
	4:30 PM	14	145	8	1	80	6	10	0	10	16	0	15	305	0	0	0	0	0
	4:45 PM	6	112	10	1	88	7	9	1	17	10	1	12	274	0	0	0	0	0
	5:00 PM	8	138	15	1	85	7	5	0	14	6	0	14	293	0	0	0	0	0
	5:15 PM	4	124	19	6	105	12	7	0	8	6	1	12	304	0	0	0	0	0
	5:30 PM	14	129	13	3	87	8	3	2	12	7	1	15	294	0	0	0	0	0
	5:45 PM	6	122	16	0	79	14	8	1	20	12	0	11	289	0	0	0	0	0
	VOLUMES	65	1,004	102	19	709	69	59	6	101	68	5	106	2,313	0	0	0	0	0
	APPROACH %	6%	86%	9%	2%	89%	9%	36%	4%	61%	38%	3%	59%						
	APP/DEPART	1,171	/	1,169	797	/	878	166	/	127	179	/	139	0					
	BEGIN PEAK HR		5:00 PM																
	VOLUMES	32	513	63	10	356	41	23	3	54	31	2	52	1,180					
	APPROACH %	5%	84%	10%	2%	87%	10%	29%	4%	68%	36%	2%	61%						
	PEAK HR FACTOR		0.944			0.827			0.690			0.924		0.970					
	APP/DEPART	608	/	588	407	/	441	80	/	76	85	/	75	0					



		PEDESTRIAN + BIKE CROSSINGS					PEDESTRIAN CROSSINGS					BICYCLE CROSSINGS				
		N SIDE	S SIDE	E SIDE	W SIDE	TOTAL	N SIDE	S SIDE	E SIDE	W SIDE	TOTAL	NS	SS	ES	WS	TOTAL
AM	7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	AM BEGIN PEAK HR			7:15 AM			0	0	0	0	0					
PM	4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	PM BEGIN PEAK HR			5:00 PM			0	0	0	0	0					

Excerpt from Planning Commission Agenda Packet on 8/12/2020

APPENDIX C

LEVEL OF SERVICE WORKSHEETS

EXISTING

710 E Foothill Blvd Daycare Facility

Vistro File: G:\...\AM.vistro
Report File: G:\...\E AM.pdf

Scenario 1 Existing
12/10/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	North Campus Avenue (NS) at Project Driveway/CVS Driveway (EW)	Two-way stop	HCM 6th Edition	WB Left	0.074	18.1	C

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Generated with PTV VISTRO | 710 E Foothill Blvd Daycare Facility

Version 6.00-00 | Scenario 1: 1 Existing | Morning Peak Hour

Intersection Level Of Service Report

Intersection 1: North Campus Avenue (NS) at Project Driveway/CVS Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	18.1
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.074

Intersection Setup

Name												
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	No			No			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	10	409	6	2	434	14	9	0	17	17	1	5
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	10	409	6	2	434	14	9	0	17	17	1	5
Peak Hour Factor	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	3	132	2	1	140	5	3	0	5	5	0	2
Total Analysis Volume [veh/h]	13	529	8	3	561	18	12	0	22	22	1	6
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Free	Free	Stop	Stop
Flared Lane			No	
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance			Yes	Yes
Number of Storage Spaces in Median	0	0	1	1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.01	0.00	0.00	0.00	0.01	0.00	0.04	0.00	0.04	0.07	0.00	0.01
d_M, Delay for Movement [s/veh]	8.63	0.00	0.00	8.47	0.00	0.00	17.35	16.97	12.61	18.06	17.35	11.61
Movement LOS	A	A	A	A	A	A	C	C	B	C	C	B
95th-Percentile Queue Length [veh/ln]	0.04	0.00	0.00	0.01	0.00	0.00	0.26	0.26	0.26	0.25	0.25	0.03
95th-Percentile Queue Length [ft/ln]	0.98	0.00	0.00	0.22	0.00	0.00	6.54	6.54	6.54	6.20	6.20	0.83
d_A, Approach Delay [s/veh]	0.20			0.04			14.28			16.70		
Approach LOS	A			A			B			C		
d_I, Intersection Delay [s/veh]	0.93											
Intersection LOS	C											

710 E Foothill Blvd Daycare Facility

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Scenario 1 Existing
12/10/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	North Campus Avenue (NS) at Project Driveway/CVS Driveway (EW)	Two-way stop	HCM 6th Edition	EB Left	0.080	18.5	C

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: North Campus Avenue (NS) at Project Driveway/CVS Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	18.5
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.080

Intersection Setup

Name												
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	No			No			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	32	513	63	10	356	41	23	3	54	31	2	52
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	32	513	63	10	356	41	23	3	54	31	2	52
Peak Hour Factor	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	8	132	16	3	92	11	6	1	14	8	1	13
Total Analysis Volume [veh/h]	33	529	65	10	367	42	24	3	56	32	2	54
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Free	Free	Stop	Stop
Flared Lane			No	
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance			Yes	Yes
Number of Storage Spaces in Median	0	0	1	1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.00	0.00	0.01	0.00	0.00	0.08	0.01	0.08	0.11	0.01	0.10
d_M, Delay for Movement [s/veh]	8.19	0.00	0.00	8.67	0.00	0.00	18.52	17.64	11.98	18.41	17.45	12.55
Movement LOS	A	A	A	A	A	A	C	C	B	C	C	B
95th-Percentile Queue Length [veh/ln]	0.09	0.00	0.00	0.03	0.00	0.00	0.62	0.62	0.62	0.37	0.37	0.34
95th-Percentile Queue Length [ft/ln]	2.19	0.00	0.00	0.76	0.00	0.00	15.51	15.51	15.51	9.36	9.36	8.45
d_A, Approach Delay [s/veh]	0.43			0.21			14.08			14.79		
Approach LOS	A			A			B			B		
d_I, Intersection Delay [s/veh]	2.32											
Intersection LOS	C											

EXISTING PLUS PROJECT

710 E Foothill Blvd Daycare Facility

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Scenario 2 Existing Plus Project
12/10/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	North Campus Avenue (NS) at Project Driveway/CVS Driveway (EW)	Two-way stop	HCM 6th Edition	WB Left	0.138	19.8	C

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report

Intersection 1: North Campus Avenue (NS) at Project Driveway/CVS Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	19.8
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.138

Intersection Setup

Name												
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	No			No			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	10	409	6	2	434	14	9	0	17	17	1	5
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	15	15	0	0	0	0	0	13	0	13
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	10	409	21	17	434	14	9	0	17	30	1	18
Peak Hour Factor	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730	0.7730
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	3	132	7	5	140	5	3	0	5	10	0	6
Total Analysis Volume [veh/h]	13	529	27	22	561	18	12	0	22	39	1	23
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Free	Free	Stop	Stop
Flared Lane			No	
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance			Yes	Yes
Number of Storage Spaces in Median	0	0	1	1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.01	0.00	0.00	0.02	0.00	0.00	0.04	0.00	0.04	0.14	0.00	0.04
d_M, Delay for Movement [s/veh]	8.63	0.00	0.00	8.59	0.00	0.00	18.48	17.84	12.68	19.79	19.00	11.91
Movement LOS	A	A	A	A	A	A	C	C	B	C	C	B
95th-Percentile Queue Length [veh/ln]	0.04	0.00	0.00	0.07	0.00	0.00	0.27	0.27	0.27	0.49	0.49	0.13
95th-Percentile Queue Length [ft/ln]	0.98	0.00	0.00	1.64	0.00	0.00	6.85	6.85	6.85	12.13	12.13	3.30
d_A, Approach Delay [s/veh]	0.20			0.31			14.73			16.90		
Approach LOS	A			A			B			C		
d_I, Intersection Delay [s/veh]	1.47											
Intersection LOS	C											

710 E Foothill Blvd Daycare Facility

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Scenario 2 Existing Plus Project
12/10/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	North Campus Avenue (NS) at Project Driveway/CVS Driveway (EW)	Two-way stop	HCM 6th Edition	WB Left	0.161	19.8	C

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report

Intersection 1: North Campus Avenue (NS) at Project Driveway/CVS Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	19.8
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.161

Intersection Setup

Name												
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	No			No			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	32	513	63	10	356	41	23	3	54	31	2	52
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	13	13	0	0	0	0	0	15	0	15
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	32	513	76	23	356	41	23	3	54	46	2	67
Peak Hour Factor	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700	0.9700
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	8	132	20	6	92	11	6	1	14	12	1	17
Total Analysis Volume [veh/h]	33	529	78	24	367	42	24	3	56	47	2	69
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Free	Free	Stop	Stop
Flared Lane			No	
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance			Yes	Yes
Number of Storage Spaces in Median	0	0	1	1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.00	0.00	0.02	0.00	0.00	0.09	0.01	0.08	0.16	0.01	0.13
d_M, Delay for Movement [s/veh]	8.19	0.00	0.00	8.76	0.00	0.00	19.63	18.38	12.13	19.84	18.81	12.87
Movement LOS	A	A	A	A	A	A	C	C	B	C	C	B
95th-Percentile Queue Length [veh/ln]	0.09	0.00	0.00	0.08	0.00	0.00	0.65	0.65	0.65	0.59	0.59	0.45
95th-Percentile Queue Length [ft/ln]	2.19	0.00	0.00	1.88	0.00	0.00	16.25	16.25	16.25	14.83	14.83	11.23
d_A, Approach Delay [s/veh]	0.42			0.49			14.52			15.75		
Approach LOS	A			A			B			C		
d_I, Intersection Delay [s/veh]	2.78											
Intersection LOS	C											

PLANNING COMMISSION REPORT

ITEM NO. 8B

DATE:	September 23, 2020
TO:	PLANNING COMMISSION
FROM:	ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR
SUBJECT:	PUBLIC HEARING TO CONSIDER ZONING CODE AMENDMENT ZA 20-0001 TO REVISE CHAPTER 17.37 OF THE UPLAND MUNICIPAL CODE REGULATING ACCESSORY DWELLING UNITS FOR COMPLIANCE WITH RECENT CHANGES TO STATE GOVERNMENT CODE SECTION 65852.2 AND 65852.22.

SUMMARY

The City's ADU Ordinance has been null and void since January 1, 2017 as a result of the changes to State Government Code sections 65852.2 and 65852.22 (ADU Law) with approval of Senate Bill (SB) 1069 (Wieckowski) and Assembly Bill (AB) 2299 (Bloom) in 2016. And, is further noncompliant with revisions to ADU Law which went into effect on January 1, 2020 (See next section of this report). Consequently, until an ADU Ordinance is adopted staff is required to apply the "state standards" and cannot include additional requirements beyond the current ADU Law in reviewing plans for ADUs.

The proposed Zoning Code Amendments to Chapter 17.37 of the Upland Municipal Code (see Exhibit B) will completely replace the City's outdated regulations pertaining to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). The Amendment will bring the City's ADU Ordinance into complete conformance with the present-day revisions to ADU Law. The current State ADU Law permits the development of ADUs and JADUs in conjunction with any residential development in all residential and mixed-use zones.

RECOMMENDATION:

Staff recommends that the Planning Commission:

1) Conduct a public hearing on Zoning Code Amendment ZA 20-0001;

2) Find this project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15282(h) of the CEQA Guidelines, which states that the adoption of an ordinance regarding second units in a single-family or multifamily residential zone to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code are exempt from the requirements of CEQA; and

3) Adopt Planning Commission Resolution recommending the City Council approve Zoning Code Amendment ZA 20-0001 to modify the regulations pertaining to accessory dwelling units in Chapter 17.37 of the Upland Municipal Code.

BACKGROUND:

In 2019, the California Legislature adopted another group of housing bills aimed at addressing the housing crisis. The legislature approved, and the Governor signed, Senate Bill 13, Assembly Bill 68 and Assembly Bill 881 into law that, among other things, again amended Government Code sections 65852.2 and 65852.22 to impose new limits on the City's ability to regulate ADUs and JADUs. In adopting these new regulations, the State Legislature determined that these changes are a matter of statewide concern, rather than a municipal affair. This determination allows the State to mandate cities implement the new ADU laws. Since AB 881 was the last chaptered bill signed by the Governor affecting Government Code Section 65852.2, it supersedes SB 13 and AB 68. However, other portions of SB 13 and AB 68, not affecting Government Code 65852.2, are still in force. The State Legislature's action was intended to reduce regulatory barriers and costs, streamline the approval, and expand the potential capacity for ADUs in response to California's housing shortage. These changes were also intended to assist the City in meeting its allotment for the upcoming Regional Housing Needs Allocation (RHNA) cycle.

Accessory dwelling units, formerly known as "second dwelling units" or "granny units", are small, secondary dwelling units with complete, independent living facilities for one or more persons. These units must have a kitchen, sleeping area, and bathing facilities to facilitate independent living,

and can be either detached from or attached to the primary dwelling structure, or contained wholly within the existing living area of the primary dwelling (JADU). As these types of dwelling units have become a critical component of State housing law, they are now referred in State law as accessory dwelling units or ADUs. State law requires that all local jurisdictions allow and approve ADUs through a ministerial process; which is a "by-right" approval without a public hearing, Design Review or other discretionary process. The State allows for limited local control over some development standards that can be applied to ADUs.

The Planning Commission conducted two public workshops on August 28, 2019 and September 25, 2019 where staff provided an overview of the changes to ADU Law that were the result of the State chaptering AB 2299 and SB 1069 in 2017, as well as SB 229 and AB 494 in 2018. From these two workshops a Draft Ordinance (the "2019 Draft Ordinance") was completed and was to be processed through the public hearing process. At the September 25, 2019 workshop, staff reviewed the pending Assembly and Senate Bills (SB 13, AB 68 and AB 881) with the Planning Commission and indicated that they were making their way through the legislature and were likely to be on the Governor's desk and, if approved, would require the 2019 Draft Ordinance to be revised. As a result of the Assembly and Senate Bills being chapter into State ADU Law in 2020, the format and regulations of the City's 2019 Draft ADU Ordinance was necessary to be completely revised.

DISCUSSION:

ADU vs JADU

One key component of the new ADU laws is that cities are now required to allow JADUs, whereas, in the 2019 Draft Ordinance staff elected to not allow JADUs since they were not required at that time. While they are similar types of units, there are some key differences. ADUs and JADUs are both independent living units with an exterior entrance into the unit; however, JADUs are limited to no more than 500 square feet. Additionally, JADUs are limited to an efficiency size kitchen, can have an internal access to the primary dwelling unit, and can share sanitary facilities with the primary unit. Conversely, ADUs can be up to 1,000 square feet, must be fully self-contained (including sanitation), and may not include internal access to the primary dwelling unit.

Proposed New Regulations

Under the new regulations, the City must allow ADUs in all residential zones and any mixed-use zone that permits residential dwelling units. The City must also allow JADUs in any property developed with a single-family dwelling unit. Under the proposed amendment, ADUs and JADUs will be allowed under the following four circumstances:

1. Convert existing space in a single-family dwelling unit to provide either an ADU or a JADU. In this case, only one ADU or JADU is allowed.

2. Convert existing space in a single-family dwelling unit to build a JADU and construct a new detached ADU. In this case, both an ADU and JADU are allowed.

3. Convert non-habitable space, such as garages, storage rooms, etc., in a multiple-family dwelling unit property into ADUs. The number of ADUs on the property may not exceed 25 percent of the total number of units. A minimum of one ADU will be allowed and JADUs are not permitted.

4. No more than two detached ADUs can be constructed on the same property as a multiple-family dwelling unit. This limits the total number of ADUs for the entire property to two. JADUs are not permitted.

It is important to note that for the purpose of implementing these new regulations, multiple-family dwelling units that are approved and built as a single complex are considered one property, regardless of the number of parcels.

Lot and Unit Size

In addition to allowing ADUs and JADUs in the residential zones, the new State regulations eliminate minimum lot size, thus providing the potential to construct either an ADU or JADU on every residential property in the City. The State has included several provisions that regulate unit size of ADUs and JADUs. The City is required to allow ADUs and JADUs that qualify as efficiency units under the building code. In these cases, the units can be as small as 220 square feet. Additionally, the City cannot apply floor area limits or site

coverage requirements if it prevents a minimum of 800 square foot ADU. Under State law, the maximum unit size for an attached ADU is 50 percent of the primary dwelling; while a detached ADU has a maximum size of 1,200 square feet. However, with adopting a local ordinance, the City may apply a smaller maximum size of an ADU. The smallest maximum size of an ADU that the City may establish is 850 square feet for studios and one-bedroom and 1,000 square feet for two-bedroom. The size of JADUs cannot exceed 500 square feet. The proposed ADU Ordinance utilizes these minimum and maximums.

Parking

The new State ADU law allows the City to require one parking space for all new ADUs, but is prohibited to require parking for JADUs. However, the City is required to waive the ADU parking requirement in the following circumstances:

- The ADU is located within one-half (½) mile walking distance of public transit;
- The ADU is located within an architecturally and historically significant historic district;
- The ADU is proposed to be converted from the existing space entirely within the primary dwelling unit or an existing accessory structure; or
- The ADU is located in a permit parking area where on-street parking permits are required, but not offered to the occupant(s) of the accessory dwelling unit; and
- The ADU is located within one (1) block of a designated car share pick up and drop off location.

The State clarified public transit from the 2017 ADU Legislation to mean a fixed route bus, train, or subway that is open to the public and charges set fares. The State further clarified that the one-half (½) mile distance is a walking distance, not based on a radius, or "as-the-crow flies".

If an owner wishes to convert their existing garage to an ADU, the new ADU laws prevent the City from requiring replacement parking for the garage

spaces lost to the conversion. This allowance does not apply to JADUs, which must provide replacement parking if they convert a garage.

Owner-Occupant

The 2019 Draft Ordinance had previously required the property owner to live in either the primary unit or the ADU. Under the new State requirements, the City is not permitted to impose an owner-occupant requirement. This does not void previous covenants requiring owner-occupants for the ADUs. Notwithstanding this, an owner-occupant is required for single-family residences developed with JADUs.

Setbacks

State ADU Law does not require additional building setbacks for the conversion of existing accessory structures to an ADU. Additionally, not more than a four (4) foot side and rear setbacks can be required for new ADU construction. One area where local regulations have some flexibility is the side street setback for corner lots. The proposed Ordinance requires a minimum setback of fifteen (15) feet on the side street. This will enable an adequate open yard for visual relief but not be too excessive to conflict with the minimum size standard of 800 square feet in the ADU Law. The Ordinance also requires that all corner lots must provide and maintain a clear vision triangle at the intersection of the streets' right-of-way for the purpose of traffic safety.

Synopsis of New ADU Regulations

In addition to the items discussed above, the new ADU laws provide a greater height and, in some cases, reduced setbacks for detached units. The new ADU laws (See Exhibit 3) also provide the State new tools to enforce compliance with Government Code Sections 65852.2 and 65852.22. A summary of the recent legislation, among other changes, addresses the following:

- Development standards shall not include requirements on minimum lot size.

- Clarifies areas designated for ADUs may be based on water and sewer and impacts on traffic flow and public safety.

- Eliminates owner-occupancy requirements by local agencies.

- Prohibits a local agency from establishing a maximum size of an ADU of less than 850 square feet, or 1000 square feet if the ADU contains more than one bedroom.

- Clarifies that when ADUs are created through the conversion of a garage, carport or covered parking structure, replacement off-street parking spaces cannot be required by the local agency.

- Reduces the maximum ADU and JADU application review time from 120 days to 60 days.

- Clarifies "public transit" to include various means of transportation that charge set fees, run on fixed routes and are available to the public.

- Establishes impact fee exemptions or limitations based on the size of the ADU. ADUs up to 750 square feet are exempt from impact fees and impact fees for an ADU of 750 square feet or larger shall be proportional to the relationship of the ADU to the primary dwelling unit.

- Defines an "accessory structure" to mean a structure that is accessory or incidental to a dwelling on the same lot as the ADU.

- Authorizes HCD to notify the local agency if the department finds that their ADU ordinance is not in compliance with state law.

- Clarifies that a local agency may identify an ADU or JADU as an adequate site to satisfy RHNA housing needs as specified in Gov. Code Section 65583.1(a) and 65852.2.

- Allows a permitted JADU to be constructed within the walls of the proposed or existing single-family residence and eliminates the required inclusion of an existing bedroom or an interior entry into the single-family residence.

- Allows upon application and approval, an owner of a substandard ADU 5 years to correct the violation, if the violation is not a health and safety issue, as determined by the enforcement agency.

- Creates a narrow exemption to the prohibition for ADUs to be sold or otherwise conveyed separate from the primary dwelling by allowing deed-restricted sales to occur. To qualify, the primary dwelling and the ADU are to be built by a qualified non-profit corporation whose mission is to provide units to low-income households.

- Removes covenants, conditions and restrictions (CC&Rs) that either effectively prohibit or unreasonably restrict the construction or use of an ADU or JADU on a lot zoned for single-family residential use are void and unenforceable.

- Requires local agency housing elements to include a plan that incentivizes and promotes the creation of ADUs that can offer affordable rents for very low, low-, or moderate-income households and requires HCD to develop a list of state grants and financial incentives in connection with the planning, construction and operation of affordable ADUs.

State Department of Housing and Community Development (HCD) Review

Paragraph (h) of Government Code Section 65852.2 requires the City submit the ADU Ordinance to the State Department of Housing and Community Development (HCD) within 60 days of adoption. Should the City Council ultimately approve the proposed Ordinance to amend Chapter 17.37, staff will forward the Ordinance to HCD for review. If HCD finds the Ordinance does not comply with the new ADU laws, HCD will notify the City. Should this occur, the City would have 30 days to either amend the Ordinance or adopt additional findings that explain the reason the Ordinance complies with the statute.

General Plan Consistency

The law states that ADUs shall be deemed an accessory use and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed a residential use that is consistent with the existing general plan and zoning district for the lot. Therefore, no amendments to the General Plan are required. In reviewing the General Plan, the proposed Ordinance is consistent with the following policies:

A. Land Use Policy LU-1.5. Range of Housing Types and Densities. Provide high-quality housing in a range of types, densities, and unit sizes that meets the housing needs of residents of all income levels.

B. Housing Element Policy HE–2.4. Housing Incentives. Facilitate the development of a mix of prices, types, and affordability of housing products through the implementation of flexible standards, efficient permitting process, and other assistance.

C. Housing Element Policy HE–3.7. Fair Housing. Promote equal and fair housing opportunities for residents from all walks of life for adequate choice to purchase or rent a home or live in a neighborhood that is best suited to their individual needs.

Relationship to Regional Housing Needs Assessment (RHNA)

ADUs and JADUs will count towards the City's housing production in meeting RHNA housing targets. The City just recently received from SCAG an extraordinary and unprecedented high RHNA allocation of 5,673 units for the upcoming 6th Cycle, 2021-2029 Housing Element planning period. Staff anticipates using ADUs as a strategy in identifying to HCD that the City has adequate sites and capacity to meet a certain percentage of the allocation. Government Code Sections 65852.2(m) and 65583.1 provide HCD full discretion in determining how ADUs and JADUs count towards meeting RHNA.

In most cities and counties, regulations for ADUs were much more restrictive before recent changes in law were adopted. Should the City promote ADU and JADU development, production may increase and the City could rely more heavily on them to meet the City's RHNA. HCD has indicated that they are in the process of preparing a memorandum to provide cities and counties guidance on how ADUs may be utilized in identifying adequate sites in this upcoming Housing Element update.

Abilities for Homeowner's Association (HOA) to Regulate

In addition to the aforementioned State laws that prescribe the regulations the City must implement, the State also enacted AB 670 (Chapter 178, Statutes of 2019). AB 670 deems any CC&R recorded to a property that is zoned for single-family residential uses and prohibits, or unreasonably restricts, ADUs or JADUs is null and unenforceable. This effectively eliminates an HOA's ability to prohibit ADUs in residential development, such as a specific plan or developments where HOA's exist. These State laws do not apply to multi-family zones so theoretically an HOA could enforce private CC&Rs in this situation; however, the State Legislature could expand the prohibition to all

residential zones if a significant impediment to ADU and JADU production resulted.

Capacity to Accommodate ADUs and JADUs Citywide

Since ADUs are now permitted on all residential properties and in some cases multiple ADUs and/or JADUs can be provided, it is undetermined as to the maximum number of ADUs and JADUs that could be constructed. While staff does anticipate a huge influx of ADUs, the submittals can be expected to increase and eventually taper off over time. It is highly unlikely and speculative that every property in the City will construct an ADU and/or JADU. ADUs and JADUs will be reviewed much like any room addition or new house.

Alternatives

The Planning Commission may recommend revisions to the Draft Ordinance provided the revisions are consistent with State law and are not more restrictive than the State's allowances. Noncompliance with State law will render the ADU Ordinance null and void, thus requiring the City to continue to utilize the State's more lenient ADU standards until the City modifies its regulation appropriately.

Environmental Review

The project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h), which states that "the adoption of an ordinance regarding second units in a single-family or multifamily zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code" are exempt from the requirements of CEQA. Similarly, the ministerial approval of ADUs would not be a project for CEQA purposes, and environmental review would not be required prior to approving individual applications.

ATTACHMENTS:

Exhibit A: Planning Commission Resolution
Exhibit B: Draft New ADU Ordinance
Exhibit C: California Department of Housing and Community Development Accessory Dwelling Unit Memorandum, dated January 10, 2020

Exhibit A – Planning Commission Resolution

EXHIBIT A

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF UPLAND ADOPT AN ORDINANCE, ZONING CODE AMENDMENT NO. ZCA-20-0001, AMENDING CHAPTER 17.37 CONCENRING ACCESSORY DWELLING UNITS, AND FINDING THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Intent of the Parties and Findings

WHEREAS, effective January 1, 2017, Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069") amended Government Code Section 65852.2 to limit the standards cities may impose on new ADUs and require city ordinances to incorporate State-mandated standards for certain types of ADUs. And, effective January 1, 2020, Senate Bill 13 ("SB 13"), Assembly Bill 68 ("AB 68"), and Assembly Bill 881 ("AB 881") again amended Government Code Sections 65852.2 and 65852.22 to further limit the standards cities may impose on accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"). The Ordinance updates the City's local standards to comply with the revisions to state law.

WHEREAS, the City of Upland's existing ADU Ordinance does not comply with Government Code Sections 65852.2 and 65852.22, and has been deemed null and void since January 1, 2017.

WHEREAS, the City desires to amend its local regulations for the construction of ADUs and JADUs to comply with the amended provisions of Government Code Sections 65852.2 and 65852.22.

WHEREAS, allowing ADUs and JADUs in conjunction with existing or proposed residential development provides additional rental housing stock, some of which will satisfy the City's 6th Cycle Regional Housing Needs Assessment (RHNA).

WHEREAS, the proposed Zoning Code Amendment is consistent with the Upland General Plan and implement the following General Plan Goals and Policies:

Policy LU-1.5. Range of Housing Types and Densities. Provide high-quality housing in a range of types, densities, and unit sizes that meets the housing needs of residents of all income levels.

Policy HE – 2.4. Housing Incentives. Facilitate the development of a mix of prices, types, and affordability of housing products through the implementation of flexible standards, efficient permitting process, and other assistance.

Policy HE – 3.7. Fair Housing. Promote equal and fair housing opportunities for residents from all walks of life for adequate choice to purchase or rent a home or live in a neighborhood that is best suited to their individual needs.

WHEREAS, Upland Municipal Code Section 17.43.020 (Table 17.43-1) identifies the decision making authority as the City Council, with the Planning Commission being a recommending body; and

WHEREAS, A notice of a public hearing on said application has been given in the manner and for the time required by law; and

WHEREAS, On September 23, 2020 at 6:30 p.m. the Planning Commission conducted a public hearing for the Zoning Code Amendment, and heard and considered both oral and written evidence.

NOW, THEREFORE, the Planning Commission hereby finds, determines and resolves and recommends as follows:

Section 1. The Planning Commission recommends that the City Council:

A. Adopt an Ordinance amending Chapter 17.37 of the Upland Municipal Code regulating accessory dwelling units for compliance with recent changes to State Government Code section 65852.2 and 65852.22.

Section 2. FINDINGS. The Planning Commission hereby makes the following findings and determinations in connection with the recommendation for approval of the Project:

A. The above Recitals are true and correct.

B. Upland Municipal Code Section 17.48.060 provides that the approval body, before it may approve a Zoning Code Amendment, shall make a determination to allow the activity based upon the following findings:

1. Finding: The proposed amendment is consistent with the General Plan and any applicable community or specific plan as provided by Government Code Section 65860.

   Evidence: The proposed Accessory Dwelling Unit Ordinance does not conflict with any community or specific plan and is consistent with the following General Plan policies:

   a. Land Use Policy LU-1.5. Range of Housing Types and Densities. Provide high-quality housing in a range of types, densities, and unit sizes that meets the housing needs of residents of all income levels.

   b. Housing Element Policy HE – 2.4. Housing Incentives. Facilitate the development of a mix of prices, types, and affordability of housing products through the implementation of flexible standards, efficient permitting process, and other assistance.

c. Housing Element Policy HE – 3.7. Fair Housing. Promote equal and fair housing opportunities for residents from all walks of life for adequate choice to purchase or rent a home or live in a neighborhood that is best suited to their individual needs.

2. Finding: The proposed Amendment will not be detrimental to the public interest, health, safety, or welfare of the City.

   Evidence: The proposed Zoning Code Amendment will not be detrimental to the public interest, health, safety, or welfare in that alternatively the Amendment will address the State mandate to allow accessory dwelling units within all residential and mixed-use zones pursuant to the standards in Government Code Sections 65852.2 and 65852.22.

3. Finding: The proposed amendment is internally consistent with other applicable provisions of the Zoning Code.

   Evidence: All provisions of Title 17 (Zoning Code) of the Upland Municipal Code have been reviewed and the proposed Zoning Code Amendment was found to be internally consistent with all other provisions of the Zoning Code, and no conflicts were identified.

Section 3. DETERMINATION. In light of the evidence presented at the hearing on this application, and based on the findings set forth above, the Planning Commission hereby finds that the requirements necessary for the recommendation of approval of the Zoning Code Text Amendment No. ZCA-20-0001, subject to all applicable provisions of the Upland Municipal Code.

Section 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). This ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to State CEQA and the CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because this zoning ordinance implements the provisions of Government Code Section 65852.2 and is therefore exempt from CEQA pursuant to Public Resources Code Section 21080.17 and California Code of Regulations Section 15282(h). To the extent that any provisions of this ordinance are not exempt pursuant to Section 15282(h), the amendments are not subject to CEQA pursuant to CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 5. INCONSISTENCY. If any section, division, sentence, clause, phrase or portion of this resolution or the document in the record in support of this resolution is determined by a court of competent jurisdiction to be invalid, unenforceable, unconstitutional or otherwise void, that determination shall not affect the validity of the remaining sections, divisions, sentences, clauses, phrases of this resolution.

Section 6. CERTIFICATION. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 23rd day of September, 2020.

_____

Robin Aspinall, Chair

ATTEST:

_____

Robert D. Dalquest, SECRETARY

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a regular adjourned meeting thereof held on the 23rd day of September, 2020, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Robert D. Dalquest, SECRETARY

Exhibit B – Draft New ADU Ordinance

EXHIBIT B

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UPLAND AMENDING 17.37 OF THE UPLAND MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS, AND FINDING THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF UPLAND DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2017, Assembly Bill 2299 ("AB 2299") and Senate Bill 1069 ("SB 1069") amended Government Code Section 65852.2 to limit the standards cities may impose on new ADUs and require city ordinances to incorporate State-mandated standards for certain types of ADUs. Effective January 1, 2020, Senate Bill 13 ("SB 13"), Assembly Bill 68 ("AB 68"), and Assembly Bill 881 ("AB 881") again amended Government Code Sections 65852.2 and 65852.22 to further limit the standards cities may impose on accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"). This Ordinance updates the City's local standards to comply with the revisions to state law.

Section 2. Procedural Findings. The City Council of the City of Upland does hereby find, determine, and declare that:

A. The Planning Commission considered this Ordinance on September 23, 2020, at a duly noticed public hearing, as prescribed by law, at which time the City Staff and interested persons had an opportunity to and did testify either in support of or against this matter.

B. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission adopted Resolution No. [ ], recommending approval of the Ordinance by the City Council.

C. The City Council, at a regular meeting, considered the Ordinance on [ ], 2020, at a duly noticed public hearing, as prescribed by law, at which time the City Staff and interested persons had an opportunity to and did testify either in support or against this matter.

D. Following the public hearing, the City Council considered the entire record of information received at the public hearings before the Planning Commission and City Council.

Section 3. Findings. In approving the proposed Municipal Code amendment, the City Council hereby makes the following findings that the Ordinance is consistent with the General Plan as follows:

A. Policy LU-1.5. Range of Housing Types and Densities. Provide high-quality housing in a range of types, densities, and unit sizes that meets the housing needs of residents of all income levels.

B. Policy HE – 2.4. Housing Incentives. Facilitate the development of a mix of prices, types, and affordability of housing products through the implementation of flexible standards, efficient permitting process, and other assistance.

C. Policy HE – 3.7. Fair Housing. Promote equal and fair housing opportunities for residents from all walks of life for adequate choice to purchase or rent a home or live in a neighborhood that is best suited to their individual needs.

Section 4. Chapter 17.37 of the Upland Municipal Code is hereby amended in its entirety to read as follows:

"Chapter 17.37 ACCESSORY DWELLING UNITS

Section:

17.37.010 Purpose
17.37.020 Non-conforming Status
17.37.030 Definitions
17.37.040 Approvals
17.37.050 General ADU and JADU Requirements
17.37.060 Specific ADU Requirements
17.37.070 Fees
17.37.080 Nonconforming ADUs and Discretionary Approval

17.37.010 Purpose.

The purpose of this chapter is to establish procedures for permitting accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) on lots zoned for residential uses, and to implement California Government Code sections 65852.2 and 65852.22, requiring consideration of such uses.

17.37.020 Effect of Conforming.

An ADU or JADU that conforms to the standards in this section will not be:

(1) Deemed to be inconsistent with the City's General Plan and zoning designation for the lot or property on which the ADU or JADU is located.

(2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

(3) Considered in the application of any local ordinance, policy, or program to limit residential growth.

(4) Required to correct a nonconforming zoning condition, as defined in subsection 17.37.030(7) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

17.37.030 Definitions.

As used in this section, the following terms are defined as follows:

(1) "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary dwelling unit. For the purpose of this ordinance, primary dwelling, primary dwelling unit, and primary residence mean the same thing and may be used interchangeably. An accessory dwelling unit also includes the following:

A. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and

B. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Attached ADU" means an ADU that is constructed as a physical expansion (i.e. addition) of the Primary dwelling and shares common wall with the Primary dwelling. An attached ADU does not include a manufactured home.

(4) "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated.

(5) "Detached ADU" means an ADU that is constructed as a separate structure from the Primary dwelling, which does not share any walls with the Primary dwelling.

(6) "Director" means the Development Services Director or his/her designee.

(7) "Efficiency kitchen" means a kitchen that includes each of the following:

A. A cooking facility with appliances.

B. A food preparation counter or counters that total at least 15 square feet in area.

C. Food storage cabinets that total at least 30 square feet of shelf space.

(8) "Existing structure" means an existing single-family dwelling, multi-family dwelling, or other accessory structure that can be safely converted into habitable space under the California Building Standards Code, as amended by the City, and other applicable law.

(9) "Junior accessory dwelling unit" or "JADU" means a residential unit that:

A. Is a minimum of 220 square feet and a maximum of 500 square feet of gross floor area in size;

B. Is contained entirely within an existing or proposed single-family structure~~,~~;

C. May include separate sanitation facilities, or may share sanitation facilities with the existing structure; and

D. Includes an efficiency kitchen, as defined in subsection (7) above.

(10) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but not including a garage or any accessory structure.

(11) "Nonconforming zoning condition" means a physical improvement on a property that does not conform to current zoning standards.

(12) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

(13) "Primary dwelling" means the existing or proposed single-family dwelling on the lot where an ADU would be located.

(14) "Proposed dwelling" means a dwelling that is the subject of a building permit application and that meets the requirements for permitting.

(15) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(16) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.37.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

(1) Building Permit Only. If an ADU or JADU complies with each of the general requirements in subsection 17.37.050 below, it is allowed with only a building permit in the following scenarios:

A. Converted on Single-family Lot: Only one ADU or JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

i. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of

an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress.

ii. Has exterior access that is independent of that for the single-family dwelling.

iii. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

B. Limited Detached on Single-family Lot: One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection 17.37.040(1)(A) above), if the detached ADU satisfies the following limitations:

i. The side- and rear-yard setbacks are at least four-feet.

ii. The total floor area is 800 square feet or smaller.

iii. The peak height above grade is 16 feet or less.

C. Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for a dwelling. At least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.

D. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies the following limitations:

i. The side- and rear-yard setbacks are at least four-feet.

ii. The peak height above grade is 16 feet or less.

(2) ADU Permit.

A. Except as allowed under subsection (1) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in subsections 17.37.050 and 17.37.060 below.

B. The City may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the City's ADU ordinance. The ADU-permit processing fee is determined by the Planning Department and approved by the City Council by resolution.

(3) Process and Timing.

A. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.

B. The City must act on an application to create an ADU or JADU within 60 days from the date that the City receives a completed application, unless either:

i. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or

ii. When an application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerial without discretionary review or a hearing.

17.37.050 General ADU and JADU Requirements.

The following requirements apply to all ADUs and JADUs that are approved under subsections 17.37.040(1) or (2) above:

(1) Zoning.

A. An ADU or JADU subject only to a building permit under subsection 17.040(1) above may be created on a lot in a residential or mixed-use zone.

B. An ADU or JADU subject to an ADU permit under subsection 17.37.040(2) above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

(2) Fire Sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

(3) Rental Term. An ADU or JADU is prohibited from being rented for a term that is shorter than 31 days or operated under Section 17.23.1 of this Code regarding Short Term Rentals.

(4) No Separate Conveyance. The ADU or JADU shall not be sold, transferred, or assigned separately from the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot), but may be rented.

(5) Septic System. If the ADU or JADU will connect to an onsite water-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

(6) Owner Occupancy.

A. If there is a JADU on the property, either the JADU or Primary Dwelling shall be occupied by the owner of record, unless the property is entirely owned by another governmental agency, land trust, or housing organization.

B. An ADU is not subject to any owner-occupancy requirement.

(7) Deed Restriction. Prior to issuance of a final inspection and release of occupancy of building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Development Services Department. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

A. The ADU or JADU may not be sold separately from the primary dwelling.

B. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.

C. The deed restriction runs with the land and may be enforced against future property owners.

D. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request to the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent in accordance with Chapter 17.47. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

E. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

(8) Parking.

A. General Parking Requirements. No on-site parking shall be required for a JADU. One (1) on-site parking space shall be required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection 17.37.030(16) above.

B. Exceptions. No on-site parking space for an ADU shall be required under subsection 17.37.050(8)(A) in the following situations:

i. The ADU is located within one-half mile walking distance of public transit, as defined in subsection 17.020(10) above.

ii. The ADU is located within an architecturally and historically significant district established by the City.

iii. The ADU is a "Converted on a Single-family lot ADU" specifically within a proposed or existing primary residence or an accessory structure under subsection 17.37.040(1)(A) above.

iv. When on-street parking permits are required but not offered to the occupant of the ADU.

v. When there is an established car share vehicle stop located within one block of the ADU.

C. No Replacement Parking. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those on-site parking spaces are not required to be replaced.

(9) Reporting of Annual Rent. In order to facilitate the City's obligation to identify adequate sites for housing in accordance with Government Code sections 65583.1 and 65852.2, the following requirements shall be satisfied:

A. With the building permit application, the applicant shall provide the City with an estimate of the projected annual rent that will be charged for the ADU or JADU.

B. By January 31 of each calendar year, the owner of the property containing an ADU or JADU shall report the actual rent charged for the ADU or JADU during the prior calendar year. If the City does not receive the report, the owner is in violation of this Code, and the City may send the owner a notice of violation. If the owner fails to submit the report within the time period stated in the notice of violation, the City may enforce this provision in accordance with applicable law.

17.37.060 Specific ADU Requirements.

The following requirements apply only to ADUs that require an ADU permit under subsection 17.37.040(2) above.

(1) Maximum Size.

A. The maximum size of a detached or attached ADU subject to this subsection (f) is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two bedrooms. No more than two bedrooms are allowed.

B. In addition to being subject to subsection 17.37.060(1)(A) above, an attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.

C. Application of other development standards in this subsection 17.37.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection 17.37.060(1)(B) above or of an FAR, lot coverage, or open-space requirement may require the ADU to be less than 800 square feet.

(2) Lot Coverage.

A. No ADU subject to this subsection that is located in the RS-15 or RS-20 zone shall cause the total lot coverage of the lot to exceed 35 percent, subject to subsection 17.37.060(1)(C) above.

B. No ADU subject to this subsection that is located in the RS-10 zone shall cause the total lot coverage of the lot to exceed 40 percent, subject to subsection 17.37.060(1)(C) above.

C. No ADU subject to this subsection that is located in the RS-7.5 zone shall cause the total lot coverage of the lot to exceed 45 percent, subject to subsection 17.37.060(1)(C) above.

D. No ADU subject to this subsection that is located in the RS-4 zone shall cause the total lot coverage of the lot to exceed 50 percent, subject to subsection 17.37.060(1)(C) above.

(3) Minimum Outdoor Living Space. No ADU subject to this subsection that is located in the RM-10, RM-20 or RM-30 zone may cause the private and common outdoor living space of the lot to fall below the requirements contained in section 17.04.040, subject to subsection 17.37.060(1)(C) above.

(4) Building Height.

A. A single-story attached or detached ADU shall not exceed 16 feet in height above grade, measured to the peak of the structure.

B. A second story or two-story attached ADU shall not exceed the height of the primary dwelling.

C. A detached ADU may not exceed one story.

(5) Passageway. No passageway, as defined by section 17.37.030(12) above, is required for an ADU.

(6) Architectural and Design Requirements.

A. Roof.

i. The ADU must have a minimum roof pitch similar to the primary dwelling.

ii. All eave and gable overhangs must be at least 12 inches.

B. Design. The materials, textures, and colors of the exterior walls, roof, and windows and doors of the ADU must match the appearance and architectural design of those of the primary dwelling.

C. Building Entrance. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

D. Parking space dimensions.

i. Each unenclosed parking space must be at least 9 feet wide by 19 feet deep.

ii. Each parking space that is provided within an enclosed garage must be at least 10 feet wide by 20 feet deep.

(7) Setbacks.

A. Font Setback. An ADU that is subject to this subsection must conform to the front setback of the zone in which the lot is located. The setback on the side street of a corner lot must be a minimum of 15 feet. All corner lots shall provide and maintain a clear vision triangle at the intersection of the streets' right-of-way for the purpose of traffic safety.

B. Side and Rear Setback. An ADU that is subject to this subsection must conform to 4-foot side and rear-yard setbacks.

C. No setback is required for an ADU that is subject to this subsection if the ADU is constructed in the same location and to the same dimensions as an existing structure.

17.37.070 Fees.

(1) Impact Fees.

A. No impact fee is required for an ADU that is less than 750 square feet in size.

B. Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the primary dwelling, divided by the floor area of the ADU, times the typical fee amount charged for a new dwelling.)

C. For purposes of this subsection (1), "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

(2) Utility Fees.

A. If an ADU or JADU is constructed with a new single-family home, a separate utility connection directly between the ADU or JADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

B. Except as described in subsection 17.37.070(2)(A) above, converted ADUs and JADUs on a single-family lot that are created under subsection 17.37.040(1)(A) above are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. Nor is a connection fee or capacity charge required.

C. Except as described in subsection 17.37.070(2)(A) above, all ADUs and JADUs that are not covered by subsection 17.37.070(2)(B) shall require a new, separate utility connection directly between the ADU or JADU and the utility.

i. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU or JADU, based on either the floor area or the number of drainage-fixture-units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

ii. The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.37.080 Nonconforming ADUs and Discretionary Approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in subsections 17.37.020 through 17.37.070(2) of this section may be allowed by the City with a Conditional Use Permit, in accordance with the other provisions of this title."

Section 5. California Environmental Quality Act Exemption. The City Council determines that this ordinance is exempt from environmental review under the California Environmental Quality Act, (California Public Resources Code §§ 21000, et seq., ("CEQA") and the CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because this zoning ordinance implements the provisions of Government Code Section 65852.2 and is therefore exempt from CEQA pursuant to Public Resources Code Section 21080.17 and California Code of Regulations Section 15282(h). To the extent that any provisions of this ordinance are not exempt pursuant to Section 15282(h), the amendments are not subject to CEQA pursuant to CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 7. Submittal of Ordinance. The Development Services Director, or his designee, shall submit a copy of the Ordinance to the Department of Housing and Community Development within 60 days after adoption of this Ordinance.

Section 8. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

Section 9. Effective Date. This Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Upland this ___ day of _____,.____.

_____
Debbie Stone, Mayor

ATTEST:

_____
Keri Johnson, City Clerk

APPROVED AS TO FORM:

_____
Steven Flower, City Attorney

Exhibit C – California Department of Housing and Community Development Accessory Dwelling Unit Memorandum, dated January 10, 2020

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

MEMORANDUM

DATE: January 10, 2020

TO: Planning Directors and Interested Parties

FROM: Zachary Olmstead, Deputy Director
Division of Housing Policy Development

SUBJECT: **Local Agency Accessory Dwelling Units**
Chapter 653, Statutes of 2019 (Senate Bill 13)
Chapter 655, Statutes of 2019 (Assembly Bill 68)
Chapter 657, Statutes of 2019 (Assembly Bill 587)
Chapter 178, Statutes of 2019 (Assembly Bill 670)
Chapter 658, Statutes of 2019 (Assembly Bill 671)
Chapter 659, Statutes of 2019 (Assembly Bill 881)

This memorandum is to inform you of the amendments to California law, effective January 1, 2020, regarding the creation of accessory dwelling units (ADU) and junior accessory dwelling units (JADU). Chapter 653, Statutes of 2019 (Senate Bill 13, Section 3), Chapter 655, Statutes of 2019 (Assembly Bill 68, Section 2) and Chapter 659 (Assembly Bill 881, Section 1.5 and 2.5) build upon recent changes to ADU and JADU law (Government Code Section 65852.2, 65852.22 and Health & Safety Code Section 17980.12) and further address barriers to the development of ADUs and JADUs. (Attachment A includes the combined ADU statute updates from SB 13, AB 68 and AB 881).

This recent legislation, among other changes, addresses the following:

- Development standards shall not include requirements on minimum lot size (Section (a)(1)(B)(i)).
- Clarifies areas designated for ADUs may be based on water and sewer and impacts on traffic flow and public safety.
- Eliminates owner-occupancy requirements by local agencies (Section (a)(6) & (e)(1)) until January 1, 2025.
- Prohibits a local agency from establishing a maximum size of an ADU of less than 850 square feet, or 1000 square feet if the ADU contains more than one bedroom (Section (c)(2)(B)).
- Clarifies that when ADUs are created through the conversion of a garage, carport or covered parking structure, replacement offstreet parking spaces cannot be required by the local agency (Section (a)(1)(D)(xi)).

- Reduces the maximum ADU and JADU application review time from 120 days to 60 days (Section (a)(3) and (b)).
- Clarifies “public transit” to include various means of transportation that charge set fees, run on fixed routes and are available to the public (Section (j)(10)).
- Establishes impact fee exemptions or limitations based on the size of the ADU. ADUs up to 750 square feet are exempt from impact fees and impact fees for an ADU of 750 square feet or larger shall be proportional to the relationship of the ADU to the primary dwelling unit (Section (f)(3)).
- Defines an “accessory structure” to mean a structure that is accessory or incidental to a dwelling on the same lot as the ADU (Section (j)(2)).
- Authorizes HCD to notify the local agency if the department finds that their ADU ordinance is not in compliance with state law (Section (h)(2)).
- Clarifies that a local agency may identify an ADU or JADU as an adequate site to satisfy RHNA housing needs as specified in Gov. Code Section 65583.1(a) and 65852.2(m).
- Permits JADUs without an ordinance adoption by a local agency (Section (a)(3), (b) and (e)).
- Allows a permitted JADU to be constructed within the walls of the proposed or existing single-family residence and eliminates the required inclusion of an existing bedroom or an interior entry into the single-family residence (Gov. Code Section 65852.22).
- Allows upon application and approval, an owner of a substandard ADU 5 years to correct the violation, if the violation is not a health and safety issue, as determined by the enforcement agency (Section (n).
- Creates a narrow exemption to the prohibition for ADUs to be sold or otherwise conveyed separate from the primary dwelling by allowing deed-restricted sales to occur. To qualify, the primary dwelling and the ADU are to be built by a qualified non-profit corporation whose mission is to provide units to low-income households (Gov. Code Section 65852.26).
- Removes covenants, conditions and restrictions (CC&Rs) that either effectively prohibit or unreasonably restrict the construction or use of an ADU or JADU on a lot zoned for single-family residential use are void and unenforceable (Civil Code Section 4751).
- Requires local agency housing elements to include a plan that incentivizes and promotes the creation of ADUs that can offer affordable rents for very low, low-, or moderate-income households and requires HCD to develop a list of state grants and financial incentives in connection with the planning, construction and operation of affordable ADUs (Gov. Code Section 65583 and Health and Safety Code Section 50504.5) (Attachment D).

For assistance, please see the amended statutes in Attachments A, B, C and D. HCD continues to be available to provide preliminary reviews of draft ADU ordinances to assist local agencies in meeting statutory requirements. In addition, pursuant to Gov. Code Section 65852.2(h), adopted ADU ordinances shall be submitted to HCD within 60 days of adoption. For more information and updates, please contact HCD’s ADU team at adu@hcd.ca.gov.

ATTACHMENT A

GOV. CODE: TITLE 7, DIVISION 1, CHAPTER 4, ARTICLE 2

(AB 881, AB 68 and SB 13 Accessory Dwelling Units)

(Changes noted in strikeout, underline/italics)

Effective January 1, 2020, Section 65852.2 of the Government Code is amended to read:

65852.2.
(a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily *dwelling residential* use. The ordinance shall do all of the following:
(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on ~~criteria that may include, but are not limited to,~~ the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. *A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.*
(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, ~~lot coverage,~~ landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic ~~Places.~~ *Resources. These standards shall not include requirements on minimum lot size.*
(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.
(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.
(D) Require the accessory dwelling units to comply with all of the following:
(i) The *accessory dwelling* unit may be rented separate from the primary residence, ~~buy~~ *but* may not be sold or otherwise conveyed separate from the primary residence.
(ii) The lot is zoned to allow single-family or multifamily *dwelling residential* use and includes a proposed or existing ~~single-family~~ dwelling.
(iii) The accessory dwelling unit is either attached *to,* or located ~~within the living area of the~~ *within, the* proposed or existing primary ~~dwelling or~~ *dwelling, including attached garages, storage areas or similar uses, or an accessory structure or* detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.
(iv) ~~The total area of floorspace of~~ *If there is an existing primary dwelling, the total floor area of* an attached accessory dwelling unit shall not exceed 50 percent of the ~~proposed or existing primary dwelling living area or 1,200 square feet.~~ *existing primary dwelling*.
(v) The total *floor* area ~~of floorspace~~ for a detached accessory dwelling unit shall not exceed 1,200 square feet.
(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
(vii) No setback shall be required for an existing ~~garage~~ *living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure* that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than ~~five~~ *four* feet from the side and rear lot lines shall be required for an accessory dwelling

unit that is ~~constructed above a garage.~~ *not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.*
(viii) Local building code requirements that apply to detached dwellings, as appropriate.
(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.
(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per *accessory dwelling* unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.
(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.
(III) This clause shall not apply to ~~a~~ an accessory dwelling unit that is described in subdivision (d).
(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, ~~and~~ the local agency ~~requires~~ *shall not require* that those ~~offstreet~~ *offstreet* parking spaces be ~~replaced, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This clause shall not apply to a unit that is described in subdivision (d)~~*. replaced.*
(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.
(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.
(3) ~~When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application~~ *A permit application for an accessory dwelling unit or a junior accessory dwelling unit* shall be considered *and approved* ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use ~~permits, within 120 days after receiving the application~~. *permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.* A local agency may charge a fee to reimburse it for costs ~~that it incurs as a result of amendments to this paragraph enacted during the 2001–02 Regular Session of the Legislature,~~ *incurred to implement this paragraph,* including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.
(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency ~~subsequent to the effective date of the act adding this paragraph~~ shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. ~~In the event that~~ *If* a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void ~~upon the effective date of the act adding this paragraph~~ and that agency shall thereafter apply the standards established in this

subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.
(5) No other local ordinance, policy, or regulation shall be the basis for the *delay or* denial of a building permit or a use permit under this subdivision.
(6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot ~~zoned for residential use~~ that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be ~~utilized~~ *used* or imposed, *including any owner-occupant requirement,* except that a local agency may require ~~an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or~~ that the property be used for rentals of terms longer than 30 days.
(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.
(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.
(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision ~~(a) within 120 days after receiving the application.~~ *(a). The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.*
(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.
(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:
(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.
(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:
(i) 850 square feet.
(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.
~~(c)~~ *(C)* ~~A local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units. No minimum~~ *Any other minimum* or maximum size for an accessory dwelling unit, ~~or~~ size based upon a percentage of the proposed or existing primary dwelling, ~~shall be established by ordinance~~ *or limits on lot coverage, floor area ratio, open space, and minimum lot size,* for either attached or detached dwellings that does not permit at least an ~~efficiency unit to be constructed in compliance with local development standards. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.~~ *800 square*

foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile *walking distance* of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) *(1)* Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit ~~to create within a zone for single-family use one accessory dwelling unit per single-family lot if the unit is contained within the existing space of a single-family residence or accessory structure, including, but not limited to, a studio, pool house, or other similar structure, has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. A city may require owner occupancy for either the primary or the accessory dwelling unit created through this process.~~ *within a residential or mixed-use zone to create any of the following:*

(A) One accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.
(4) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.
(5) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite water treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.
(6) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.
(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).
(2) ~~Accessory~~ *An accessory* dwelling ~~units~~ *unit* shall not be considered by a local agency, special district, or water corporation to be a new residential use for ~~the~~ purposes of calculating connection fees or capacity charges for utilities, including water and sewer ~~service.~~ *service, unless the accessory dwelling unit was constructed with a new single-family dwelling.*
(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.
(B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.
~~(A)~~ *(4)* For an accessory dwelling unit described in *subparagraph (A) of paragraph (1) of* subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity ~~charge.~~ *charge, unless the accessory dwelling unit was constructed with a new single-family home.*
~~(B)~~ *(5)* For an accessory dwelling unit that is not described in *subparagraph (A) of paragraph (1) of* subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its ~~size~~ *square feet* or the number of its ~~plumbing fixtures,~~ *drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials,* upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.
(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.
(h) ~~Local~~ *(1)* ~~agencies~~ *A local agency* shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. ~~The department may review and comment on this submitted ordinance.~~ *After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.*
(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time,

no longer than 30 days, to respond to the findings before taking any other action authorized by this section.
(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:
(i) Amend the ordinance to comply with this section.
(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.
(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.
(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.
(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.
~~(i)~~ *(j)* As used in this section, the following terms mean:
~~(1) "Living area" means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.~~
~~(2) "Local agency" means a city, county, or city and county, whether general law or chartered.~~
~~(3) For purposes of this section, "neighborhood" has the same meaning as set forth in Section 65589.5.~~
~~(4)~~ *(1)* "Accessory dwelling unit" means an attached or a detached residential dwelling unit ~~which~~ *that* provides complete independent living facilities for one or more ~~persons.~~ *persons and is located on a lot with a proposed or existing primary residence.* It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family *or multifamily* dwelling is *or will be* situated. An accessory dwelling unit also includes the following:
(A) An efficiency unit.
(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.
(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
~~(A)~~ *(3)* ~~An efficiency unit,~~ *"Efficiency unit" has the same meaning* as defined in Section 17958.1 of the Health and Safety Code.
~~(B)~~ *(4)* ~~A manufactured home, as defined in Section 18007 of the Health and Safety Code.~~ *"Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.*
(5) "Local agency" means a city, county, or city and county, whether general law or chartered.
(6) "Neighborhood" has the same meaning as set forth in Section 65589.5.
(7) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
~~(5)~~ *(8)* "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.
(9) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
(10) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

~~(6)~~ *(11)* “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

~~(j)~~ *(l)* Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(o) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

(Becomes operative on January 1, 2025)
Section 65852.2 of the Government Code is amended to read (changes from January 1, 2020 statute noted in underline/italic):

65852.2.
(a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit

that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts ~~an~~ on ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(6) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or ~~imposed, including any owner-occupant requirement, except that a local agency may require that the property be used for rentals of terms longer than 30 days.~~ imposed except that, *subject to subparagraph (B)*, a local agency may require *an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or* that the property be used for rentals of terms longer than 30 days.

(B) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit permitted between January 1, 2020, to January 1, 2025, during which time the local agency was prohibited from imposing an owner-occupant requirement.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms,

passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and may shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.

(4) A local agency may require owner occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (6) of subdivision (a).

(5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

~~(5)~~ (6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite water treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

~~(6)~~ (7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, “impact fee” has the same meaning as the term “fee” is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. “Impact fee” does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or

separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family ~~home~~ dwelling.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed

or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) “Efficiency unit” has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) “Local agency” means a city, county, or city and county, whether general law or chartered.

(6) “Neighborhood” has the same meaning as set forth in Section 65589.5.

(A) An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(7) “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.

(8) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(10) “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(11) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit

for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(o) This section shall ~~remain in effect only until January 1, 2025, and as of that date is repealed~~ *become operative on January 1, 2025.*

Effective January 1, 2020, Section 65852.22 of the Government Code is amended to read (changes noted in strikeout, underline/italics) (AB 68 (Ting)):

65852.22.

(a) Notwithstanding Section 65852.2, a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(1) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence ~~already built~~ *built, or proposed to be built,* on the lot.

(2) Require owner-occupancy in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(3) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

(A) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(B) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

(4) Require a permitted junior accessory dwelling unit to be constructed within the ~~existing~~ walls of the ~~structure, and require the inclusion of an existing bedroom.~~ *proposed or existing single-family residence.*

(5) Require a permitted junior accessory dwelling to include a separate entrance from the main entrance to the ~~structure, with an interior entry to the main living area. A permitted junior accessory dwelling may include a second interior doorway for sound attenuation.~~ *proposed or existing single-family residence.*

(6) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

~~(A) A sink with a maximum waste line diameter of 1.5 inches.~~

~~(B)~~ *(A)* A cooking facility with ~~appliances that do not require electrical service greater than 120 volts, or natural or propane gas.~~ *appliances.*

~~(C)~~ *(B)* A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(b) (1) An ordinance shall not require additional parking as a condition to grant a permit.

(2) This subdivision shall not be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine ~~whether~~ *if* the junior accessory dwelling unit ~~is in compliance~~ *complies* with applicable building standards.

(c) An application for a permit pursuant to this section shall, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing. ~~A permit shall be issued within 120 days of submission of an application for a permit pursuant to this section.~~ *The permitting agency shall act on the application to create a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot. If the permit application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the*

applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this section.

(d) For ~~the~~ purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit. This section shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a junior accessory dwelling unit or not.

(e) For ~~the~~ purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

(f) This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a junior accessory dwelling unit.

(g) If a local agency has not adopted a local ordinance pursuant to this section, the local agency shall ministerially approve a permit to construct a junior accessory dwelling unit that satisfies the requirements set forth in subparagraph (A) of paragraph (1) of subdivision (e) of Section 65852.2 and the requirements of this section.

~~(g)~~ *(h)* For purposes of this section, the following terms have the following meanings:

(1) “Junior accessory dwelling unit” means a unit that is no more than 500 square feet in size and contained entirely within ~~an existing~~ *a* single-family ~~structure.~~ *residence*. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(2) “Local agency” means a city, county, or city and county, whether general law or chartered.

Effective January 1, 2020 Section 17980.12 is added to the Health and Safety Code, immediately following Section 17980.11, to read (changes noted in underline/italics) (SB 13 (Wieckowski)):

17980.12.

(a) (1) An enforcement agency, until January 1, 2030, that issues to an owner of an accessory dwelling unit described in subparagraph (A) or (B) below, a notice to correct a violation of any provision of any building standard pursuant to this part shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to this subdivision:

(A) The accessory dwelling unit was built before January 1, 2020.

(B) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(2) The owner of an accessory dwelling unit that receives a notice to correct violations or abate nuisances as described in paragraph (1) may, in the form and manner prescribed by the enforcement agency, submit an application to the enforcement agency requesting that enforcement of the violation be delayed for five years on the basis that correcting the violation is not necessary to protect health and safety.

(3) The enforcement agency shall grant an application described in paragraph (2) if the enforcement determines that correcting the violation is not necessary to protect health and safety. In making this determination, the enforcement agency shall consult with the entity responsible for enforcement of building standards and other regulations of the State Fire Marshal pursuant to Section 13146.

(4) The enforcement agency shall not approve any applications pursuant to this section on or after January 1, 2030. However, any delay that was approved by the enforcement agency before January 1, 2030, shall be valid for the full term of the delay that was approved at the time of the initial approval of the application pursuant to paragraph (3).

(b) For purposes of this section, "accessory dwelling unit" has the same meaning as defined in Section 65852.2.

(c) This section shall remain in effect only until January 1, 2035, and as of that date is repealed.

ATTACHMENT B

GOV. CODE: TITLE 7, DIVISION 1, CHAPTER 4, ARTICLE 2
AB 587 Accessory Dwelling Units

(Changes noted in underline/italics)

Effective January 1, 2020 Section 65852.26 is added to the Government Code, immediately following Section 65852.25, to read (AB 587 (Friedman)):

65852.26.

(a) Notwithstanding clause (i) of subparagraph (D) of paragraph (1) of subdivision (a) of Section 65852.2, a local agency may, by ordinance, allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all of the following apply:

(1) The property was built or developed by a qualified nonprofit corporation.

(2) There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.

(3) The property is held pursuant to a recorded tenancy in common agreement that includes all of the following:

(A) The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling each qualified buyer occupies.

(B) A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the property if the buyer desires to sell or convey the property.

(C) A requirement that the qualified buyer occupy the property as the buyer's principal residence.

(D) Affordability restrictions on the sale and conveyance of the property that ensure the property will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.

(4) A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.

(5) Notwithstanding subparagraph (A) of paragraph (2) of subdivision (f) of Section 65852.2, if requested by a utility providing service to the primary residence, the accessory dwelling unit has a separate water, sewer, or electrical connection to that utility.

(b) For purposes of this section, the following definitions apply:

(1) "Qualified buyer" means persons and families of low or moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(2) "Qualified nonprofit corporation" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

ATTACHMENT C

CIVIL CODE: DIVISION 4, PART 5, CHAPTER 5, ARTICLE 1
AB 670 Accessory Dwelling Units

(Changes noted in underline/italics)

Effective January 1, 2020, Section 4751 is added to the Civil Code, to read (AB 670 (Friedman)):

4751.
(a) Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that either effectively prohibits or unreasonably restricts the construction or use of an accessory dwelling unit or junior accessory dwelling unit on a lot zoned for single-family residential use that meets the requirements of Section 65852.2 or 65852.22 of the Government Code, is void and unenforceable.
(b) This section does not apply to provisions that impose reasonable restrictions on accessory dwelling units or junior accessory dwelling units. For purposes of this subdivision, "reasonable restrictions" means restrictions that do not unreasonably increase the cost to construct, effectively prohibit the construction of, or extinguish the ability to otherwise construct, an accessory dwelling unit or junior accessory dwelling unit consistent with the provisions of Section 65852.2 or 65852.22 of the Government Code.

ATTACHMENT D

GOV. CODE: TITLE 7, DIVISION 1, CHAPTER 3, ARTICLE 10.6
AB 671 Accessory Dwelling Units

(Changes noted in underline/italics)

Effective January 1, 2020, Section 65583(c)(7) of the Government Code is added to read (sections of housing element law omitted for conciseness) (AB 671 (Friedman)):

65583(c)(7).
Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, "accessory dwelling units" has the same meaning as "accessory dwelling unit" as defined in paragraph (4) of subdivision (i) of Section 65852.2.

Effective January 1, 2020, Section 50504.5 is added to the Health and Safety Code, to read (AB 671 (Friedman)):

50504.5.
(a) The department shall develop by December 31, 2020, a list of existing state grants and financial incentives for operating, administrative, and other expenses in connection with the planning, construction, and operation of an accessory dwelling unit with affordable rent, as defined in Section 50053, for very low, low-, and moderate-income households.
(b) The list shall be posted on the department's internet website by December 31, 2020.
(c) For purposes of this section, "accessory dwelling unit" has the same meaning as defined in paragraph (4) of subdivision (i) of Section 65852.2 of the Government Code.

PLANNING COMMISSION REPORT

ITEM NO. 8C

DATE: **SEPTEMBER 23, 2020**

TO: **PLANNING COMMISSION**

FROM: **ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR**

PREPARED BY: **JACQUELINE HONG, ASSISTANT PLANNER**

SUBJECT: **LOCAL REGISTER (LR-20-0001) TO DESIGNATE 843 N. 2ND AVENUE TO THE LOCAL REGISTER OF HISTORIC PLACES. (APN: 1046-061-16)**

REQUEST

The applicants, Jeffrey and Kellene Johnson, are seeking to designate 843 N. 2nd Avenue to the Local Register of Historic Places. (APN: 1046-061-16) (See Exhibit A – Draft Resolution)

SYNOPSIS

Applicant:	Jeffrey and Kellene Johnson
Representative:	Same as Applicant
Property Owner:	Same as Applicant
Property Location:	843 N. 2nd Avenue (See Exhibit B)
Existing General Plan Land Use Designation:	Residential Single-Family Medium (RS-7.5)
Existing Zoning Classification:	Residential Single-Family Medium (RS-7.5)
Site Size:	Project site location is 0.17 Acres (7,700 square feet)
Building/Suite Size:	2,101 square feet
Access:	2nd Avenue / Alley Access in Rear Yard
Existing Conditions:	Single-Family Residence

<table>
<tr><td>Surrounding Land Uses:</td><td>Single-Family Residential
<table>
<tr><th>Direction</th><th>Land Use</th><th>General Plan</th><th>Zone</th></tr>
<tr><td>North</td><td>Residential</td><td>RS-7.5</td><td>RS-7.5</td></tr>
<tr><td>East</td><td>Residential</td><td>RS-7.5</td><td>RS-7.5</td></tr>
<tr><td>South</td><td>Residential</td><td>RS-7.5</td><td>RS-7.5</td></tr>
<tr><td>West</td><td>Residential</td><td>RS-7.5</td><td>RS-7.5</td></tr>
</table>
See Exhibit B – Vicinity Map</td></tr>
<tr><td>Previous Applications/Entitlement:</td><td>N/A</td></tr>
</table>

AUTHORIZATION/GUIDELINES

Upland Municipal Code Section 17.26.100(C) states the Planning Commission shall take final action on all applications for designating or removing a cultural resource or historic district to/from the Local Register.

PUBLIC NOTICE

This project included the following modes of notifying the public, in accordance with Upland Municipal Code (UMC) Section 17.46.020.

1. On September 10, 2020 a Notice of Public Hearing was mailed to all property owners within 300 feet of the project site. This resulted in a total of 31 property owners being noticed.

2. The Public Hearing Notice was also published in the Inland Valley Daily Bulletin on September 11, 2020 and posted in 2 physical locations (Upland City Hall and Upland Library) on September 10, 2020.

BACKGROUND

The property was built in 1930. On March 22, 2000, the Planning Commission held a public hearing to consider a request to approve Local Register No. LR-99-01 to locally register forty-one property owners for the designation of buildings to the Local Register of Historic Places. The minutes for the March 22, 2000 Planning Commission meeting reflects that the property owner at the time, Kim Clifton, expressed that her property was not included on the historic survey and her property was fifty years old at the time of the survey and she was not sure why her property was not surveyed (Exhibit C-1). She conveyed that she would like her home to be added to the list of historic properties. After further discussion, the Planning Commission moved to continue the public hearing to the May 31, 2000 Planning Commission meeting. On May 31, 2000 the Planning Commission approved Resolution No. 4185 to approve thirty-eight homes to the Local Register of Historic Places (Exhibit C-2 and C-3). The

Resolution indicates that the property 843 North Second Avenue was not included on the City's Historic Resources Survey 1989-1990, and therefore ineligible to be designated onto the Local Register of Historic Places.

On August 8, 2020, the property was surveyed by Upland Heritage. The survey reflected that the property was found to be recognized as historically significant by Local government, and was designated with a Status Code of 5. To put this Status Code into context, they range from 1-6, with 1 being a Cultural Resource eligible for the National Register (Euclid Avenue being an example) and a 6, which means the resource is ineligible for listing on the National, State or Local Registries. Therefore, a status code ranking of 5 means that this property is ineligible for the National Register, but is locally significant (Exhibit D: California Department of Parks and Recreation Historic Resources Record).

ANALYSIS

General Plan and Zoning

The property is located within the Single-Family Residential Medium (4-10 du/ ac; SFR-M) General Plan Designation (See Exhibit E – General Plan Designation) and RS-7.5 Residential Single-Family Medium (RS-7.5) Zone (See Exhibit F – Zoning Map). The proposal to place the cultural resource onto the local register shows consideration to the policies listed in the table below.

The request is consistent with the General Plan, as the local register designation would not adversely affect the intent of RS-7.5 Residential Single-Family Medium Zone designation. The proposal to place the cultural resource onto the local register implements the General Plan Policies CC-9.2 and CC-9.7 and therefore shows consideration for the following General Plan Goals and Policies:

General Plan Goal/Policy	Consistency
Policy CC-9.2 Pursue eligibility and listing of qualified resources, including historic districts and individual resources, under the appropriate register(s)	The property is currently on the Historic Resources Survey, and is eligible to be on the Local Register.
Policy CC-9.7 Actively pursue maintenance and upkeep of historic resources to avoid the need for major rehabilitation and to reduce the risks of demolition, loss through fire or neglect, or impacts from natural disasters.	The designation will qualify the property for the Mills Act, which will provide lower property taxes in exchange for the property owner's commitment to a schedule of repair and maintenance intended to preserve the home's structural and historic integrity.

Local Register

In order for the home to be designated to the Local Register, the Planning Commission must find that the historic resource meets one or more of the seven Criteria as stated in the Upland Municipal Code Section 17.26.100(F) (See Exhibit G). The property shows consistency with Criteria 1 and 2 of the required Criteria, as discussed below:

1. It embodies distinguishing architectural characteristics, valuable to the study of a period, style, method of construction, or the use of indigenous materials or craftsmanship.

    a. The house was built in a Tudor Revival architectural style, which was prevalent during the Great Depression. This house exhibits architectural characteristics of the Tudor Revival style. The house has a cross gable roof with two steeply pitch front facing gables (one over the front porch) and a dormer window on the west side of the roof covered in concrete tile shingles. The house has a stucco exterior with half-timbering details. There is a chimney located on the south side of the house on the living room wall. The windows are original steel framed windows with a double casement with fixed transom and side lights windows to the south of the front door in the dining room and a double casement window upstairs in the bedroom. The house has experienced no obvious alterations and is consistent with its original date of construction. (See Exhibit H – Property Photographs)

2. It exemplifies, symbolizes, or manifests elements of the cultural, social, economic, political, or architectural history of the city.

    a. This building is important historically because it is an example of Late Tudor Revival residential architecture built in 1930 during the Great Depression. The Late Tudor Revival style comprises of buildings that form a bridge between the Arts and Crafts movement, rooted in authenticity, a Period Revival styles. The Late Tudor Revival style was based on medieval and pre-industrial building types of northern Europe. Its popularity arose from a dissatisfaction brought by the Industrial Revolution and a desire to return to a romanticized medieval past and handcrafted goods.

Benefits of Placement of the Local Register

The benefit of placement on the local register, is that the property is eligible for the Mills Act. The Mills Act is an agreement between the City of Upland, County of San Bernardino and Property Owner intended to assist property owners with the maintenance and repair of Cultural Resources in exchange for a reduction in property taxes.

Upland Heritage Support

Upland Heritage has provided a letter of support for placing this property on the Local Register (See Exhibit I – Upland Heritage Letter of Support).

ENVIRONMENTAL ASSESSMENT

The activity consists of placing the property on the Local Register for Cultural Resources, and involves no modifications or expansions to the property. Listing of the property on the local registry will not result in changes or impacts to the environment. As such, the project is Categorically Exempt from environmental proceedings pursuant to Article 5, Section 15061(b)(3), The activity is covered by the common sense exemption that The CEQA Guidelines apply only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to The CEQA Guidelines.

REQUIRED FINDINGS

In order to approve Local Register 20-0001, the Planning Commission is required to make findings related to the circumstances of the project. Section 2 of the Draft Resolution contains recommended findings for the Planning Commission's consideration.

CONDITIONS OF APPROVAL

The project does not involve any modifications to the property, therefore, no conditions of approval are proposed for this project.

RECOMMENDED ACTION

The Planning Division recommends the Planning Commission adopt a Resolution entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND, CALIFORNIA, APPROVING LOCAL REGISTER (LR-20-0001) TO DESIGNATE 843 N 2ND AVENUE (APN: 1046-061-16) TO THE LOCAL REGISTER OF HISTORIC PLACES. (EXHIBIT A)

MOTION

1. Find that the project is Categorically Exempt from environmental proceedings pursuant to Article 5, Section 15061(b)(3), The activity is covered by the common sense exemption that The CEQA Guidelines apply only to projects which have the potential for causing a significant effect on the environment.

2. Move to adopt a Resolution approving Local Register 20-0001, as set forth in the Draft Resolution dated September 23, 2020.

EXHIBITS

Exhibit A: Draft Resolution
Exhibit B: Vicinity Map
Exhibit C-1: Minutes of the Planning Commission March 22, 2000
Exhibit C-2: Minutes of the Planning Commission May 31, 2000
Exhibit C-3: Resolution No. 4185
Exhibit D: California Department of Parks and Recreation Historic Resources Record
Exhibit E: General Plan Designation
Exhibit F: Zoning Designation
Exhibit G: Copy of Section 17.26.1000 (F)
Exhibit H: Property Photographs
Exhibit I: Upland Heritage Support Letter

Exhibit A – Draft Resolution

EXHIBIT A

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND, CALIFORNIA, LOCAL REGISTER (LR-20-0001) TO DESIGNATE 843 N 2ND AVENUE TO THE LOCAL REGISTER OF HISTORIC PLACES. (APN: 1046-061-16)

Intent of the Parties and Findings:

WHEREAS, The applicant, Jeffrey and Kellene Johnson, is seeking to designate 843 N. 2nd Avenue to the Local Register of Historic Places. The property is located within the Single-Family Residential Medium General Plan Designation and RS-7.5 Residential Single-Family Medium Zone. Assessor's Parcel Number 1046-061-16; and

WHEREAS, the project is considered a project as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

WHEREAS, the Development Services Director determined that the project qualifies for a Categorical Exemption from the provisions of CEQA per Article 5, Section 15061(b)(3), The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

WHEREAS, the City of Upland Planning Division on September 10, 2020, posted two (2) true and correct copies of the legal notice at the Upland City Hall Bulletin Board and at the Upland Public Library in accordance with the Upland Municipal Code Section 17.46.020; and

WHEREAS, the City of Upland Planning Division on September 10, 2020, mailed the public hearing notice to each property owner within a 300-foot radius of the project site indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, the City of Upland Planning Division on September 11, 2020, published a legal notice in the Inland Valley Daily Bulletin, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, the City of Upland Planning Commission conducted a duly noticed public hearing on September 23, 2020, at which time it received public testimony concerning the Project and considered the CEQA Exemption for the proposed project.

NOW, THEREFORE, the Planning Commission of the City of Upland hereby finds, determines and resolves as follows:

Section 1. FINDINGS. The Planning Commission hereby makes the following findings and determinations in connection with the approval of the Project:

A. The above Recitals are true and correct.

B. The project is consistent with the following General Plan Policies:

1. Policy CC-9.2 Pursue eligibility and listing of qualified resources, including historic districts and individual resources, under the appropriate register(s)

   Fact: The property is currently on the Historic Resources Survey, and is eligible to be on the Local Register.

2. Policy CC-9.7 Actively pursue maintenance and upkeep of historic resources to avoid the need for major rehabilitation and to reduce the risks of demolition, loss through fire or neglect, or impacts from natural disasters.

   Fact: The designation will qualify the property for the Mills Act, which will provide lower property taxes in exchange for the property owner's commitment to a schedule of repair and maintenance intended to preserve the home's structural and historic integrity.

C. Upland Municipal Code Section 17.26.100(F) requires the Planning Commission, before it may approve designation of a cultural resource to the Local Resister, must find that the historic resource meets one or more of the required designation criteria as stated in the code. The project meets two of the possible seven criteria for designation of a cultural resource to the Local Register, as follows.

1. Criteria: It embodies distinguishing architectural characteristics, valuable to the study of a period, style, method of construction, or the use of indigenous materials or craftsmanship.

   Evidence: The house was built in a Tudor Revival architectural style, which was prevalent during the Great Depression. This house exhibits architectural characteristics of the Tudor Revival style. The house has a cross gable roof with two steeply pitch front facing gables (one over the front porch) and a dormer window on the west side of the roof covered in concrete tile shingles. The house has a stucco exterior with half-timbering details. There is a chimney located on the south side of the house on the living room wall. The windows are original steel framed windows with a double casement with fixed transom and side lights windows to the south of the front door in the dining room and a double casement window upstairs in the bedroom. The house has experienced no obvious alterations and is consistent with its original date of construction.

2. Criteria: It exemplifies, symbolizes, or manifests elements of the cultural, social, economic, political, or architectural history of the city.

   Evidence: This building is important historically because it is an example of Late Tudor Revival residential architecture built in 1930 during the

Great Depression. The Late Tudor Revival style comprises buildings that form a bridge between the Arts and Crafts movement, rooted in authenticity, a Period Revival styles. The Late Tudor Revival style was based on medieval and pre-industrial building types of northern Europe. Its popularity arose from a dissatisfaction brought by the Industrial Revolution and a desire to return to a romanticized medieval past and handcrafted goods.

Section 2. DETERMINATION. In light of the evidence presented at the hearing on this application, and based on the findings set forth above, the Planning Commission hereby finds that the requirements necessary for designation of local register of the subject property.

Section 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). The activity consists of placing the property on the Local Register for Cultural Resources, and involves no modifications or expansions to the property. Listing of the property on the local registry will not result in changes or impacts to the environment. As such, the project is Categorically Exempt from environmental proceedings pursuant to Article 5, Section 15061(b)(3), The activity is covered by the common sense exemption that The CEQA Guidelines apply only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to The CEQA Guidelines.

Section 4. APPEAL. Pursuant to Upland Municipal Code Section 17.47.040, the decision of the Planning Commission may be appealed to the City Council provided that written notice of the appeal is filed with the City Clerk within ten (10) days following the date the decision was rendered, unless a longer appeal period is specified as part of the project approval. Failure to file a timely appeal shall constitute a waiver of the right of appeal, and the decision of the Planning Commission shall be final.

Section 5. INCONSISTENCY. If any section, division, sentence, clause, phrase or portion of this resolution or the document in the record in support of this resolution is determined by a court of competent jurisdiction to be invalid, unenforceable, unconstitutional or otherwise void, that determination shall not affect the validity of the remaining sections, divisions, sentences, clauses, phrases of this resolution.

Section 6. CERTIFICATION. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 23rd day of September 2020.

_____

Robin Aspinall, CHAIR

ATTEST:

_____
Robert D. Dalquest, SECRETARY

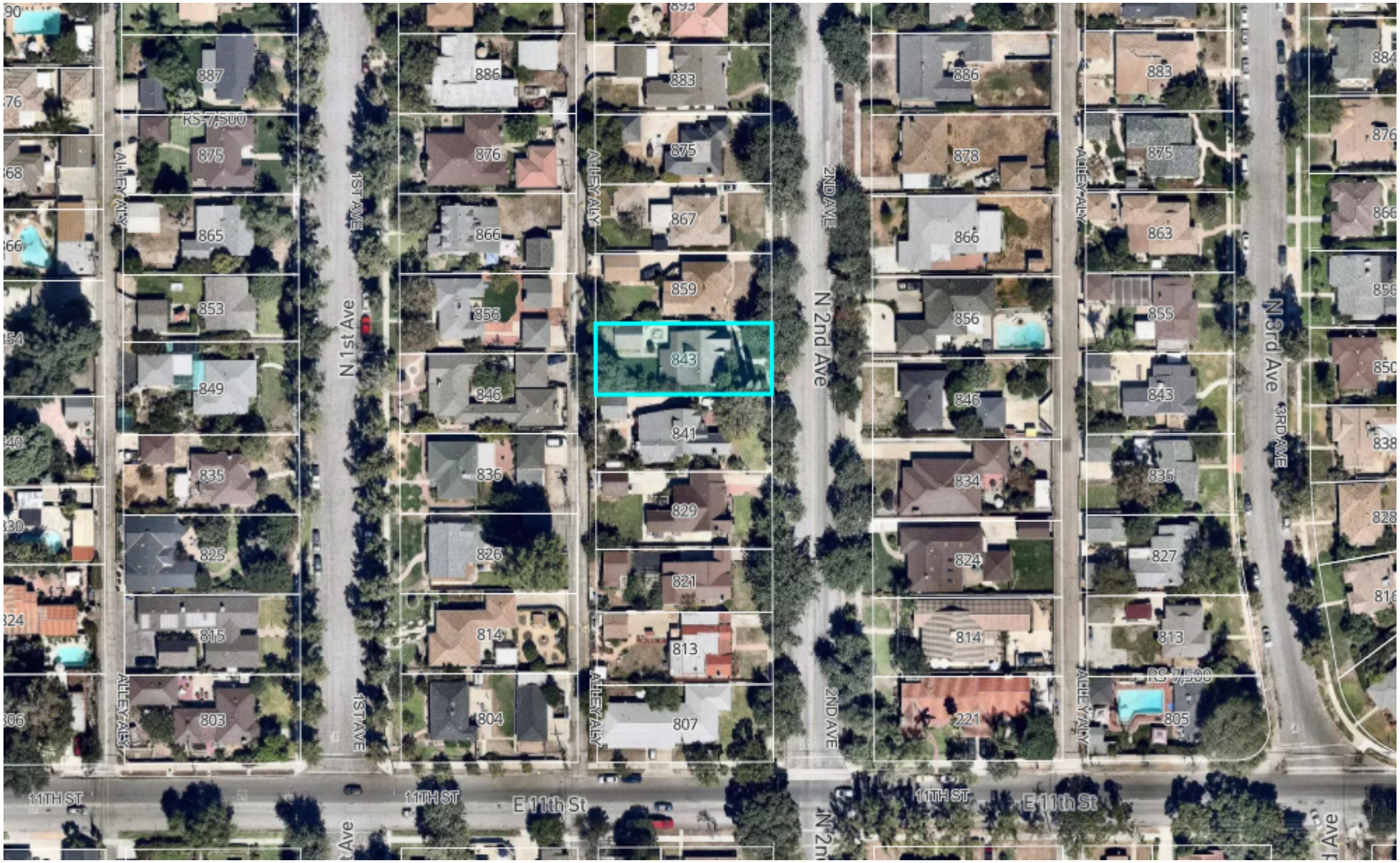
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a regular adjourned meeting thereof held on the 23rd day of September, 2020, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

_____
Robert D. Dalquest, SECRETARY

Exhibit B – Vicinity Map

EXHIBIT B: VICINITY MAP



1" = 129 ft	Sub Title	09/09/2020	

This map may represents a visual display of related geographic information. Data provided here on is not guarantee of acutual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up-to-date information.

Exhibit C-1 – Minutes of the Planning Commission on March 22, 2000

MINUTES OF THE PLANNING COMMISSION
OF THE CITY OF UPLAND
HELD WEDNESDAY, MARCH 22, 2000, AT 6:30 P.M.

CALL TO ORDER

Chairwoman Park called the Regular Meeting of the Upland Planning Commission to order in the Council Chambers of the Upland City Hall at 6:30 p.m.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner Klein.

ROLL CALL

MEMBERS PRESENT:	Commissioners Klein, Timm, van Balgooy, Vice Chairman Nisbet, Chairwoman Park
MEMBERS ABSENT:	Commissioners Kinison, McColl
ALSO PRESENT:	Community Development Director Bloom, Assistant City Attorney Dias, Senior Planner Atwater, Senior Planner Scharf, Senior Counter Technician Nance, City Engineer MimMack, Recording Secretary Holtz

MINUTES

Moved by Vice Chairman Nisbet that the Minutes of the Regular Meeting of February 23, 2000, be approved, seconded by Commissioner van Balgooy. Motion passed unanimously. Commissioner Klein abstained.

FUTURE AGENDAS

Senior Planner Atwater reported on items expected to be on future agendas.

PUBLIC HEARINGS

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) to consider 41 requests from property owners for designation of buildings to the Local Register of Historic Places.

APPLICANTS: Heather Tuttle
160 East 11th Street.
Upland, CA 19786

Margaret Bright
401 East 15th Street
Upland, CA 91786

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

Kelly Ann Kelley
312 South Second Avenue
Upland, CA 91786

C.H. Youngstromfor: 499 West Arrow Highway
8871 Avalon Street
Alta Loma, CA 91701

Mary & Edward P. O'Hara
500 West 14th Street
Upland, CA 91786

Michael L. Kester for: 1068 North Euclid Avenue
14159 Dartmouth Court
Fontana, CA 92336

John Oechsner
1459 North Euclid Avenue
Upland, CA 91786

Denise & Feuce Loverso
2222 North Euclid Avenue
Upland, CA 91786

James A. Croy, Jr.
375 Hervey Avenue
Upland, CA 91786

Mary Baird
653 East Ninth Street
Upland, CA 91786

Kari Wilson
407 East Ninth Street
Upland, CA 91786

Bernadine & George Malacara
745 East Ninth Street
Upland, CA 91786

Bette Brown
671 East Ninth Street
Upland, CA 91786

Gerald M. Anderson
711 East Ninth Street
Upland, CA 91786

Dana Hurtado
857 East Washington Blvd.
Upland, CA 91786

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

Gary & Barbara Snyder
554 North Campus Avenue
Upland, CA 91786

Helen C. Snyder
534 North Campus Avenue
Upland, CA 91786

Helen C. Snyder
546 North Campus Avenue
Upland, CA 91786

Ginamarie Gaughan
265 North Ninth Avenue
Upland, CA 91786

Jody Coyle
393 North Campus Avenue
Upland, CA 91786

David & Susan LePage
310 North Campus Avenue
Upland, CA 91786

Jill & Jeff Shirley
280 South First Avenue
Upland, CA 91786

Lorelei Rodriguez
508 North First Avenue
Upland, CA 91786

Lorelei Rodriguez for: 141 East Arrow Hwy.
508 North First Avenue
Upland, CA 91786

Garret Damrath
580 North First Avenue
Upland, CA 91786

Tracy & Linda Rodriguez
620 North First Avenue
Upland, CA 91786

Clyde O. Morgan
768 North First Avenue
Upland, CA 91786

Lois Hicks
769 North First Avenue
Upland, CA 91786

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

John & Wendy Hughes
803 North First Avenue
Upland, CA 91786

Neil W. & Kimberly A. Clifton
843 North Second Avenue
Upland, CA 91786

Diane Manske
771 North Second Avenue
Upland, CA 91786

Peggy Adkins
693 North Second Avenue
Upland, CA 91786

Phillip Donald Riffe
640 North Second Avenue
Upland, CA 91786

Gabriel & Maria Jacobo
679 North Second Avenue
Upland, CA 91786

Marlene & David W. Stevens for: 731 North Second Avenue
719 North Second Avenue
Upland, CA 91786

Dorothy Langsford
776 North Second Avenue
Upland, CA 91786

Mark & Jeannette Weaver
709 North Third Avenue
Upland, CA 91786

Joanne & Brian Bailey
781 North Third Avenue
Upland, CA 91786

John & Amy Carlos
735 North Third Avenue
Upland, CA 91786

Bob Jones
530 North Laurel Avenue
Upland, CA 91786

Kevin & Candye Maedel
262 North Laurel Avenue
Upland, CA 91786

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

Senior Planner Atwater reviewed the staff report in detail (the report being on file in the Community Development Department).

Commissioner Timm stated that she would be abstaining from discussions on the following properties that were within 500 feet of her home: 653 E. Ninth, 745 E. Ninth, 671 E. Ninth and 711 E. Ninth.

Chairwoman Park opened the public hearing.

Garrett Damrath, 580 N. 1st Avenue: Mr. Damrath corrected the spelling of his name from the list of applicants. He is in favor of this item passing tonight.

Kim Clifton, 843 N. Second Avenue: Ms. Clifton's property was not included on the historic survey. Their property was 50 years old at the time of the survey and she is not sure how she was missed. She would like her home added to the list of historic properties. She also corrected the spelling of another applicant's name, Dorothy Langsford, not Longsford, at 776 North Second Avenue.

Julie Smith, 439 E. 15th Street: Ms. Smith stated her neighbor is on the list of proposed properties and she wanted to know how that would impact her property. Would that affect the neighborhood at all, or just her neighbors property?

Senior Planner Atwater replied that the listing for the Historic Register is by specific address. Some of the older parcels in the City have unusual legal descriptions that reference the block, but the nomination for the Local Register is by specific address. The regulations relating to historic homes will not affect the neighboring homes.

Mary O'Hara, 500 West 14th: Mrs. O'Hara stated she is in favor of approving these homes for the Local Register. One of the things that make our city "gracious" is the predominance of the older homes throughout the City. She is encouraged that the City is being actively involved in doing this paperwork. She thanked the Historical Society for their role in this step.

Ginamarie Gaugham, 265 N. 9th Avenue: Ms. Gaugham corrected the spelling of her last name on the applicant's list. She is in favor of this proposal. Homes are being lost in her area and replaced by apartments. The residents are losing the value of the downtown atmosphere.

Phillip Donald Phiffe, 640 North 2nd Avenue: Mr. Phiffe stated he is in favor of these applications. He was interested in finding out the history of his home. He is definitely in favor of preserving the historical future and looks forward to rehabilitating his home more.

There being no other speakers, Chairwoman Park closed the public hearing.

Commissioner van Balgooy commented that 41 homes at once, on a night with a full agenda, is a lot for one packet. He understands that we are trying to get these all approved and also need to get this done with staff losses, but he would prefer seeing packets of about a dozen homes at a time in the future. There are several properties he has concerns about because they seem to have lost their historical integrity. Either additions have been done, fireplaces in a material not compatible or other issues that need to be looked at a little closer before recommending their being added to the Local Register. The addresses he has concerns with are: 709 North Third Avenue, 735 North Third Avenue, 620 North First Avenue, 1459 North Euclid Avenue, 546 North Campus Avenue and 310 North Campus Avenue.

Commissioner van Balgooy stated that regarding the two properties that were not listed on the historic survey for unknown reasons, 803 North First Avenue and 843 North Second Avenue, he would like to see those buildings surveyed by an architectural historian and that they not be considered at this time. They look as if they are eligible, but the research needs to be done by a specialist in that field.

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

Chairwoman Park asked if the homeowner could hire a historic specialist.

Commissioner van Balgooy replied that is certainly OK. They could fill out the Department of Parks and Recreation Form 523 and submit that to the City. Then the survey would be done by someone who is objective.

Chairwoman Park asked if an amateur historian would be appropriate.

Commissioner van Balgooy replied that the form is self explanatory, describing the home, getting a history of the house, that could be done by an amateur historian.

Commissioner Timm stated that have been surveys done by historic preservations societies, such as in Pomona where generally their Heritage Group does the surveys and works on the Local Register. Considering all the budget cuts in our City, it may be a very long time before there are any more surveys paid by the City. When she helped with the original survey in 1990, many homes at that time already had these additions done. She feels that the Commission may need to look at the homes one by one to see if the Commission needs to be so particular. Also, is the Commission looking at the history of the people that have lived in the homes. Sometimes the history of the home is more significant than the architecture.

Commissioner Timm suggested that the Historical Preservation Society may be able to spearhead an updated survey that would include some of the newer homes that were not included in the previous survey.

Chairwoman Park asked Commissioner van Balgooy about his concerns.

Commissioner van Balgooy stated a previous building had been approved for the Local Register that maybe should have been looked at a little closer. There are possibly some integrity problems. If buildings begin going on the Local Register that are not truly so historic in nature, then the remainder of the listing loses some of its significance. He would just like to look a little closer to some of the properties being recommended for addition to the historic listing.

Commissioner Klein stated he is in agreement. There are so many properties being proposed tonight that he did not have a chance to go look at each one. He would like to defer those properties with marginal reservations until the next meeting.

Commissioner Timm agreed with this. She recommended that the Commission also look at the history of the homes and their ratings.

Commissioner Klein stated that he would like to see the additional properties surveyed in some way. He is not comfortable in bypassing the survey process and just nominating the properties.

Commissioner van Balgooy stated that it does not matter who completes the survey. Any competent person can complete the DPR 523 form. All the information is there, and there are only three properties that need to completed.

Chairwoman Park asked if once the forms are completed for these missing properties, is there a formal process that needs to be completed, or can the properties just be added to the list.

Mr. Atwater replied that staff would need to check and see exactly how the original survey was adopted, whether it be an act of the Commission, or an act of the Council. Then we would need to follow the same procedure to add these properties.

Vice Chairman Nisbet stated he seemed to recall that the report was submitted to the Planning Commission. The Planning Commission accepted it and forwarded it on the City Council. He does not recall a formal ordinance for either, but staff should check on that. He feels that there should be a mechanism for adding properties.

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

Chairwoman Park asked if the Commissioners were simply looking at more time to go out and check out each of the properties, or was there additional documentation required?

Commissioner van Balgooy stated that basically it's just having the Commissioner's check out the properties. There is only 3 properties that need to have forms filled out, the two not on the historic survey (803 North First Avenue and 843 North Second Avenue) and the property at 375 North Hervey Avenue.

Chairwoman Park suggested continuing the item until the next meeting and for the two properties that need to be added to the survey, bringing those back at a later date to give staff time to prepare the documentation needed for that.

Assistant City Attorney Diaz commented that doing it that way would split the publicly noticed hearing into two items and staff would need to re-notice every property. She suggested deferring the item until there is enough time to look at all the properties to avoid the time and expense needed to re-notice every property.

Chairwoman Park stated to staff that she would not be looking for another complete report. A single page memo would suffice and the Commissioners will keep the staff reports from tonight.

Chairwoman Park reopened the public hearing.

Moved by Chairwoman Park that the Commission:

➢ Continue the public hearing to the May 24, 2000 meeting.

The motion was seconded by Vice Chairman Nisbet and carried by the following vote:

AYES: Commissioners Klein, Timm, van Balgooy, Vice Chairman Nisbet, Chairwoman Park

NAYS: None ABSENT: Commissioners Kinison, McColl

DEMOLITION PERMIT NO. DP-99-01 to remove one historic Grevillea Tree in order to repair the sidewalk on the west side of Campus Avenue, north of Ninth Street in a RS-7.5 (Residential Single-Family—7,500 sq. ft. minimum lot area) Zone, on the northwest corner of Ninth Street and Campus Avenue (691 East Ninth Street)

APPLICANT: City of Upland
460 North Euclid Avenue
Upland, CA 91786

Commissioner Timm excused herself from the meeting since her residence is within 300 ft. of the site.

Senior Planner Atwater reviewed the staff report in detail (the report being on file in the Community Development Department).

Commissioner van Balgooy stated this tree was planted in the 1880's and has been here over a hundred years. Are these problems new or recent or were they there the whole time?

Mr. Atwater replied that the damage appears to have been here quite awhile. The resident at the home brought this problem to the City's attention. The resident is in a wheelchair and they have a difficult time getting around the sidewalk and driveway because of the uplifting of the concrete.

DEMOLITION PERMIT NO. DP-99-01 (EAR EXEMPT) (continued)

Deputy City Engineer MimMack stated that in this particular case, if the tree had not been so close to the drive approach, we could have possibly meandered the sidewalk around and saved the tree. In the past, a lot of attention was not given to choosing appropriate trees for the parkway width. These particular trees do very well on Euclid Avenue with a 15 or 20 foot parkway to grow. But in these smaller residential street parkways, it's not wide enough.

Chairwoman Park opened the public hearing.

Larry Timm, 636 East Ninth Street: Mr. Timm is concerned about the city removing these old trees that give ambiance and character to the neighborhood. These mature trees add to the quality of their district. As far as visibility, they have a telephone pole within 2 feet of their driveway and it obstructs their view, but they have to live with it. He is afraid to see these trees being lost so easily and fears it will happen more and more. Then the residents will lose the character of the neighborhood.

Mr. Timm spoke with Ed Tessier, who is a former Planning Commission in the City of Pomona. He has written legislation for the handicapped. Mr. Tessier suggested that what is happened in other cities is that they keep the tree in place and repair the sidewalk with nothing steeper than a 5% grade. He thinks this is a possibility that could work in this instance and he would like the City to look at this option. He is afraid that this will set a precedence that will be too easily followed.

Mr. Timm stated that the previous owners possibly did not water the parkway according to local ordinances. If the owner neglects to water the properties, the trees root systems will stay close to the surface in search of water. Possibly the city should look at a trickle irrigation system to deliver water deep into the ground to avoid this happening later.

Vice Chairman Nisbet asked about the 5% grade and how it worked.

Mr. Timm explained how this solution would work. Measurement wise, this may not work in this case, but he thinks the option should be explored.

There being no other speakers, Chairwoman Park closed the public hearing.

Commissioner Klein asked what the Deputy City Engineer thought about the feasibility of a ramp right at the driveway.

Mr. MimMack stated that ADA requirements call for a 4' flat area between the maximum 5% up ramp and maximum 5% down ramp. If the drive approach were not there, this would be a solution that could seriously be considered. Changing the grade of the sidewalk within the drive approach area could create some serious transition and drainage problems.

Commissioner van Balgooy commented that there is 2' between the sidewalk and the fence that is on property line. He asked if the sidewalk could be meandered in this 2' area.

Mr. MimMack replied that also the sidewalk is labeled as five feet and the minimum city standard is four feet. That may give a little additional leeway also.

Commissioner van Balgooy asked how often the sidewalk been repaired at this location over the past five years.

Mr. MimMack replied that he did not have the documentation for this, he would need to check the records.

Chairwoman Park stated that with the additional area available and the four foot sidewalk, she would like to see the meandering option looked at a little more closely. Being in the historic part of town, we should explore all options at saving this tree.

DEMOLITION PERMIT NO. DP-99-01 (EAR EXEMPT) (continued)

Vice Chairman Nisbet stated he concurred with Chairwoman Park. A meandering sidewalk with a minimal trimming of roots could preserve the tree and possibly require less cost to the city.

Commissioner Klein stated he was in agreement about sending this back to staff to explore the options.

Chairwoman Park reopened the public hearing.

Moved by Chairwoman Park that the Commission:

➢ Continue the public hearing to the May 24, 2000 meeting.

The motion was seconded by Vice Chairman Nisbet and carried by the following vote:

AYES: Commissioners Klein, van Balgooy, Vice Chairman Nisbet, Chairwoman Park

NAYS: None ABSENT: Commissioners Kinison, McColl

ABSTAINED: Commissioner Timm

CONDITIONAL USE PERMIT NO. CUP-99-13 (EAR EXEMPT) to allow a second dwelling unit for family members, in an RS-7.5 (Single-Family Residential—7,500 sq. ft. minimum lot area) Zone, on the southwest corner of Campus Avenue and Raymond Street (259 South Campus Avenue).

APPLICANT: Roque DeRobles
259 South Campus Avenue
Upland, CA 91786

Senior Counter Technician Nance reviewed the staff report in detail (the report being on file in the Community Development Department).

Chairwoman Park opened the public hearing.

There being no speakers, Chairwoman Park closed the public hearing.

Moved by Commissioner Klein that the Commission:

➢ Adopt Resolution No. 4169, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND GRANTING A PETITION FOR CONDITIONAL USE PERMIT NO. CUP-99-13.

The motion was seconded by Commissioner Timm and carried by the following vote:

AYES: Commissioners Klein, Timm, van Balgooy, Vice Chairman Nisbet, Chairwoman Park

NAYS: None ABSENT: Commissioners Kinison, McColl

CONDITIONAL USE PERMIT NO. CUP-99-15 (EAR EXEMPT) to allow a the installation of a 53' communication antenna disguised as a pine tree, in a CH (Highway Commercial) Zone, on approximately .25 acres, located on the northwest corner of Foothill Blvd. and Wilson Avenue: REF: SP-99-25.

APPLICANT: Sprint PCS
3151 Airway Ave. #L-3
Costa Mesa, CA 92626

Senior Counter Technician Nance reviewed the staff report in detail (the report being on file in the Community Development Department).

Chairwoman Park opened the public hearing.

Todd Smith, Sprint PCS, 3151 Airway Ave. #L-3, Costa Mesa, CA 92626: Mr. Smith stated he was representing Sprint PCS and was available to answer any questions. In response to a previous question, the photographs supplied for the packet are of an actual installation. They certainly agree with the condition that staff have the final approval of the pine tree design being molded to the most natural form they can. He stated that they would not be able to continue the pine tree row off the property they have leased onto the adjacent property. They would be happy to add an additional pinetree into the design, if feasible, on the northeast corner.

Mr. Smith commented on the letter of protest submitted to the city. One argument the adjacent property owner had was that he was against anything for private companies gain. Mr. Smith's dispute was that nearly any development in the city is for someone's gain. There is also the consideration of serving the public need, and in this case, cellular service is providing a public convenience, if not a need, as evidenced by the public demand and swift growth of the industry.

Commissioner Klein asked what the height of the enclosure fence is.

Mr. Smith replied that the height is 8 feet.

There being no other speakers, Chairwoman Park closed the public hearing.

Commissioner van Balgooy asked if the maximum fence height wasn't six foot in height?

Senior Planner Atwater replied that six feet is the typical maximum height. But the trade-off of having this proposed decorative wrought iron fence with spear tips instead of a six foot chain link fence with some barbed wire on top is preferable and supported by staff.

Commissioner van Balgooy asked if that was a variance item.

Mr. Atwater replied that the Community Development Director has the authority to approve this minor administrative variance for fence height.

Commissioner Timm asked about the conflict that has been discovered in local cities over cellular antennas and asked for clarification on this.

Ms. Nance replied that at the Administrative Committee the transmission frequency was not available. Staff has been checking on this for new cellular antennas. We need to check the transmission frequency with the applicant. There is a condition in the resolution that the cellular transmission not interfere with any other public or emergency communications.

Mr. Smith stated that Sprint PCS has a digital signal that transmits in the range of 1850-1990 MG that would not conflict with any emergency or other services. Generally the emergency transmissions occur in the 800 MG range.

CONDITIONAL USE PERMIT NO. 99-15 (EAR EXEMPT) (continued)

Moved by Vice Chairman Nisbet that the Commission:

- Adopt Resolution No. 4170 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND GRANTING A PETITION FOR CONDITIONAL USE PERMIT NO. CUP-99-15.

The motion was seconded by Chairwoman Park and carried by the following vote:

AYES: Commissioners Klein, Timm, van Balgooy, Vice Chairman Nisbet, Chairwoman Park

NAYS: None ABSENT: Commissioners Kinison, McColl

CONDITIONAL USE PERMIT NO. CUP-99-14 (EAR EXEMPT) to consider allowing a 50 ft. communications antenna disguised as a flag pole on the west side of the building in a CL (Limited Commercial) Zone, on a portion of the shopping center at 1645 North Mountain Avenue. REF: SP-99-23.

APPLICANT: PacBell Wireless
2521 Michelle, 2nd Floor.
Tustin, CA 92780

Senior Planner Atwater reviewed the staff report in detail (the report being on file in the Community Development Department).

Chairwoman Park opened the public hearing.

B.P. Hanrath, O'Neal Communications, 18500 Von Karman #870, Irvine, CA 92612: Mr. Hanrath is representing PacBell Wireless on this project that they feel works well to provide an infill capacity that lacks sufficient coverage. This site is for an infill, as opposed to a need for broader coverage. Therefore, this type of application can be used where everything is fitted within the top eight feet of this flag pole. They are in agreement with all the conditions, with one technical exception, Condition 10, regarding co-location. They would like to add "and PacBell Wireless, if technologically feasible." They strongly support the opportunity to co-locate in all locations, but they need to ask for the element of it being technologically feasible.

There being no other speakers, Chairwoman Park closed the public hearing.

Commissioner van Balgooy stated this was a great design. He likes having the finial treatment and the larger flag, otherwise he would have opposed it.

Moved by Commissioner van Balgooy that the Commission:

- Change Special Conditions to read:
  10. The project shall be subject to provisions for co-location of other communication facilities, to the satisfaction of the Community Development Director and PacBell Wireless, if technologically feasible.

- Adopt Resolution No. 4171 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND GRANTING A PETITION FOR CONDITIONAL USE PERMIT NO. CUP-99-14.

CONDITIONAL USE PERMIT NO. 99-14 (EAR EXEMPT) (continued)

The motion was seconded by Commissioner Klein and carried by the following vote:

AYES: Commissioners Klein, Timm, van Balgooy, Vice Chairman Nisbet, Chairwoman Park

NAYS: None ABSENT: Commissioners Kinison, McColl

BUSINESS ITEMS

DESIGN GUILDELINES FOR "THE COLONIES AT SAN ANTIONO"
Senior Planner Scharf presented draft Design Guidelines for "The Colonies at San Antonio."

Vice Chairman Nisbet abstained from this Business Item.

Pete Pitassi, Rancho Cucamonga: Mr. Pitassi is an architect serving as the Project Manager for The Colonies. This document is to serve as a guidepost for the builders coming into The Colonies, to create the essence of historical styles the committee has reached consensus upon. He believes the submitted document gives enough flexibility to the builders and to staff to interpret the proposed designs and conversely to allow the builders the ability to create a product that will allow them to be competitive on the market.

Mr. Pitassi stated that he feels the document has been created in a way that will allow it to be successful. A draft cover letter is being prepared for inclusion in each of the guideline booklets that will give an overview to the purpose of the guidelines, the fact that they are not voluntary, they are mandatory, that there is built in flexibility within the way they are organized and described. They want the builders that do participate within The Colonies to understand the value and the importance of this document.

As the master developer, they will be reviewing the proposed architecture that each builder creates before it comes to city staff.

Commissioner Klein stated he felt this was a wonderful document. He personally wished to see some of the wording changed on the matrix. It states preferred, allowed, and discouraged. He would like to see preferred, allowed and not allowed.

Mr. Pitassi stated that they had had discussions on that with staff already. The matrix was a late development of the document as a way to better describe the styles. They are open to discussion of revising this. One prior suggestion had even been to eliminate that entire column.

Commissioner Klein did not feel the column needed deleted.

Chairwoman Park stated she agreed with that. She would like to see the wording changed, but done feel it was necessary to delete that column.

Mr. Pitassi stated that one thing to keep in mind is that once you use a term such as prohibited, or not allowed, it's pretty final just by its nature. They are trying to maintain some flexibility. There could possibly be something presented that in its context, or the way its presented, may be worthwhile considering. Using the word prohibited or not allowed makes it beyond discussion.

Chairwoman Park stated she appreciated the drawings that were included with the architectural styles, she thought that was useful. She had one concern with the document, on page 17, concerning garage treatments. The percentage mentioned for the three car garages allowed is 50%. She feels that is too high a percentage. Since there are six different methods on the next page of positioning the garage, which gives ample means to break up a potential view of a row of garages. She would like to see that number dropped down to 25%.

BUSINESS ITEMS-DESIGN GUIDELINES FOR "THE COLONIES AT SAN ANTONIO" (continued)

Mr. Pitassi stated that they felt 50% was a reasonable number. When you look at the lot widths and the geometry of the lots, that percentage of garage views will not be visible, he doesn't believe.

Chairwoman Park stated she still felt that was too high a percentage. That's the only issue she has and she feels strongly about it.

Commissioner Klein stated he supported Chairwoman Park on this.

Commissioner Timm stated she is always looking for quality and she agrees 25% would be a better number. She also concurs with deleting the discouraged column. She commented that a wonderful job has been done on this. She appreciates the cooperation and the way this was formatted. She recalls from an original meeting that one element to help make these look like a historical home, do not emphasize the garages. She totally agrees with decreasing the percentage.

Commissioner van Balgooy stated this was a wonderful document. He stated that Mr. Pitassi is probably right, there will be a lot of variations on the three car garages, but he would still like to see the number reduced. He would feel comfortable with 30% or a third. He would like to make a few small changes on page 3. The third paragraph says each neighborhood shall utilize a minimum of three architectural styles from Group 1, and 2, or 3. This should be changed to utilize a minimum of three architectural styles, one from each group.

Mr. Pitassi stated that it was decided that the developer would have the option to pick two from a group and a third from another group, with the condition that an adjoining, contiguous neighborhood would not be allowed to repeat all three.

Commissioner van Balgooy suggested deleting the "Cape Cod" style. Cape Cod is a place, not an architectural style. He would also like to see that paragraph clarified a little better. He is also in support of eliminating the column that states "discouraged."

Chairwoman Park asked Mr. Pitassi if he was amenable to deleting the discouraged column and also the Cape Cod style.

Mr. Pitassi stated he was agreeable to both changes.

Commissioner Klein suggested that since they were agreeable to deleting both of these, that the Commission could compromise and propose changing the three car garage percentage to a third.

Community Developer Bloom stated that we are just discussing the recessing of the door right now. If you fiddle with the plane of the house you have a completely different result.

Chairwoman Park asked Ms. Scharf about her opinion.

Ms. Scharf stated she was happy with a third.

Moved by Commissioner Klein that the Commission:

1. Eliminate the Cape Cod style
2. Eliminate the column on the matrix titled "Discouraged"
3. Reduce the three car frontal garages to a maximum of 33%.
4. Clarify the grammar in the sentence on page 3.

BUSINESS ITEMS-DESIGN GUIDELINES FOR "THE COLONIES AT SAN ANTONIO" (continued)

- Adopt Resolution No. 4172 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND ADOPTING DESIGN GUIDELINES FOR "THE COLONIES AT SAN ANTONIO SPECIFIC PLAN".

The motion was seconded by Chairwoman Park and carried by the following vote:

AYES: Commissioners Klein, Timm, van Balgooy, Chairwoman Park

NAYS: None ABSENT: Commissioners Kinison, McColl

ABSTAINED: Vice Chairman Nisbet

GENERAL PLAN HOUSING ELEMENT-STATUS REPORT

Senior Planner Scharf presented the draft Housing Element Amendment to the Upland General Plan. A copy of the draft element is on file in the Community Development Department.

Ms. Scharf explained the importance of having a certified Housing Element and the timeline involved in this process. She discussed some of the issues relevant to approving this document.

Moved by Vice Chairman Nisbet that the Commission:

- Receive the report and modified attachments and transmit to City Council for direction to send the item to the State Department of Housing and Community Development.

The motion was seconded by Commissioner Klein and carried by the following vote:

AYES: Commissioners Klein, Timm, van Balgooy, Vice Chairman Nisbet, Chairwoman Park

NAYS: None ABSENT: Commissioners Kinison, McColl

2000-2004 CAPITAL IMPROVEMENT PROGRAM

City Engineer MimMack presented the 2000-2004 Capital Improvement Program. A copy of the Capital Improvement Program is on file in the Community Development Department and the Public Works Department.

Mr. MimMack discussed some of the funding issues impacting the proposed projects.

Moved by Commissioner Klein that the Commission:

- Confirm that the projects listed in the 2000-2004 Capital Improvement Program Plan are consistent with the City of Upland's General Plan.
- Approve the proposed 2000-2004 Capital Improvement Program and forward to the City Council for adoption.

BUSINESS ITEMS-2000-2004 CAPITAL IMPROVEMENT PROGRAM (continued)

The motion was seconded by Chairwoman Park and carried by the following vote:

AYES: Commissioners Klein, Timm, van Balgooy, Vice Chairman Nisbet, Chairwoman Park

NAYS: None ABSENT: Commissioners Kinison, McColl

ORAL COMMUNICATION

None

ADJOURNMENT

Moved by Commissioner van Balgooy that this Regular Meeting of the Upland Planning Commission be adjourned to the next Regular Meeting of April 26, 2000, at 6:30 p.m., in the Council Chambers of the Upland City Hall.

Seconded by Vice Chairman Nisbet and unanimously carried.

ADJOURNED: 9:50 p.m., March 22, 2000.

Respectfully submitted,

Jeffrey A. Bloom, Secretary
Upland Planning Commission

Minutes prepared by Patricia Nance, Minute Clerk.

Exhibit C-2 – Minutes of the Planning Commission on May 31, 2000

MINUTES OF THE PLANNING COMMISSION
OF THE CITY OF UPLAND
HELD WEDNESDAY, MAY 31, 2000, AT 6:30 P.M.

CALL TO ORDER

Chairwoman Park called the Adjourned Regular Meeting of the Upland Planning Commission to order in the Council Chambers of the Upland City Hall at 6:30 p.m.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner van Balgooy.

ROLL CALL

MEMBERS PRESENT:	Commissioners Kinison, Klein, McColl, van Balgooy, Chairwoman Park
MEMBERS ABSENT:	Commissioners Timm, Vice Chairman Nisbet
ALSO PRESENT:	Community Development Director Bloom, Assistant City Attorney Fox, Senior Planner Atwater, Senior Planner Staudenmayer, Airport Land Use Committee Member Gary Turner, City Engineer MimMack, Recording Secretary Holtz

MINUTES

Moved by Commissioner McColl that the Minutes of the Regular Meeting of April 26, 2000, be approved, seconded by Commissioner van Balgooy. Motion passed unanimously.

FUTURE AGENDAS

Senior Planner Atwater reported on items expected to be on future agendas.

CONTINUED PUBLIC HEARINGS

DEMOLITION PERMIT NO. DP-99-01 to remove one historic Grevillea Tree in order to repair the sidewalk on the west side of Campus Avenue, north of Ninth Street in a RS-7.5 (Residential Single-Family—7,500 sq. ft. minimum lot area) Zone, on the northwest corner of Ninth Street and Campus Avenue (691 East Ninth Street)

APPLICANT: City of Upland
460 North Euclid Avenue
Upland, CA 91786

Senior Planner Atwater reported that Public Works staff was withdrawing the previous request of Demolition Permit No. DP-99-01. He gave an update on this item.

DEMOLITION PERMIT NO. DP-99-01 (EAR EXEMPT) (continued)

Moved by Chairwoman Park that the Commission:

➢ Withdraw Demolition Permit No. DP-99-01 from consideration.

The motion was seconded by Commissioner Kinison and carried by the following vote:

AYES: Commissioners Kinison, Klein, McColl, van Balgooy, Chairwoman Park

NAYS: None ABSENT: Commissioner Timm, Vice Chairman Nisbet

Commissioner Klein excused himself from items 3, 4, 5 and 6. He left the meeting.

Chairwoman Park convened the meeting of the Airport Land Use Committee.

PUBLIC HEARINGS

AIRPORT LAND USE COMMITTEE The Planning Commission, acting as the City's Airport Land Use Committee, held a public hearing to consider airport land use compatibility for the following items:

A. TPM-15471
B. CUP-99-16
C. V-99-09

Pertaining to the development of a home improvement warehouse store at the southwest corner of Benson Avenue and 13th Street.

APPLICANT: Hogle-Ireland
4200 Latham Street, Suite B
Riverside, CA 92501

Senior Planner Staudenmayer reviewed the staff report in detail (the report being on file in the Community Development Department).

Commissioner van Balgooy asked what occupancy level was anticipated.

Ms. Staudenmayer replied that calculated at 150 persons per acre, there would be 2,250 people on site.

Todd Bartok, 1530 Faraday Ave, Carlsbad: Mr. Bartok is the site development manager for Lowe's. Discussions with their staff and senior staff state that a maximum occupancy would be about 1,200 people at a maximum.

Chairwoman Park opened the public hearing.

There being no speakers, Chairwoman Park closed the public hearing.

Moved by Mr. Turner that the Committee:

➢ Adopt Resolution 4178, A RESOLUTION OF THE AIRPORT LAND USE COMMITTEE OF THE CITY OF UPLAND SETTING FORTH FINDINGS AND MAKING A DETERMINATION OF LAND USE COMPATIBILITY FOR PROPERTY AT THE SOUTHWEST CORNER OF THIRTEENTH STREET AND BENSON AVENUE.

AIRPORT LAND USE COMMITTEE (continued)

The motion was seconded by Commissioner McColl and carried by the following vote:

AYES: Committee Members Kinison, McColl, Turner, van Balgooy, Chairwoman Park

NAYS: None ABSENT: Committee Members Timm, Vice Chairman Nisbet

ABSTAINED: Committee Member Klein

Chairwoman Park adjourned the Airport Land Use Committee and reconvened the Planning Commission meeting.

PUBLIC HEARINGS

TENTATIVE PARCEL MAP NO. TPM-15471 and ENVIRONMENTAL ASSESSMENT REPORT NO. EAR-1365 to create two parcels from eight existing parcels: AND, CONJUNCTIVELY

CONDITIONAL USE PERMIT NO. CUP-99-16 to allow a 163,268-sq. ft HOME IMPROVEMENT WAREHOUSE; AND CONJUNCTIVELY

VARIANCE NO. V-99-09 to allow a waiver from the requirements of Upland Municipal Code Section 9405.091.010.011—ALLOWABLE SIGN AREA (120 sq. ft. permitted; approximately 217 sq. ft. proposed), in a CC (Community Commercial) zone on approximately 15.6 acres located on the north side of Foothill Blvd, west of Benson Avenue. RAF: SP-99-22 & PP-99-02.

APPLICANT: Hogle-Ireland
4200 Latham Street, Suite B
Riverside, CA 92501

Senior Planner Staudenmayer reviewed the staff report in detail (the report being on file in the Community Development Department).

Mr. Bloom commented regarding the letters received from Cable Airport supporting the project and from the State Department of Conservation regarding the mining land. The State had identified a classification system for important mineral resources. In 1985 this site was identified. The City adopted a General Plan Amendment in 1986 that addressed the significance of the mineral resources in the City. The City excluded this area from the designation for the City's development plans. This was done based upon there being substantial mineral resources in the wash areas on either side of the City to support Upland and the Southern California area's aggregate needs. There are substantial quantities of material of good condition. To this day, fifteen years later, the City promotes the policies of that General Plan Amendment, including the recent action to allow the Holliday Rock pit north of the airport, previously Blue Diamond, to be mined 100 feet deeper to maximize the resources.

Mr. Bloom stated that historically the City's position had been that this site was undevelopable for mineral resources because of the existing urbanization on the site and the inability to successfully do that without adversely impacting the community. He believes that the letter from the state should be included and that it be noted that the Commission has responded to that issue and directed attention to the existing General Plan Amendment from 1986 addressing this matter.

Commissioner van Balgooy asked about the Foothill Visions Plan standard condition for landscaping and if the applicants were able to meet that condition.

TENTATIVE PARCEL MAP NO. TPM-15471 and conjunctively ENVIRONMENTAL ASSESSMENT REPORT NO. EAR-1365 and conjunctively CONDITIONAL USE PERMIT NO. CUP-99-16 and conjunctively VARIANCE NO. V-99-09 (continued)

Ms. Staudenmayer stated that there are several lines running through portions of the service road; overhead utility, drainage, water, and sewer. They are located in various locations. The applicant is working with a landscape architect to try and determine the type of plant materials that will be compatible with the lines located throughout. The conceptual landscape plan has been developed and they are working on refining the specifics.

Commissioner van Balgooy asked about any conditions relating to outdoor storage. Home Depot has taken over portions of the parking lot for storage and it doesn't look good. He didn't see any conditions prohibiting that here.

Ms. Staudenmayer stated there are certain staging areas proposed that are enclosed.

Mr. Bloom commented that one of the reasons the problem exists at Home Depot is that the site is constrained and it was discovered early on that there simply wasn't enough room for the size of facility the City can support. The Lowe's project takes into consideration the higher volume and large scale that Home Depot wasn't able to do originally.

Commissioner van Balgooy stated that the only reason he's concerned about having outdoor storage enclosed is because of the problem at Home Depot.

Mr. Bloom stated that the Administrative Committee approved a plan that would allow the most northerly area to be enclosed at Home Depot. They just haven't elected to proceed with it.

Commissioner van Balgooy stated that he would like to see any outdoor storage being enclosed included as a condition.

Commissioner van Balgooy also commented that he was interested in the finishing and asked if there was a materials board.

Ms. Staudenmayer replied there was a materials board. The materials suggested are similar to the Nordstrom and Sears building upper levels.

Commissioner van Balgooy stated he had a question on curbing in the parking lot. He questioned if roll curbing was being proposed here. He doesn't feel safe with roll curbs. He also asked about the traffic layout and pedestrian access issues, which is also a problem at Home Depot.

Chairwoman Park opened the public hearing.

Linda Morrant, MCG Architects, 12555 Highbluff Drive, San Diego (architect): Ms. Morrant stated that the materials being used comes in different densities as far as impact resistance and they are using the most dense, which is more durable than stucco finish. They use it up higher with a band of less destructible material. Lowe's typically uses carts and they don't want the finish damaged either. Most of the building is split-face block, the elements are used as architectural pop-outs and relief from the size of the building.

Todd Bartok, 1530 Faraday Ave, Suite 140, Carlsbad (site development manager): Mr. Bartok stated that an additional feature they provide is a curb around the base to help with keeping the shopping carts away from the building.

Commissioner van Balgooy asked if Lowe's has used this in buildings previously.

Mr. Bartok replied that they have. Lowe's has over 600 stores in 40 states and they have explored this. Four feet is the lowest they go, typically it's five or six feet with the durable material.

TENTATIVE PARCEL MAP NO. TPM-15471 and conjunctively ENVIRONMENTAL ASSESSMENT REPORT NO. EAR-1365 and conjunctively CONDITIONAL USE PERMIT NO. CUP-99-16 and conjunctively VARIANCE NO. V-99-09 (continued)

Commissioner van Balgooy asked about the traffic circulation and pedestrian circulation in the site. He has a lot of concerns with these issues.

Mr. Bartok replied they've done extensive studies on this site and other sites. He pointed out the proposed traffic patterns for the Commissioners.

Commissioner van Balgooy asked if the consultants had been able to review the Traffic Impact Analysis and the concerns about the traffic signal at Foothill and Benson.

Mr. Bartok replied that they have. He doesn't believe they've reached a resolution. They've eliminated what they originally had planned, a traffic signal off of Foothill, from Cal-Trans to not place one there.

Chairwoman Park asked the applicants if they would be amenable to accepting an additional condition of approval stating that all outdoor storage must be enclosed or screened in?

Mr. Bartok replied they would like to not be restricted any more than their competitor is at this time.

Chairwoman Park asked if roll curbing would be used in the parking lot.

Mr. Bartok replied they will be using standard curbing.

There being no other speakers, Chairwoman Park closed the public hearing.

Commissioner van Balgooy stated that this is a nicely thought out project. He sees that the applicant has been working very closely with staff to make this a successful project, especially with the neighbors nearby. He can support this project. He would really like to see a condition added about enclosing outdoor storage.

Mr. Bloom asked if discussing this as long-term storage would be a solution. The problem has been at Home Depot that the materials just stay. Perhaps that would be fairer.

Commissioner van Balgooy stated that then long-term storage would need to be defined.

Chairwoman Parked asked if the applicant would like to discuss this issue.

Mr. Bartok replied that he understood the concerns the Commission has. They don't like to do the storage containers either. They have done it at other stores where the volume is much higher than they can bring in trucks. They are building a 1.2 million square foot distribution center in Perris, which is only a short trip away, and he doesn't believe they'll have the same restrictions as their competitor. He'd like to not be restricted any more than their competitor.

Chairwoman Park stated she would like to commend the applicant and staff for this very complex project. She thinks the building looks great and she's impressed by the completeness of the application. The outdoor storage doesn't bother her much because she feels that Lowe's has as much land as they felt necessary to do business. She can support this project.

Commissioner Kinison stated he concurred with Chairwoman Park.

Commissioner McColl stated that he didn't have a problem with the project. He has to assume that they will not want to have long-term storage in the parking lot. He doesn't think they will be having outdoor storage problems.

Commissioner McColl stated he had a comment about the traffic signal. He thought that the information provided earlier would indicate that traffic signals would be provided if warranted. It's not a condition at this stage.

TENTATIVE PARCEL MAP NO. TPM-15471 and conjunctively ENVIRONMENTAL ASSESSMENT REPORT NO. EAR-1365 and conjunctively CONDITIONAL USE PERMIT NO. CUP-99-16 and conjunctively VARIANCE NO. V-99-09 (continued)

Deputy City Engineer MimMack stated that they have received the traffic study but have not had a chance to review it. There already is a condition requiring the signal, if warranted, in the conditions of approval. Rather than specify that the signal is required, he would rather have it read the way it is in the conditions right now. He also asked about the flexibility in the westerly property line for Lowe's.

Mr. Bloom stated that for purposes of record he wanted to make the Commission aware that there may be some minor adjustment to that west line to reflect the final resolution on the grade differential. The most important point to include in the motion would be any special conditions the Commission wants and to also make note of the receipt and filing of the letters received regarding environmental documents.

Commissioner van Balgooy asked for clarification about the traffic signal. On Benson there are some driveways very close to the Lowe's driveway and there isn't the center island area that cars can access. He questioned what the threshold was on determining if a traffic signal was warranted.

Mr. Mim Mack stated that it's based on traffic volumes and intersecting traffic volumes along with a myriad of other issues. Basically, if it's marginal, it becomes an engineering decision on whether it's logical to put the signal in now or wait until later.

Moved by Chairwoman Park that the Commission:

- Adopt Resolution 4179, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND ADOPTING MITIGATED NEGATIVE DECLARATION (EAR-1365) FOR CONDITIONAL USE PERMIT NO. CUP-99-16 AND TENTATIVE PARCEL MAP NO. 15471 TO CONSOLIDATE SEVEN PARCELS INTO THREE PARCELS AND TO CONSTRUCT A 163,268 SQUARE FOOT HOME IMPROVEMENT STORE AND OUTDOOR GARDEN CENTER LOCATED NORTH OF THE NORTH WESTERN CORNER OF THE INTERSECTION OF FOOTHILL BOULEVARD AND BENSON AVENUE IN THE CC (COMMUNITY COMMERCIAL) ZONE.

The motion was seconded by Commissioner Kinison and carried by the following vote:

AYES: Commissioners Kinison, McColl, van Balgooy, Chairwoman Park

NAYS: None ABSENT: Commissioner Timm, Vice Chairman Nisbet

ABSTAINED: Commissioner Klein

Moved by Chairwoman Park that the Commission:

- Adopt Resolution 4180, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND APPROVING TENTATIVE PARCEL MAP NO. TPM-15471.

The motion was seconded by Commissioner Kinison and carried by the following vote:

TENTATIVE PARCEL MAP NO. TPM-15471 and conjunctively ENVIRONMENTAL ASSESSMENT REPORT NO. EAR-1365 and conjunctively CONDITIONAL USE PERMIT NO. CUP-99-16 and conjunctively VARIANCE NO. V-99-09 (continued)

AYES: Commissioners Kinison, McColl, van Balgooy, Chairwoman Park

NAYS: None ABSENT: Commissioner Timm, Vice Chairman Nisbet

ABSTAINED: Commissioner Klein

Moved by Chairwoman Park that the Commission:

- Adopt Resolution 4181, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND GRANTING A PETITION FOR CONDITIONAL USE PERMIT FOR A DEVELOPMENT LARGER THAN 20,000 SQUARE FEET IN A CC (COMMUNITY COMMERCIAL) ZONE.

Commissioner van Balgooy moved to add a condition about outdoor storage. No second; Chairwoman Park did not amend her motion. The vote was held on the original motion.

The motion was seconded by Commissioner Kinison and carried by the following vote:

AYES: Commissioners Kinison, McColl, Chairwoman Park

NAYS: Commissioner van Balgooy ABSENT: Commissioner Timm, Vice Chairman Nisbet

ABSTAINED: Commissioner Klein

Moved by Chairwoman Park that the Commission:

- Adopt Resolution 4182, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND GRANTING A PETITION FOR ZONING REGULATION VARIANCE NO. V-99-09.

The motion was seconded by Commissioner Kinison and carried by the following vote:

AYES: Commissioners Kinison, McColl, van Balgooy, Chairwoman Park

NAYS: None ABSENT: Commissioner Timm, Vice Chairman Nisbet

ABSTAINED: Commissioner Klein

CONDITIONAL USE PERMIT NO. CUP-99-18 (EAR EXEMPT) to allow a three-building OFFICE/COMMERCIAL COMPLEX: AND, CONJUNCTIVELY TENTATIVE PARCEL MAP NO. TPM-15459 to create four parcels from portions of two existing parcels in an SO (Special Purpose) Zone, on approximately 32 acres, located at the northeast comer of Upland Hills Drive North and 16th Street. REF: SP-99-29.

APPLICANT: Glenwood Development Company
100 West Broadway, Suite 990
Glendale. CA 91210

CONDITIONAL USE PERMIT NO. CUP-99-18 (EAR EXEMPT) (continued)

Senior Planner Atwater reviewed the staff report in detail (the report being on file in the Community Development Department) and requested additional conditions be added to the CUP & TPM regarding the San Antonio Water Company easement. He submitted additional correspondence including letters from Glenwood Development Company, a list of homeowners concerns, letter from San Antonio Water Company, letter from Paul & Eleanor Wiebe, Upland Hills East Tenant List, and a memo from Joseph M. Wilson. He recommended the Planning Commission add a condition establishing an easement or relocating the San Antonio Water lines.

City Engineer MimMack discussed traffic conditions. No significant problems are anticipated as a result of this proposal.

Chairwoman Park opened the public hearing.

Bill Kelly, Glenwood Development, 100 West Broadway, #990, Glendale, CA 91209-1590: Mr. Kelly concurred with staff's presentation of the project, and made himself available to answer any questions.

Cal Parker, 1262 Upland Hills Drive: Mr. Parker read from a flyer put on residents' doors urging them to come and oppose the project. The flyer talked about the possibility of tenants such as liquor stores, 7-11's, fast food, etc. He states that the developer worked with Upland Hills in their previous development and they've lived up to everything they said they were going to do. He feels the commitments they will make in this proposal will be honored.

Sam Wasserson, 955 Pebble Beach Drive: Mr. Wasserson is president of the homeowners association. He feels that the majority of the residents are opposed to the development, as presently planned. He discussed the initial project approved twenty years ago and how the changes have taken place over the years. He discussed the entrance and exit issues that have developed over time. He stated that the majority of residents are not totally opposed to the project in general, they are opposed to the burden placed on Upland Hills Drive. He discussed the traffic backups that occur on 16th Street in the evening hours. He provided the Commission with a map of the initial proposed development from 20 years ago.

Commissioner Kinison asked Mr. Wasserson how long he's been the association president.

Mr. Wasserson replied two years.

Commissioner Kinison asked how he voted for the development initially.

Mr. Wasserson replied he spoke in favor of the development. He stated that Glenwood Development has been very responsible. If anyone is to development this project, they would be the people they would be most in favor of because they do keep their word and they are cooperative. They are not objecting to the project itself, it's purely the traffic pattern.

Commissioner van Balgooy asked if there was a problem with the proposed tenants.

Mr. Wasserson repeated that his sole objection is the traffic burden placed on Upland Hills Drive. He does not feel that any business proposing off-sale of liquor will be approved for that area and doesn't feel the developer is trying to do anything underhanded.

Mal Middlesworth, 720 Pebble Beach Drive: Mr. Middlesworth stated he was the first president of the association and served for four and a half years. The homeowners association previously stood behind Glenwood Development on the project on the west side. He also supported that development initially. There were only two things that disappointed him. They were told the play areas would be on the Baseline side. As he walks on St. Andrews Street, all he hears is screaming youngsters and plastic wheels on cement. It also took the developer forever to repair St. Andrews Street.

CONDITIONAL USE PERMIT NO. CUP-99-18 (EAR EXEMPT) (continued)

Mr. Middlesworth stated he concurred with Mr. Wasserson about the traffic problems at the four way intersection as you enter Upland lulls Drive. There are already enough problems that cause a danger in that area. You can't mix anymore traffic in that congested area. He's very concerned with the traffic. The development is fine, they have good tenants. However, there doesn't seem to be adequate parking for the current uses there. If any ingress and egress is allowed from Upland Hills Drive, calamity will be created.

Commissioner van Balgooy asked if Mr. Middlesworth had seen the traffic engineering study.

Mr. Middlesworth replied that he had not, he had his own traffic study from his own personal experiences.

Commissioner van Balgooy stated that if he read the study correctly, the intersection about 200 feet north of 16th Street shows 9 people exiting in the morning and I5 people in the afternoon. He asked for confirmation that he was interpreting the report correctly.

Chairwoman Park asked Deputy City Engineer MimMack to clarify the readings.

Deputy City Engineer MimMack stated that there are several exhibits in the report and he doesn't have the report with him. If the traffic engineer is present, he could probably better describe it. He recalls counting the peak morning traffic at over 200 cars in both directions.

George Door, Katz, Okitsu & Associates, 17852 E. Seventeenth Street, Suite 102, Tustin: He stated that the Commissioner is correct, coming out of that driveway in the morning were 9 cars. There were 49 ears going in.

Mr. Middlesworth stated that the golf course opens from 6 am to 8 pm. Starting times are 7 minutes apart and that's four and five people per group. He feels the traffic report is in error and grossly underestimating the traffic counts. Over 50,000 rounds of golf are played there a year. That's 100,000 in and outs just for the golf course. That's a four way busy intersection which is poorly designed. Upland Hills Drive ends up being used as a delivery and unloading zone because there isn't room in the parking lot for them at the first Glenwood Development.

Alan Church, 1287 Upland Hills Drive: He stated that Mr. Wasserson described the units in the complex but you need to remember the largest majority of condos have two cars per unit, not just one. Also, usually more than one trip out is made each day. Both he and his wife have had near misses trying to get onto Baseline Road, four of them in the past two weeks. Traffic is getting worse.

There being no other speakers, Chairwoman Park closed the public hearing.

Chairwoman Park asked what the possibility was of having a full entrance on 16th Street, with the right turn in and right turn out.

Deputy City Engineer MimMack stated that staff would not advise a full entrance be placed on 16th Street with a signalized intersection that close. The majority of accidents on 16th Street are right angle collisions, people turning left in front of oncoming traffic.

Commissioner McColl asked if there were any way to control left turns into the entry on16th Street.

Mr. MimMack stated that there would be a raised median which would prevent turning left into the driveway.

Commissioner van Balgooy stated that he's been at the golf course for meetings and the traffic seems a lot higher than stated in the traffic analysis. He asked when the traffic counts were done.

CONDITIONAL USE PERMIT NO. CUP-99-18 (EAR EXEMPT) (continued)

Mr. MimMack replied that typically counts are middle of the week days. A weekend day would not be typical. He stated he was not concerned with the driveway that's approximately 200 feet north of 16th Street. That is at a level of service A and will remain that. He is more concerned with the impact of this project on 16th Street. When he quoted over 200 cars, he did that from the diagram and movement from the intersection off of 16th Street.

Commissioner van Balgooy asked if he wasn't concerned at all about the driveway north of 16th Street?

Mr. MimMack stated that the level of congestion will increase, but it will still be at a safe operational level. There will be some additional delays and inconvenience. There may be some enforcement issues here as far as the driving under the influence, not stopping at the stop sign, or unloading of vehicles. Upland Hills Drive North is a public street and the rules apply here also.

Mr. Bloom commented that for planning purposes you can count on there being about ten average daily trips for a single family residence. Of the north side of the country club, the 270 units would be expected to generate about 2,700 trips per day. The next question is the distribution of the trips. Also, it has to be taken into account that 500 trips, 250 each way, will not be going through the gate in this design, they are going into the public street area.

Commissioner van Balgooy stated he's having trouble understanding the apparently low traffic figures and wondered if the traffic engineers could explain when and how they arrived at their counts.

Mr. Door stated that generally the counts are taken by someone standing on the street corner with a countboard. This particular count was taken in the morning from 7 am to 9 am on May 2nd. The evening count was taken from 4 pm to 6 pm, also on May 2nd.

Commissioner Kinison stated he's lived in this area and also at the other end, between Mountain and Benson. Between Mountain and Benson there aren't any lights. This particular area has a light. He wondered what the accident ratio was comparing the two areas.

Mr. Door stated he would have to defer to City staff on that question.

Commissioner Kinison stated that was alright, he was merely curious.

Commissioner van Balgooy asked how many people are involved in obtaining this count.

Mr. Door stated he wasn't exactly sure how the field consultant did it on this jab. Generally there is one or two people per intersection. At the northern driveway, he would suspect it was one person. On 16th Street it may have required two people.

Commissioner van Balgooy asked if the counts were ever audited or reviewed.

Mr. Door replied that he's not aware of it. He stated he was at the site earlier this afternoon, prior to the meeting, and he did not see the level of volume that he's heard described. He was there at 5 pm.

Mr. MimMack stated prior to the meeting he looked at accident figures for l6th and Upland Hills Drive compared to 16th and Euclid Avenue. During the same period at Euclid and l6th there were 24 accidents reported accidents versus the 5 that were reported at this intersection.

CONDITIONAL USE PERMIT NO. CUP-99-18 (EAR EXEMPT) (continued)

Commissioner McColl stated that he felt an entrance and exit on 16th Street, with the traffic and congestion that's already there, would not make sense. If a left turn area were created, it would create even more problems. There is a light at Upland Hills Drive which will help controlling access both east and west bound. As far as the traffic count, he will accept our engineers evaluation. This would be a reasonable level. When he looks at other projects which could be approved at this site, he feels that what's being proposed is a low intensity use, compared to what they could be looking at. The land can't be allowed to sit fallow for the sake of everybody else. Personally he supports the project as presented.

Commissioner Kinison stated that he used to live there and hasn't seen the traffic as bad as it's been described. He also added that most of the golfers are residents there. He knows where he lives now that doesn't have a light has many more accidents. The light seems to address some of the problem. He supports this project the way it's presented.

Chairwoman Park stated she agrees with Commissioners McColl and Kinison. She feels that the applicants have made an effort by addressing the concerns. She believes the traffic report was done accurately by accomplished professionals. She supports the project as presented.

Commissioner van Balgooy stated that there doesn't seem to be any logical solution on where to put the entrance and exit. He agrees that placing it on 16th Street would be unsafe. The only solution seems to be to put it on Upland Hills Drive. He wishes there could have been a better location, but doesn't see where this is possible. He feels that the homeowners association should have had a chance to see the staff report before this.

Commissioner McColl stated that the residents did receive proper notification and staff reports are available prior to the meeting for review. He doesn't agree that full reports should start being mailed.

Commissioner Kinison agreed that full mailings aren't a possibility.

Moved by Chairwoman Park that the Commission:

- Add Condition #27 to read.
  The applicant shall establish an appropriate easement and, if necessary, relocate water lines, to the satisfaction of the San Antonio Water Company and the Public Works Director,

- Adopt Resolution No.4183, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND GRANTING A PETITION FOR CONDITIONAL USE PERMIT NO.99-18.

- Add Condition #20 to read:
  The applicant shall establish an appropriate easement and, if necessary, relocate water lines, to the satisfaction of the San Antonio Water Company and the Public Works Director.

- Adopt Resolution No.4184, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND APPROVING TENTATIVE PARCEL MAP NO. TPM-15459.

The motion was seconded by Commissioner Kinison and carried by the following vote:

CONDITIONAL USE PERMIT NO. CUP-99-18 (EAR EXEMPT) (continued)

AYES: Commissioners Kinison, McColl, van Balgooy, Chairwoman Park

NAYS: None ABSENT: Commissioner Timm, Vice Chairman Nisbet

ABSTAINED: Commissioner Klein

Commissioner Kinison left the meeting at 9:15 p.m.

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued from 3/22/00) to consider 41 requests from property owners for designation of buildings to the Local Register of Historic Places.

APPLICANTS: Heather Tuttle
160 East 11th Street.
Upland, CA 19786

Margaret Bright
401 East 15th Street
Upland, CA 91786

Kelly Ann Kelley
312 South Second Avenue
Upland, CA 91786

C.H. Youngstromfor: 499 West Arrow Highway
8871 Avalon Street
Alta Loma, CA 91701

Mary & Edward P. O'Hara
500 West 14th Street
Upland, CA 91786

Michael L. Kester for: 1068 North Euclid Avenue
14159 Dartmouth Court
Fontana, CA 92336

John Oechsner
1459 North Euclid Avenue
Upland, CA 91786

Denise & Feuce Loverso
2222 North Euclid Avenue
Upland, CA 91786

James A. Croy, Jr.
375 Hervey Avenue
Upland, CA 91786

Mary Baird
653 East Ninth Street
Upland, CA 91786

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

Kari Wilson
407 East Ninth Street
Upland, CA 91786

Bernadine & George Malacara
745 East Ninth Street
Upland, CA 91786

Bette Brown
671 East Ninth Street
Upland, CA 91786

Gerald M. Anderson
711 East Ninth Street
Upland, CA 91786

Dana Hurtado
857 East Washington Blvd.
Upland, CA 91786

Gary & Barbara Snyder
554 North Campus Avenue
Upland, CA 91786

Helen C. Snyder
534 North Campus Avenue
Upland, CA 91786

Helen C. Snyder
546 North Campus Avenue
Upland, CA 91786

Ginamarie Gaughan
265 North Ninth Avenue
Upland, CA 91786

Jody Coyle
393 North Campus Avenue
Upland, CA 91786

David & Susan LePage
310 North Campus Avenue
Upland, CA 91786

Jill & Jeff Shirley
280 South First Avenue
Upland, CA 91786

Lorelei Rodriguez
508 North First Avenue
Upland, CA 91786

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

Lorelei Rodriguez for: 141 East Arrow Hwy.
508 North First Avenue
Upland, CA 91786

Garret Damrath
580 North First Avenue
Upland, CA 91786

Tracy & Linda Rodriguez
620 North First Avenue
Upland, CA 91786

Clyde O. Morgan
768 North First Avenue
Upland, CA 91786

Lois Hicks
769 North First Avenue
Upland, CA 91786

John & Wendy Hughes
803 North First Avenue
Upland, CA 91786

Neil W. & Kimberly A. Clifton
843 North Second Avenue
Upland, CA 91786

Diane Manske
771 North Second Avenue
Upland, CA 91786

Peggy Adkins
693 North Second Avenue
Upland, CA 91786

Phillip Donald Riffe
640 North Second Avenue
Upland, CA 91786

Gabriel & Maria Jacobo
679 North Second Avenue
Upland, CA 91786

Marlene & David W. Stevens for: 731 North Second Avenue
719 North Second Avenue
Upland, CA 91786

Dorothy Langsford
776 North Second Avenue
Upland, CA 91786

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

Mark & Jeannette Weaver
709 North Third Avenue
Upland, CA 91786

Joanne & Brian Bailey
781 North Third Avenue
Upland, CA 91786

John & Amy Carlos
735 North Third Avenue
Upland, CA 91786

Bob Jones
530 North Laurel Avenue
Upland, CA 91786

Kevin & Candye Maedel
262 North Laurel Avenue
Upland, CA 91786

Senior Planner Atwater reviewed the staff report in detail (the report being on file in the Community Development Department).

Chairwoman Park opened the public hearing.

Jeff Shirley, 280 S. First Avenue: Mr. Shirley is in favor of these homes being nominated for the Local Register. He and his wife feel that having their home nominated would raise their property value, relax some of the building codes and open some financing possibilities. They favor preservation and increasing awareness of preservation. The survey completed ten years ago noted that their home had been moved to the property sometime in the 30s. His wife has done extensive research that indicates the house has been on the lot since 1889. Their home is currently listed as a 5D and he feels their home is more historically significant than the inventory indicates. He wondered if there was a mechanism to make corrections to the inventory.

Senior Planner Atwater replied that the process would be the same as making an addition or deletion to the inventory. The item would be brought before the Commission with a resolution for the Commission's consideration.

There being no other speakers, Chairwoman Park closed the public hearing.

Commissioner van Balgooy stated that because there were so many properties submitted at one time, he appreciated the extra time in order to look at all the properties. He feels that even though some of the buildings have individual problems, such as being re-sided or new roofs, they haven't been substantially altered since the survey was completed. They do contribute to the character of a neighborhood or the City. He's open to listing all the properties. He's open to having any homes within the 1, 2, 3, or 5, or those with a D behind them as contributing as part of a district.

Chairwoman Park stated that she agreed with Commissioner van Balgooy. She prefers to include as many as possible, the properties all seemed to be contributors ten years ago, and they are certainly contributors now. She is in support of all the properties that have the application materials being placed on the historic register.

Commissioner van Balgooy asked if the Hervey Street property was included in this motion.

LOCAL REGISTER NO. LR-99-01 (EAR EXEMPT) (continued)

Mr. Bloom suggested that staff investigate the Hervey Street house further before the July meeting. If the research is not located, it would be appropriate to reinvestigate this property. Staff can also bring back some recommendations on the unlisted structures. He also suggested that the consultant who completed the survey could be brought back to a future meeting to discuss the process and designation of the homes.

Moved by Chairwoman Klein that the Commission:

- Remove the 375 Hervey Avenue home from the nomination until backup paperwork is completed.
- Adopt Resolution No. 4185, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND GRANTING A PETITION FOR DESIGNATING THIRTY-EIGHT HOMES TO THE LOCAL REGISTER OF HISTORIC PLACES.

The motion was seconded by Commissioner McColl and carried by the following vote:

AYES: Commissioners Klein, McColl, van Balgooy, Chairwoman Park

NAYS: None ABSENT: Commissioners Kinison, Timm, Vice Chairman Nisbet

BUSINESS ITEMS

CHURCH MASTER PLAN WORKSHOP

The Commission, along with representatives of BCER Architects and Upland Christian Church, conducted an informal workshop concerning the Church's master plan.

No action was taken.

ORAL COMMUNICATION

None

ADJOURNMENT

Moved by Commissioner van Balgooy that this Regular Meeting of the Upland Planning Commission be adjourned to the next Regular Meeting of June 28, 2000, at 6:30 p.m., in the Council Chambers of the Upland City Hall.

Seconded by Chairwoman Park and unanimously carried.

ADJOURNED: 10:15 p.m., May 31, 2000.

Respectfully submitted,

Jeffrey A. Bloom, Secretary
Upland Planning Commission

Minutes prepared by Patricia Nance, Minute Clerk.

Exhibit C-3 – Resolution No. 4185

LR-99-01

RESOLUTION NO 4185

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND GRANTING A PETITION FOR DESIGNATING THIRTY-EIGHT HOMES TO THE LOCAL REGISTER OF HISTORIC PLACES.

WHEREAS, 41 property owners in the City of Upland, filed an application (Local Register No. LR-99-01) to designate historical buildings to the Local Register of Historical Places. Said properties being generally and legally described as follows:

160 E 11th St., Lots 1 and 2, in Block 6 of Magnolia Tract, as per map recorded in Book 9 of Maps, Page 15; and 401 E. 15th St., and a portion of Lot 439, Ontario Colony Lands, as per plat recorded in Book 11, Page 6; and 312 S. 2nd Ave., Lot 2 and North 5 feet of Lot 3, Block 674 as per plat recorded in Book 5 of Maps, Page 18; and 499 W. Arrow Hwy., Lot 12 in Block "R" of Etiwanda Colony Lands as per plat recorded in Book 2 of Maps, Page 24; and 500 W. 14th St., and a portion of Lot 481 of the Ontario Colony Lands as per plat recorded in Book 11, Page 6; and 1068 N. Euclid Ave., Lot 6, Tract 2200, as per map recorded in Book 31, Page 77; and 1459 N. Euclid Ave., a portion of Lot 453, according to the map of Ontario, as per map recorded in Book 11, Page 6; and 2222 N. Euclid Ave., Lot 3, Tract 3410 as per map recorded in Book 45, page 94 and 95; and 375 Hervey Ave. Lots 6 and 7, Carson Tract, as per map recorded in Book 21, Page 4; and 653 E. 9th St. Lot 2, Harwood Bros. Subdivision, as per map recorded in Book 14, of Page 19; and 407 E. 9th St. and a portion of Lot 603 Ontario Colony Lands as per map recorded in Book 11, Page 6; and 745 E. 9th St. Lot 13, Block 3, Pleasant View Tract, as per recorded in Book 16 of Maps, Page 76; and 671 E. 9th St. Lots 1 and 2 , Harwood Bros. Ontario Colony Lands, as per map recorded in Book 14, Page 14; and 711 E. 9th St. Lot 11, Block 3, Pleasant View Tract, as per map recorded in Book 16 of Maps, Page 76; and 857 E. Washington Blvd. Lot 11 in Block 1 of Allens Subdivision, as per map recorded in Book 14, Page 45; and 554 N. Campus Ave. Lot 19, Block 2, Allen's Subdivision, as per map recorded in Book 16, Page 90; and 534 N. Campus Ave. Lot 17, Block 2 of Allen Subdivision as per map recorded in Book 16, Page 90; and 546 N. Campus Ave. Lot 18, Block 2 of Allen Subdivision as per map recorded in Book 16, Page 90; and 393 N. Campus Ave., Lot 27, Harwood Bros. Subdivision, as per map recorded in Book 14, Page 19; and 310 N. Campus Ave. Lots 5 and 6, Block 3 of Pleasant View Tract, as per map recorded in Book 16, Page 76; and 265 N. 9th Ave. Lot 18, Block 4 of Pleasant View Tract, as per map recorded in Book 16 of Maps, Page 76; and 280 S. 1st Ave. Lot 34 of Block 648, Northwest Stowell's Subdivision as per map recorded in Book 5 of Page 18; and 508 N. 1st Ave. Lot 14 of Block No. 29, Town of Magnolia, as per map recorded in Book 9, Page 15; and 141 E. Arrow Hwy. Lot 14 of Block No. 29, Town of Magnolia, as per map recorded in Book 9, Page 15; and 580 N. 1st Ave. Lot 9 in Block No. 29,

Magnolia, as per map recorded in Book 9, Page 15; and 620 N. 1st Ave. Lot 13, Block 9 of Magnolia, as per plat recorded in Book 9 of Maps, Page 15; and 768 N. 1st Ave. Lot 11 of Block 6 Magnolia Subdivision as show by map on File in Book 9, Page 15; and 769 N. 1st Ave. Lot 3, Block 7, Town of Magnolia as per plat recorded in Book 9, Page 15; and 803 N. 1st Ave. Lot 20 of Tract No. 2799, of Hungerford Blake Subdivision, as per map recorded in Book 38 of Maps, Page 96; and 843 N. 2nd Ave. Lot 7 and 6 of Tract No. 2355, as per map recorded in Book 33, Page 72; and 771 N. 2nd Ave. Lot 3 in Block 6 of Town of Magnolia, as per plat recorded in Book 9 of Maps, Page 15; and 693 N. 2nd Ave. Lot 1, Block 9, Town of Magnolia, as per map recorded in Book 9, Page 15; and 640 N. 2nd Ave. Lot 11 and 12, Block 10, Town of Magnolia, as per map recorded in Book 9, Page 15; and 679 N. 2nd Ave. Lot 2, Block 9, Town of Magnolia, as per map recorded in Book 9, Page 15; and 731 N 2nd Ave. Lot 6, Block 6, Town of Magnolia, as per map recorded in Book 9, Page 15; and 776 N. 2nd Ave. Lot 10 Block 5, Magnolia, as per plat recorded in Book 9 of Maps, Page 16; and 709 N. 3rd Ave. Lot 8, Block 5, Town of Magnolia, as per map recorded in Book 9, Page 15; and 781 N. 3rd Ave. Lot 2, Block 5, Town of Magnolia, as per map recorded in Book 9, Page 15; and 735 N. 3rd Ave. Lot 6 Block 5 of Magnolia Tract, as per map recorded in Book 9, Page 15; and 530 N. Laurel Ave. Lot 8, Ontario Colony Lands, as per map recorded in Book 17, Page 45; and 262 N Laurel Ave. and a portion of Lot 600 and 599 Ontario Colony Lands as per map recorded in Book 11, Page 16; in the City of Upland, County of San Bernardino, State of California, as per maps recorded in the Office of the County Recorder of said County; and

WHEREAS, the City Council of Upland adopted the Upland Historic Resources Survey, including numerical evaluations, addresses, and assessors parcel numbers, on January 28, 1991; and

WHEREAS, the stated goals and strategies of the Southeast Quadrant General Plan Amendment identified adoption of a Historic Preservation Ordinance to protect and enhance cultural resources; and

WHEREAS, the City Council adopted Ordinance 1580 on June 14, 1993, establishing policy and procedures for cultural resources, including establishing the Planning Commission as the Preservation Commission responsible for reviewing Local Register designation requests; and

WHEREAS, such designations are categorically exempt from the California Environmental Quality Act as provided by Section 15308; and

WHEREAS, thirty-eight of the proposed buildings are on the Historic Resources Survey and reflect special elements of the City's past and meet one or more of the following designation criteria:

.010 It embodies distinguishing architectural characteristics, valuable to the study of a period, style, method of construction, or the use of indigenous materials or craftsmanship.

.020 It exemplifies, symbolizes, or manifests elements of the cultural, social, economic, political, or architectural history of the City.

.030 It is identified with historic persons or with important events in local, state, or national history.

.040 It is representative of the work or product of a notable builder, designer, or architect.

.050 Its unique location or singular physical characteristics represent an established and familiar visual feature of a neighborhood.

.060 It contributes to the continuity or character of a visually or thematically cohesive street, neighborhood, or area.

.070 It has integrity as a natural or man-made environment that strongly contributes to the well-being of the people of the community; and

WHEREAS, the two properties at 803 North First Avenue and 843 North Second Avenue are not included on the City's Historical Resources Survey 1989-1990, and are therefore ineligible to be designated onto the Local Register of Historic Places; and

WHEREAS, the required DPR-523 form has not been prepared for 375 Hervey Avenue, and that address is, therefore, ineligible for designation to the Local Register of Historic Places; and

WHEREAS, once designated, all cultural resources are subject to the provisions of the Historic Preservation Ordinance; and

WHEREAS, notice of public hearing on said petitions have been given in the manner and for time required by law; and

WHEREAS, at the time set, to wit: at 6:30 p.m., on the 22nd day of March 2000, in the Council Chambers of the City of Upland, said petition was heard by the Planning Commission for the City of Upland; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence and continued the application for further study at the May 31, 2000, Planning Commission meeting.

NOW, THEREFORE, please be advised that in light of the evidence presented at the hearing on this case, and in conformity with the requirements necessary for designating cultural resources to the Local Register of Historic Places, the petition is hereby granted for thirty-nine historical properties, excluding the properties at 375 Hervey Avenue, 803 North First Avenue and 843 North Second Avenue, and subject to compliance with the applicable provisions of the Upland Municipal Code. (All designated buildings are subject to the provisions of Upland Municipal Code Chapter 9500--HISTORIC PRESERVATION.)

I HEREBY CERTIFY that the foregoing resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a regular adjourned meeting thereof held on the 31st day of May 2000, by the following roll call vote:

AYES: Commissioners Klein, McColl, Park, van Balgooy

NAYS: Commissioner Kinison ABSENT: Commissioners Nisbet, Timm

Margaret Park, CHAIRWOMAN

ATTEST:

Jeffrey A. Bloom, SECRETARY

Exhibit D – California Department of Parks and Recreation Historic Resources Record

State of California ♦ The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary # _____
Trinomial/HRI # _____
NRHP Status Code: 5

Other Listings _____
Review Code _____ Reviewer Kati Parker Date 8/31/2020

Page 1 **of** 3 ***Resource Name or #:** (Assigned by recorder) 1046-061-16-000
P1. Other Identifier: _____

***P2. Location:** ☐ **Not for Publication** ☐ **Unrestricted**
***a. County** San Bernardino **and** (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)
***b. USGS 7.5' Quad** _____ **Date** _____ **T** __; **R** __; __ ☐ **of** __ ☐ **of Sec** __; _____ **B.M.**
c. Address 843 N 2nd Avenue City Upland Zip 91786
d. UTM: (Give more than one for large and/or linear resources) Zone __, _____ mE/ _____ mN
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, decimal degrees, etc., as appropriate)
Parcel No. 1046-061-16-0000

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

This is a Tudor Revival one and a half story house built in 1930. The house has a cross gable roof with two steeply pitched front facing gables (one gable over the front porch) and a dormer window on the west side of the roof covered in concrete tile shingles. The house has a stucco exterior with half-timbering details. There is a chimney located on the south side of the house on the living room wall. The windows are original steel framed windows with a double casement with fixed transom and side lights window to the south of the front door in the living room, a double casement with fixed side lights to the north of the front door in the dining room and a double casement window upstairs in the bedroom. The house has experienced no obvious alterations and is consistent with its original date of construction.

***P3b. Resource Attributes:** (List attributes and codes) HP2
***P4. Resources Present:** ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)
P5b. Description of Photo: (view, date, accession #) View of front of house on July 14, 2020
***P6. Date Constructed/Age and Source:** X Historic ☐ Prehistoric ☐ Both 1930
***P7. Owner and Address:** Jeffrey and Kellene Johnson, 843 N 2nd Avenue, Upland, CA 91784
***P8. Recorded by:** (Name, affiliation, and address) Kati Parker, Upland Heritage Board President, P.O. Box 1828, Upland, CA 91785
***P9. Date Recorded:** _____
***P10. Survey Type:** (Describe) _____
***P11. Report Citation:** (Cite survey report and other sources, or enter "none.") Residential Building Record

***Attachments:** ☐NONE ☐Location Map ☒Continuation Sheet ☐Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☒ Other (List): (1)Historic photos of Wenger Family children in front of house provided by current homeowner(2)Residential Building Record as provided by the San Bernardino County Tax Assessors Office(3)1940 United States Federal Census (4)Earl Wenger 1940 Draft Registration Card(5)1940 Upland Directory(6)1948-49 Ontario City Directory

State of California & The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Primary # ____
HRI# ____

BUILDING, STRUCTURE, AND OBJECT RECORD

***Resource Name or #** (Assigned by recorder) 1046-061-16-0000 ***NRHP Status Code** 5

B1. Historic Name: Wenger House
B2. Common Name:
B3. Original Use: Single Family Residence B4. Present Use: Single Family Residence
***B5. Architectural Style:** Tudor Revival
***B6. Construction History:** (Construction date, alterations, and date of alterations) Construction date is 1930 with no alterations
***B7. Moved?** ☒No ☐Yes ☐Unknown **Date:** **Original Location:**
***B8. Related Features:** Detached Garage built 1930
B9a. Architect: unknown b. Builder: unknown
***B10. Significance: Theme** Late Tudor Revival Residential Architecture **Area** City of Upland located north of and in close proximity to Historic Downtown Upland
Period of Significance The Great Depression **Property Type** Single Family Residence
Applicable Criteria N/A (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The house was most likely constructed by Earl Leslie & Ruby Laverne Wenger who lived here and raised their three children here according to photographic evidence provided by current home owner and the 1940 United States Federal Census. According to 1940 census record, 1940 Upland City Directory and the 1948-1949 Ontario City Directory, Earl Wenger was a Dentist who owned a private dental practice located at 463 N 2nd Avenue in Upland in 1940 and by 1948-1949 at 718 N Euclid Avenue in Ontario.

This building is important historically because it is an example of Late Tudor Revival residential architecture built in 1930 during the Great Depression. The Late Tudor Revival style comprises buildings that form a bridge between the Arts and Crafts movement, rooted in authenticity, and Period Revival styles, rooted in evocative fantasy. The Late Tudor Revival style was usually chosen for demonstrating tasteful restraint and traditionalism with decorative elements. Its popularity continued through the Great Depression as a style that was neither extravagant nor austere. Its association with traditional domestic English architecture led to its popularity as a style of nostalgia, harkening back to simpler times.

Late Tudor Revival style was based on medieval and pre-industrial building types of northern Europe. Its popularity arose from a dissatisfaction brought about by the Industrial Revolution and a desire to return to a romanticized medieval past and handcrafted goods. Tudor Revival styles took their name and design elements from English architecture of the Tudor sixteenth and Jacobean seventeenth centuries. (1)

B11. Additional Resource Attributes: (List attributes and codes)
(HP2) Single Family Property

***B12. References:** (1) Survey LA, Los Angeles Historic Resources Survey, Period Revival, 1919-1950, January 2016 Page 20 (https://planning.lacity.org/odocument/5997064e-8a5b-4bd4-a26d-c6009582e847/PeriodRevival_1919-1950.pdf)

B13. Remarks:
***B14. Evaluator:** Upland Heritage
***Date of Evaluation:** 8/9/2020

(Sketch Map with north arrow required.)

(This space reserved for official comments.)

CONTINUATION SHEET

Property Name: Wenger House (843 N 2ND AVENUE, UPLAND, 91786)

RESIDENTIAL BUILDING RECORD

ADDRESS [illegible] SF

PARCEL 1046-061-16

SHEET ____ OF ____ SHEETS

DESCRIPTION OF BUILDING

CLASS & SHAPE

Dwg. Type

ARCHITECTURE

1 Stories

USE TYPE

- Single
- Double
- Duplex
- Apartment
- Flat
- Court
- Motel

Units

CONSTRUCTION

- Light
- Sub-Standard
- Standard
- Above-Standard
- Special

FOUNDATION

- [illegible]
- Reinforced
- Brick
- Wood
- Piers

Light / Heavy

STRUCTURAL

- Frame
- Sheathing
- Concrete Block
- B&B / T&G
- Brick
- Adobe
- Floor Joists: 1st "x "
- 2nd "x "
- Sub Floor
- Insulated Ceilings
- Insulated Walls

EXTERIOR

- Stucco on
- Siding
- Shingles
- Shakes
- B&B / T&G
- Brick
- Stone

WINDOWS

- D.H. / Casement
- Steel Sash
- Screens

ROOF

- Flat 1/4 Pitch
- Gable 1/4
- Hip 1/4
- Shed 1/4
- Cut Up
- Dormers
- Gutters
- Shingle
- Shake
- Tile
- Tile Trim
- Composition
- Compo. Shingle

LIGHTING

Wiring: X.T. / Conduit; B.X. / Cable

Fixtures: Few / Cheap; Avg. / Medium; Many / Special

PLUMBING

Poor / Good

Fixtures

Water Heater

Automatic

Gas / Elect

AIR CONDITION

- Heating / Cooling
- Forced / Central
- Gravity / Humid
- Htg. Unit
- Floor Unit
- Zone Unit
- Central
- Gal. / Sys.
- Oil Burner
- M-D.T.L.
- Fireplace

ROOM AND FINISH DETAIL

ROOMS	FLOORS B	1	2	FLOOR FINISH Material	Grade	TRIM	INTERIOR FINISH Walls	Ceilings
All								
Ent Hall		1						
Living		1						
Dining		1						
Bed		2	2					
Bed								
Kitchen		1						

Drain Bd. Material Lgth Ft Splash

CONSTRUCTION RECORD

Permit No.	For	Amount	Date	EFFEC. YEAR	APPR. YEAR	Age	Remaining Life	Table	%
			2202				99		99
						34	34		65
				1930	1964	34	37	60	57
					65				
				30	70				

NORMAL % GOOD

RATING (E,G,A,F,P)

Cond.	Arch Attr.	Func Plan	Conform	Storage Cupboard	Space Closet	Workmanship
G	A	A	A	F	F	G
G	A	-	A	-	-	A
G	A		A			

BATH DETAIL

Fl.	No.	FINISH Floors	Walls	FIXTURES No.	Lav.	Tub	Type	Grade	SHOWER S.A.	D.T.G.D.	Finish
1		Tile		1	1	1	A	G	1		F
2									1		F
		800	90								

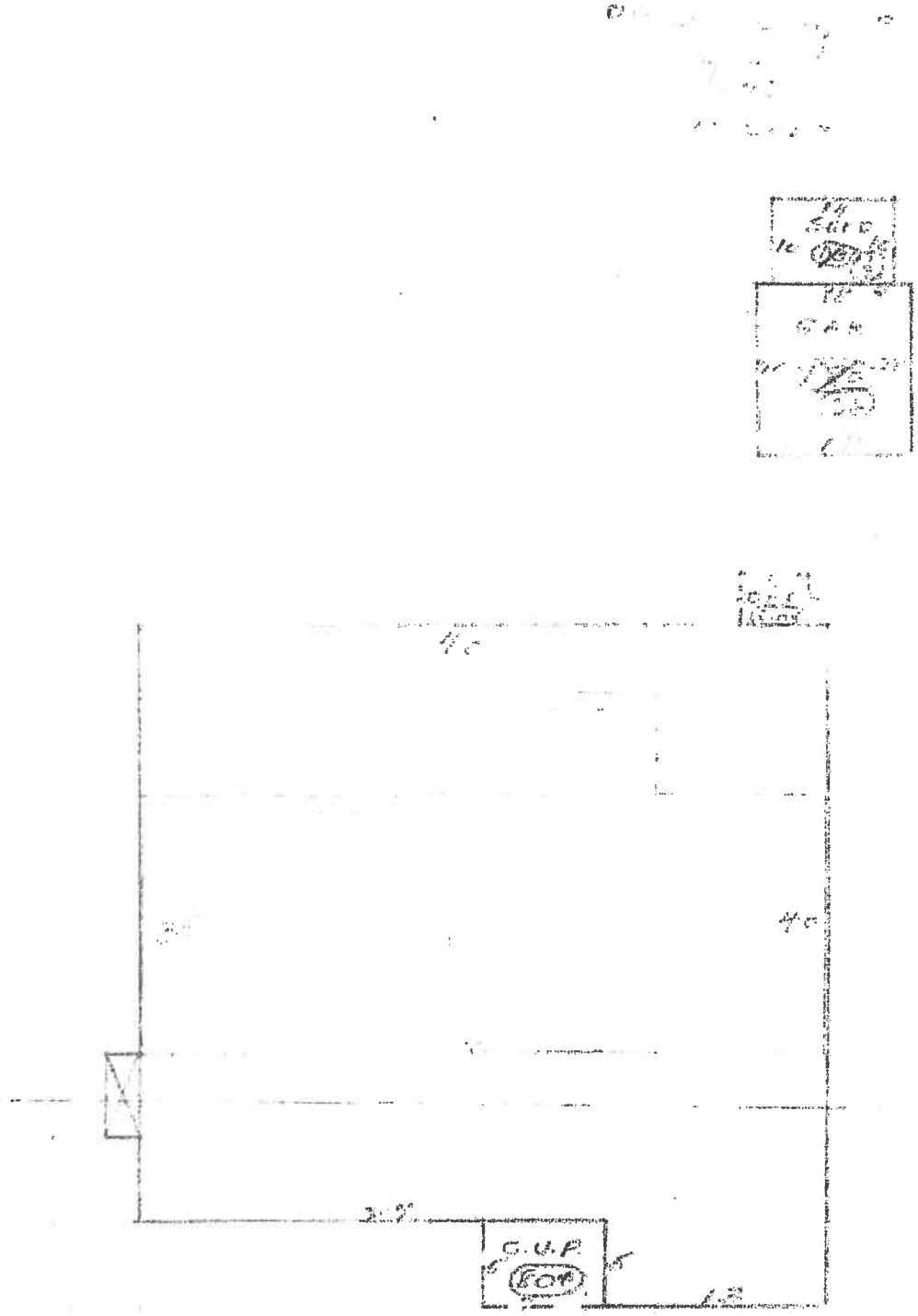
SPECIAL FEATURES

Book Cases	Built-in Beds		Venetian Blinds
Shutters			

COMPUTATION

Appraiser & Date																	
												321 Boz 7/31/70		290 7-31-72			
Unit	Area	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost
[illegible]	1462	[illegible]	3673					8.75	12819	9.50							
[illegible]	638	5.86	3724			5.50		5.50	3689								
[illegible]	35	[illegible]	20	.80		[illegible]	.65	.80	25								
[illegible]	12	[illegible]	7	.60		[illegible]	7	.60	7								
Fr.			250		100		[illegible]		450								
[illegible]							500		500						700		
[illegible]	[illegible]	1.35	162	1.30		[illegible]	[illegible]	1.30	212								
Garage	301	1.45	437	1.30		[illegible]	527	3.00	1630								
[illegible]			400		400		[illegible]		480								
TOTAL			9284				[illegible]		19263		20721		22390				
NORMAL % GOOD					79	1456	55	1464	57	1464	55		62				
R.C.L.N.D.			6324		= 1900				10980		11397		13880				

16000



MISCELLANEOUS STRUCTURES

Structure	Found	Cons.	Ext.	Roof	Floor	Int.	Size, etc.

COMPUTATIONS

Remarks:

2-6-81 TRANS I s L I -248

88 P/A

State: California
County: Los Bernardino
Incorporated place: Upland City
Township or other division of county:
Ward of city:
Unincorporated place:
Block No.:
Institution:

DEPARTMENT OF COMMERCE—BUREAU OF THE CENSUS
SIXTEENTH CENSUS OF THE UNITED STATES: 1940

POPULATION SCHEDULE

E. D. No. 36-153
Enumerated by me on April 19, 1940.
Enumerator.
Sheet No. 21 B

Line No.	Dwelling-house number	Home owned or rented	Value or monthly rental	Radio	Farm schedule	Name	Relationship	Race	Sex	Age	Marital status	Attended school or college	Highest grade completed	Place of birth	Citizenship	Residence, April 1, 1935: City, town, or village	County	State or foreign country	Occupation	Industry	Class of worker	Weeks worked	Income	Veteran	Place of birth of father	Place of birth of mother	Mother tongue	Social Security No.	Line No.
41						Mary	Wife	1	F	W	26	M	8	8		Same Place													41
42						Dorothy	daughter	2	F	W	15	S	9	7		Same Place													42
43						Mary	daughter	2	F	W	2	S	no	no		California													43
44	824	no	0	10000	no	Hicks, Arthur	Head	0	M	W	57	M	no	c-5		Illinois			Same house										44
45						Katherine	Wife	1	F	W	52	M	no	c-5		Kansas			Same house										45
46						Earl	Son	2	M	W	27	S	no	c-3		California			Same house										46
47						Elizabeth	Mother	3	F	W	80	wd	no	8		Iowa			Same house										47
48						Hardy, Marian	Maid	7	F	W	19	S	no	HS		Texas			Same Place										48
49	840	41	0	7500	no	Hornby, Mike	Head	0	M	W	86	wd	no	0		Ohio			Same house										49
50						Hellmore	daughter	2	F	W	37	S	no	c-3		California			Same house										50
51						Mike	son	2	M	W	44	M	no	c-2		Nebraska	Riverside	California	Rubbish										51
52						Lucian	daughter-in-law	5	F	W	47	M	no	8		Iowa	Riverside	California	Rubbish										52
53						William	Broken	4	M	W	22	S	no	c-2		California	Riverside	California	Rubbish										53
54						Mary	Rubbish daughter	1	F	W	19	S	no	c-2		California	Riverside	California	Rubbish										54
55						Dorothy	Rubbish daughter	1	F	W	18	S	no	6		California	Riverside	California	Rubbish										55
56	843	W2	0	6500	no	Hooper, Earl	Head	0	M	W	50	M	no	c-4		Kansas			Same house										56
57						Ruby	Wife	1	F	W	50	M	no	c-4		Illinois			Same house										57
58						Ronald	Son	2	M	W	4	S	no	0		California													58
59						Darlene	daughter	2	F	W	2	S	no	0		California													59
60						Martin, Marjorie	Maid	6	F	W	18	S	no	HS		California	R	Los Angeles	Cleaning										60
61	841	W3	0	5000	no	Huntsinger, Forest	Head	0	M	W	66	M	no	8		Illinois	Long Beach	California											61
62						Amanda	Wife	1	F	W	63	M	no	c-1		Kansas	Long Beach	California											62
63						Linchid, Ann	Lodger	6	M	W	64	M	no	HS		Austria	R	Ohio											63
64						Oman	Wife	6	F	W	65	M	no	HS		Iowa	R	Ohio											64
65	829	W4	0	5000	no	Hunter, John	Head	0	M	W	73	M	no	6		Iowa			Same house										65
66						Almeda	Wife	1	F	W	72	M	no	5		Ohio			Same house										66
67						Iratagge, John	Boarder	5	M	W	54	M	no	HS		California	Huntington	D.C.											67
68						Rose	daughter	2	F	W	33	M	no	HS		Missouri	Same house												68
69						John	Son	4	M	W	2	S	no	0		California													69
70						James	Son	4	M	W	1	S	no	0		California													70
71	824	W5	0	14000	no	Collins, James	Head	0	M	W	66	M	no	8		Missouri			Same house										71
72						Mary	Wife	1	F	W	48	M	no	8		Missouri			Same house										72
73						Carl	Son	2	M	W	40	M	no	8		Missouri			Same house										73
74						Ben	Son	2	M	W	31	M	no	HS		Missouri			Same house										74
75						Ernest	Son	2	M	W	27	S	no	HS		Missouri			Same house										75
76	813	W6	0	5000	no	Hudson, Jesse	Head	0	M	W	56	M	no	3		Missouri			Same house										76
77						Camp, Florda	daughter	2	F	W	42	D	no	c-2		Mississippi			Oklahoma City		Oklahoma								77
78						Camp, Evelyn	daughter	2	F	W	19	S	no	HS		Arkansas			Oklahoma City		Oklahoma								78
79	832	W7	0	2000	no	Quigley, Fred	Head	0	M	W	57	M	no	7		Nebraska			Same house										79
80						Bessie	Wife	1	F	W	57	M	no	HS		Kansas			Same house										80

SUPPLEMENTARY QUESTIONS

For Persons Enumerated on Lines 55 and 65

Line No.	Name	Place of birth of father	Place of birth of mother	Mother tongue	Social Security No.	Line No.
55	Hornby, Dorothy	Ohio	California	English		55
65	Iratagge, Rose	Iowa	Ohio	English		65

1940 Draft Registration

SERIAL NUMBER 1085

1. NAME (Print) EARL LESLIE WENGER
(First) (Middle) (Last)

ORDER NUMBER 2396

2. ADDRESS (Print) 843 - 2nd AVE UPLAND SANBERNARDINO CALIF
(Number and street or R. F. D. number) (Town) (County) (State)

3. TELEPHONE 313-145 UPLAND
(Exchange) (Number)

4. AGE IN YEARS 30
DATE OF BIRTH APRIL 13 1910
(Mo.) (Day) (Yr.)

5. PLACE OF BIRTH ABILENE KANSAS
(Town or county) (State or country)

6. COUNTRY OF CITIZENSHIP U.S.A.

7. NAME OF PERSON WHO WILL ALWAYS KNOW YOUR ADDRESS MRS RUBY LAVERNE WENGER
(Mr., Mrs., Miss) (First) (Middle) (Last)

8. RELATIONSHIP OF THAT PERSON WIFE

9. ADDRESS OF THAT PERSON 843 - 2ND AVE UPLAND SANBERNARDINO CALIF
(Number and street or R. F. D. number) (Town) (County) (State)

10. EMPLOYER'S NAME SELF

11. PLACE OF EMPLOYMENT OR BUSINESS 463-2ND AVE UPLAND SANBERNARDINO CALIF
(Number and street or R. F. D. number) (Town) (County) (State)

I AFFIRM THAT I HAVE VERIFIED ABOVE ANSWERS AND THAT THEY ARE TRUE.

Earl L Wenger
(Registrant's signature)

REGISTRATION CARD
D. S. S. Form 1
(over) 16—17105

Willys JACK WALLACE
AUTOMOBILES
380 E. 2d St. Tel. Pomona 7642

Walters Saml A (Orpha M) h753 W 24th
Waltman Harry (Sophie) citruswkr h1156 E Arrow Highway
Walton Russll J r832 N 3d
Wandlhh Jessie Mrs r148 N 9th av
Wangler Ernest J (Charlotte) asst sec Mountain View Fruit Assn h E 25th
Warburton D Eleanor r2406 Euclid Crescent E
Warburton Fredk L (Olive L) rancher h2406 Euclid Crescent E
Ward Danl H (Mary) rancher h351 E Foothill blvd
Ward Royal V (Gladys D) irrig eng h1515 W Arrow Highway
Warner Bernice r365 W 23d
Warner Francis J (D Margt) plater h365 W 23d
Warner Leslie farm wkr r365 W 23d
Warner Lily r365 W 23d
Warner Thos (Emma) gdnr h380 N 14th av
Washburn Homer T (M Irene) mech h1086 San Bernardino rd
Wass Sarah E (wid H L) r2393 N Mountain av
Wass Warren A r2393 N Mountain av
Wass Warren H (Marie P) rancher h2393 N Mountain av
WATERMAN GARAGE (Lynn May) General Repairing on All Makes of Cars, 132 N Euclid Av
Waterman Mary E (wid Hiram) h309 N Laurel av
Waterman Wilbur L (Bertha) rancher h323 Euclid av
Watson Bertha asst libr Upland Public Library r231 N 1st av
Watt Emery (Susan M) h329 S 2d av
Weber Arth L (Kath) phys 404 N 2d av h824 N Euclid av
Weber Eliz Mrs r824 N Euclid av
Welch Jean h400 N Laurel av
Weige Walter E (Marian) rancher h1514 N Euclid av
Weller LeRoy A (Emily H) h721 N Euclid av
Wenger Amos S (Esther) lab h289 W 9th
Wenger Earl L (Ruby L) dentist 463 N 2d av h843 do
Wenger Roy r289 W 9th
West Eighteenth Street School 375 W 18th
West End Consolidated Water Co Wm Springer pres Ella Draper sec 172 E 8th
West Etta M (wid Geo) h581 N Euclid av
West John D (Leona) citruswkr h197 S Euclid av
West Ruth Mrs asst libr Upland Public Library r1369 W 13th
Wetherbee Clifford R (Edna F) carrier PO h407 N 10th av
Whaley Andw J lab h114 N 12th av
Whaley Edna r114 N 12th av
Wharton Eugenia Mrs h422 N 8th av
Wheatley Guy V (M Elberta) driver h W Vista dr
Wheeler Chas G h875 N 3d av
White Frank J Rev (Edith) h277 Drake av
Whitney A Bradford (Olive H) rancher h866 W 18th
Whitney Doris Mrs clk Mac TheMedicine Man r Cucamonga
Whitten Audrey (Bessie) lab h165 N 12th av
Whittenberger O H h1739 W Arrow Highway
Whittle Mary r350 N 1st
Whittle May h724 N 3d av
Whyborn Paul A (Doris) rancher h2053 N Mountain av
Whyborn Robt H lab r2053 N Mountain av
Wick Claud (Mary N) tile wkr h268 N 18th av
Wickstrom Edwin L (Daphne) h1902 N Mountain av
Widmer Chris U (Mary) h239 N San Antonio av
Widmer Eunice r239 N San Antonio av
Widmer Oliver H (Lillian) h W 9th bx 326
Widmer Rhoda r239 N San Antonio av
Wiebe Alf (Agnes) rancher h W Vista dr
Wiebe Leonard ranch wkr r W Vista dr
Wikoff Fred W (Dorothy) mech h618 Highland ct
Wilbourn Robt (Edna) h578 E 7th
Wilbourn Robt H (Pearl) h567 E 11th

GEORGE H. McBURNEY
INSURANCE AND ESTATE ANALYST
LIFE INSURANCE — ANNUITIES — GENERAL INSURANCE
411 First National Bldg POMONA Telephone 1205

Wilde Henry E (Vera) concretewkr h440 West
Wilde Verna h121 East G
Wilding Frances (wid F W) h169 N 12th av
Wiley Frank C (Velda) social wkr h1077 E Arrow Highway
Wiley Robt (Anna L) h272 N Euclid av
Williams Alf r330 E 14th
Williams Arth (Elberter) h1289 E 9th
Williams Chas R (Myrtle G) h354 S Euclid av
Williams Curtis L (Eunice) rancher h230 E 14th
Williams Emma E (wid R C) h511 E 9th
Williams Glenn R (Cora F) h895 E 9th
Williams Herman C (Hazel) lab h340 N Central av
Williams Jas D emp Alan A Couch r Ontario
Williams Lee A (Edna) lab W F Rugg Lbr Co h628 Highland ct
Williams Linford J (Christina) rancher h410 W 19th
Williams Lucretia F (wid Horace) h622 N 2d av
Williams Margt A (wid H M) h Sierra dr
Williams Otto B (Emma) linemn h306 S Euclid av
Williams Pauline r354 S Euclid av
Williams Wayne L (Hazel) driver h223 S 1st av
Williams Wm W citruswkr r511 E 9th
Williamson Harry (Doris) driver h646 N 1st av
Williamson K Hope r2106 N Mountain av
Williamson Willis L (Lillian) driver h646 N Euclid av
Williamson Willis N (Ella) auto repr 2102 N Mountain av h2105 do
Wilson Arth C (Ethel E) driver h1906 W 9th
Wilson Cora L (wid C S) h581 N Euclid av
Wilson Francis E musician r301 E 15th
Wilson Harlow S (Marian P) exec v-pres First Natl Bank of Upland h691 N Euclid av
Wilson Herbt (Ruby) h762 E 9th
Wilson Louise (wid G B) h391½ N Euclid av
Wilson Paul r197 E Campus av
Wilson Ralph J (Ethel) rancher h301 E 15th
Wilson Robt citrus wkr r197 E Campus av
Wilson Robt O (Stella) citrus wkr h197 E Campus av
Wilson Verner H (Nellie) h877 N Euclid av
Winberly Letta W (Laura E) slsmn h1926 W Arrow Highway
Winberly Lucille pkr r1926 W Arrow Highway
Winblah Estelle (wid Mack) h897 E 8th
Wimpress Chas H sales 300 N Euclid av
Wing Amy (wid C E) h653 West
Wing Eug r1617 W 9th
Wing Geo W (Ella) dentist h1627 W 9th
Winger Chas h1825 N Euclid av
Wingerd David (Cecelia) h856 E 8th
Wingert David E (Ruth) rancher h803 N Campus av
Winn Frank L rancher h609 W Arrow Highway
Wise Benj P (Clara V) cement wkr h Glendale blvd
Wise F W h E 24th
Wise Geo electn Small Electric r Mountain av
Wise Geo M (Ella) h117 S Euclid av
Wise Geo T mech r Glendale blvd
Wiseman Elba V (Tessie) tchr h380 W 9th
Wiseman Jas r380 W 9th
Wishard Beatrice M bkpr W F Rugg Lbr Co h346 S 2d av
Wishard Bradley driver r346 S 2d av
Wolfe Glen E serv mgr Alan A Couch r Pomona
Wench Ass O (Alma) rancher h646 N 8th av
Wood Lowel emp West End Consolidated Water Co r1844 Benson av
Wood Walter J (Leah) citruswkr h748 N 3d
Woodbridge Mary (wid T W) h804 N Laurel av
Woodruff Elijah C (Edna M) h156 N 10th av
Work Chas E (Grace) h823 N 3d av
Wortham Jos W (Kate) mach h317 N Campus av

M. K. Smith Chevrolet
COMPLETE AUTOMOTIVE REPAIRS
319 West A St. Ontario Phone 6-1126

Wells Fred C (Roena L) h406 S Campus av
Wells Geo A (Winnie) (South Euclid Auto Service) h203 Acacia
Wells Julia A (wid E M) r1205 W Dessau
Wells Louis J (Millie A) h610 E State
Wells T Edw nurserymn Armstrong Nurseries h513 S Campus av
Welton Dorothy M lndywkr Ontario Lndy r Monte Vista
Welton Jolly L lab r1040 Jefferson
Welton Robt h1061 E Ely
Welton Saml C (Annie M) h1040 Jefferson
Wendt Chas F (Selma) pltry 1445 W Francis
Wendt Loren W (Eliz) carrier PO h233½ El Morado ct
Wenger Earl L dentist 718 N Euclid av r Upland
Wenger Roy H (Nancy R) h319 N Vine av
Wenisch Elsie J (wid Jos) r118 E 6th
Wensel Darel L emp Ontario-Upland Crmry r Upland
Wenzlaff Karl H (Lorraine E) h801 East E
Wentzel Dwight tchr r201 W Bonnie Brae ct
Werden Max C (Ellen) electn h545 East J
Werner G C reporter The Daily Repor tr501 N Cucamonga av
Wershing Rose E h408½ East E
Wessel Roy E (Frances B) steelwkr h853 E Granada ct
Wessels Ruben R (Paullena) h306 W Park
Wessing Harriet Mrs clk h655 El Morado ct
West Chas A (Rhoda) lab Cushing's Feed Store r Norco
West Earl H r749 N Campus av
WEST END CREDIT ASSN (See Credit Bureau of Ontario)
West Florence R (wid Edw) hskpr 665 Harvard pl
West Harvey h684 E State
West Hugh (Pauline M) tchr Pub Sch h1103 S Vine av
West Ray (Ruth) police h429 N Cherry av
Westbrook Abr L fumigator r1045 Washn
Westbrook Jos W (Rebecca J) h1045 Washn
Westbrook Lloyd (Edith) mech h952 Peach av
Western Auto Supply Co E R Johnson mgr 221-25 West A
Western Mouldings & Stampings Inc H A Burleson mgr 325 W Main
Western Products Co Sidney Herzberg mgr whol feed 810 E Main
WESTERN UNION TELEGRAPH CO, W R Bretches Mgr, 110 West A, Tel 61-2231
Westfall Harvey C h422 West E
Westgate Thos A (Stella I) mech h420½ East D
Westlake Bert (Estella C) (Westlake & Cruts) h319 W Ralston
Westlake & Cruts (Bert Westlake J W Cruts) gas sta 408 W Cal blvd
Westlake David N (Mildred M) dr h735 W Carlton
Westlake J Woodrow (Merle J) dr Ontario Lndy h1429 Clair av
Westlin Maynard C (Ruth) lab h415 Acacia ct
Westminster Presbyterian Church Rev C E Barnard pastor 435 N Euclid av
Westmoreland Willard E (Zenoba P) pntr h416 W Francis
Weybright Guy F (Aurella E) h620 East I
Weygandt Dorothy A r413 East J
Weygandt Walter F (Emma A) clk P E Ostran & Co h413 East J
Weylandt Wm A V (Mary J) bkpr SCECo h741 La Paloma av
Whaley Andw J h1018 Jefferson
Whaley Chas M r1018 Jefferson
Whaley Motor Parts (O H Whaley) 209 East A

W. F. RUGG LUMBER CO.
120 S. Euclid Ave.
UPLAND
Tel. 31-8154

J. J. ATWOOD CO.
DRY GOODS — SHOES — MEN'S FURNISHINGS
BOY SCOUT AND GIRL SCOUT SUPPLIES
215 N. 2nd Ave. UPLAND Telephone 31-4151

Exhibit E – General Plan Designation

EXHIBIT E: GENERAL PLAN DESIGNATION

Exhibit F – Zoning Designation

EXHIBIT F: ZONING DESIGNATION

1" = 129 ft	Sub Title	09/09/2020	

This map may represents a visual display of related geographic information. Data provided here on is not guarantee of acutual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up-to-date information.

Exhibit G – Copy of Section 17.26.1000 (F)

17.26.100 Permit Review Procedures for Designation or Removal of a Cultural Resource or Historic District

A. Purpose. The purpose of this section is to provide a procedure for approving the designation of a cultural resource or historic district to the Local Register, or removing a cultural resource or historic district from the Local Register.

B. Applicability. Any person or group may submit an application requesting the designation or removal of a cultural resource or historic district.

1. *Cultural Resource*. The property owner shall give written consent for the designation or removal of a cultural resource to the Development Services Director or designee prior to the public hearing.

2. *Historic District*. The majority of property owners in the proposed historic district shall give written consent for the designation or removal of a historic district to the Development Services Director or designee prior to the public hearing.

C. Review Authority. The Planning Commission shall take final action on all applications for designating or removing a cultural resource or historic district to/from the Local Register.

D. Application Submittal and Review. An application for designating or removing a cultural resource or historic district shall be filed and reviewed in compliance with Chapter 17.43 (Permit Application Filing and Processing). The application shall include the information and materials specified in the Development Services Department handout for nominating or removing a cultural resource or historic district, together with all required application fees. It is the responsibility of the applicant to provide evidence in support of the designation criteria required by Subsections F, G or H (as applicable), as well as the Findings for Approval in Subsection I.

E. Public Notice and Hearing. Public notice and hearing for the designation or removal of a cultural resource or historic district shall be provided in full compliance with Chapter 17.46 (Public Notice and Hearings).

F. Criteria for Designation of a Cultural Resource. The Planning Commission may approve the designation of a cultural resource to the Local Register if it finds the cultural resource meets one or more of the following criteria:

1. It embodies distinguishing architectural characteristics, valuable to the study of a period, style, method of construction, or the use of indigenous materials or craftsmanship.

2. It exemplifies, symbolizes, or manifests elements of the cultural, social, economic, political, or architectural history of the city.

3. It is identified with historic persons or with important events in local, state, or national history.

4. It is representative of the work or product of a notable builder, designer, or architect.

5. Its unique location or singular physical characteristics represent an established and familiar visual feature of a neighborhood.

6. It contributes to the continuity or character of a visually or thematically cohesive street, neighborhood, or area.

7. It has integrity as a natural or manmade environment that strongly contributes to the well-being of the people of the community.

G. Criteria for Designation of a Historic District. Except as outlined below, the criteria for designating a historic district shall be the same as for designating an individual cultural resource.

1. *Historic Resources Survey*. As part of the nomination for designating a historic district, a historic resources survey shall be prepared identifying all contributing resources and non-contributing resources. If not otherwise designated, all cultural resources listed in a designated historical district will be considered "contributing." The survey may also identify contributing landscaping, natural features, or sites. The survey shall be reviewed in accordance with the designation procedures in this section. The survey shall identify the manner in which the proposed district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development within the period of significance and within the context of the district.

2. *Finding of Contribution*. Each cultural resource within a proposed historic district must be identified as a contributing resource. If a resource is individually designated, it is then automatically considered a contributing resource within the district that includes it.

H. Criteria for the Removal of a Cultural Resource.

1. A designated cultural resource may only be removed from the Local Register in the following cases:

a. In cases of demolition as approved by a permit for the demolition of a historic resource; or

b. After 5 years of being designated, the property owner may submit a "de-nomination statement," outlining reasons for removal from the register. The de-nomination request shall be processed in compliance with the procedure for nomination listed in this section. The de-nomination statement must provide written proof and documentation that the findings used to designate the structure were largely in error, or that new information is discovered, material to the decision to designate a cultural resource, which was not discovered through the exercise of due diligence at the time of the original designation.

2. If delisting a designated resource is proposed, the lead agency shall conduct environmental review in compliance with the State guidelines for the implementation of the California Environmental Quality Act (CEQA) as they relate to historic resources.

I. Permits Pending Review. The City may not issue any building or planning permits on any structure, improvement, natural area, or district for which a complete nomination form has been accepted. Once the Planning Commission makes a final determination on the application, building and planning permits may be issued in accordance with this chapter.

J. Active Permits. Any active permits on any structure, improvement, natural area, or district for which a complete nomination form has been accepted shall be placed on hold until the time that the nomination process has been completed. Once the Planning Commission makes a final determination on the application, building and planning permits placed on hold may be reactivated in accordance with this chapter.

K. Recordation. Following designation by the Planning Commission, the city shall cause the designation to be recorded with the San Bernardino County Recorder's office.

L. Local Register. The Planning Commission shall maintain a local register of all designated cultural resources. All addresses and Assessor's Parcel Numbers of designated cultural resources shall be added to the computer database. Copies of the register shall be sent to all City Departments for reference and shall be updated regularly to coordinate the preservation of cultural resources within the City.

View the mobile version.

Exhibit H – Property Photographs

EXHIBIT H: PROPERTY PHOTOGRAPHS

EXHIBIT H: PROPERTY PHOTOGRAPHS

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EXHIBIT H: PROPERTY PHOTOGRAPHS

EXHIBIT H: PROPERTY PHOTOGRAPHS

EXHIBIT H: PROPERTY PHOTOGRAPHS

Exhibit I – Upland Heritage Support Letter

UPLAND HERITAGE
PO Box 1828 Upland, CA 91785
www.uplandheritage.org
909 981-0280

"Preserving the Past to Enrich our Future"

September 2, 2020

City of Upland
Planning Commission
460 N Euclid Avenue
Upland, CA 91786

Dear Commission Members,

Upland Heritage is writing this letter in support of the City of Upland adding the house located at 843 N 2nd Avenue to the local historic register. This home is historic in both its architectural style and also by the original owners connection to local history.

The home was constructed in 1930 and is an excellent example of the historic Tudor Revival residential architectural style that existed in the 1920s thru the 1930s. The home was constructed for Earl and Ruby Wenger. Earl Wenger was a local dentist and had a dental practice initially located in Historic Downtown Upland and later moved to the City of Ontario on historic Euclid Avenue. The building that housed Dr. Wenger's dental office still exists at 718 N Euclid Avenue in Ontario and is a contributing building to Ontario's Euclid Avenue Historic District.

Upland Heritage supports adding this house to the local historic register and hopes that the City will support that as well.

Best Regards,

Kati Parker
Upland Heritage President

PLANNING COMMISSION REPORT

ITEM NO. 8D

DATE: SEPTEMBER 23, 2020

TO: PLANNING COMMISSION

FROM: ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR

PREPARED BY: MIKE POLAND, CONTRACT PLANNING MANAGER

SUBJECT: CONSIDERATION OF CONDITIONAL USE PERMIT NO. 19-10, SITE PLAN NO. 19-07, DESIGN REVIEW NO. 19-13, AND ENVIRONMENTAL ASSESSMENT EAR-0084 TO ALLOW A SERVICE STATION, AUTOMATED DRIVE-THROUGH CAR WASH, A 4,565 SQUARE FOOT CONVENIENCE STORE WITH BEER AND WINE SALES (ABC CLASS 20 LICENSE), AND A 1,515 SQUARE FOOT QUICK SERVICE RESTAURANT ON PROPERTY LOCATED ON THE SOUTH SIDE OF 20TH STREET, APPROXIMATELY 330 FEET EAST OF CAMPUS AVENUE. APPLICANT: ASH ETEMADIAN

RECOMMENDED ACTION

Staff recommends that the Planning Commission by motion:

1. Find that no further environmental review is required pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162 as the project is consistent with the development intensity established in The Colonies at San Antonio Specific Plan for which a Final Environmental Impact Report (SCH#1998051075) was previously prepared and certified, and there are no new or more severe adverse impacts than discussed in the prior Final Environmental Impact Report.

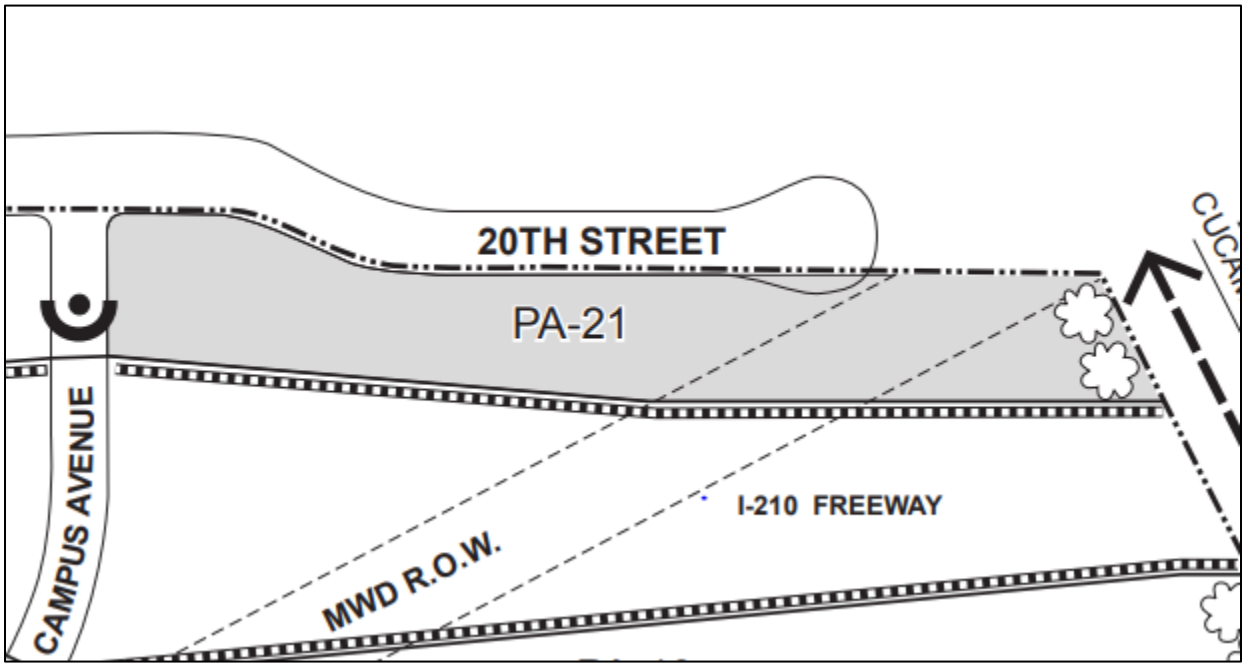
2. Adopt the attached Planning Commission Resolution thereby approving Conditional Use Permit No. 19-10, Site Plan No. 19-07 and Design Review No. 19-

13 subject to findings and conditions attached therein within Planning Area 21 of the Colonies at San Antonio Specific Plan.

BACKGROUND

The Project Site is located within Planning Area 21 of The Colonies at San Antonio Specific Plan which was approved by the City in 2012. Planning Area 21 has a Highway Commercial (CH) Designation. Development in this Planning Area can include automobile dealerships, hotels, retail uses, restaurants, gas stations, and other freeway-oriented commercial uses. The Planning Area's size and orientation increase the exposure of the uses to freeway travelers.

The purpose of The Colonies at San Antonio Specific Plan is to assist in the development of the 447.8-acre project site in a manner that will benefit local residents, regional consumers, the general public, and the City of Upland. The Specific Plan achieves this goal by establishing land uses and precise development/design controls within the limits of the Specific Plan. The customized development regulations contained in the Specific Plan address the unique characteristics of the site and surrounding properties, as well as the needs of the residential, commercial, community, and open space uses proposed for the site.



PLANNING ENTITLEMENTS

The project would provide for the construction of a service station, automated drive-through car wash, a convenience store with beer and wine sales (ABC Class 20 License), and an attached quick service restaurant.

The following planning entitlement applications are required in order to process the applicant's proposed project.

1. Conditional Use Permit. - A Conditional Use Permit Application is required for the car wash, service station, and off-sale alcohol sales in the convenience store in accordance with Chapter 7.0/Table 7B (Development Regulations) of The Colonies at San Antonio Specific Plan.

2. Site Plan Review. – A Site Plan Review Application is required in accordance with the Upland Municipal Code to provide for the review and approval of development projects consistent with the adopted The Colonies at San Antonio Specific Plan development regulations, Chapter 7.0.

3. Design Review. – The Design Review Application process is required to promote quality architectural design, site planning, and landscape development. The process is aimed at improving and augmenting other development control included in Chapter 8.0 (Design Guidelines) of The Colonies at San Antonio Specific Plan.

4. Environmental Assessment Review. – The purpose of the Environmental Assessment Review is for the applicant to inform the City of the basic components of the proposed project so that the City may review the project pursuant to City policies, ordinances, and guidelines; the California Environmental Quality Act (CEQA) guidelines; and the City's Rules and Procedures to implement the CEQA Guidelines.

AUTHORIZATION

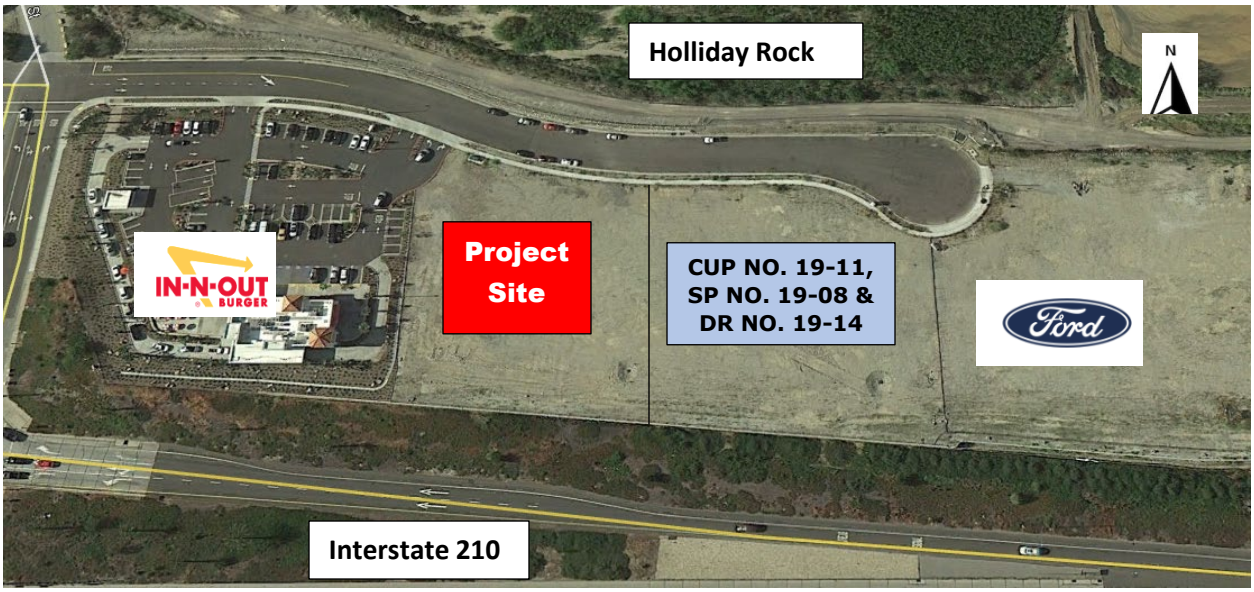
Per Upland Municipal Code Section 17.43.050E, if one or more planning entitlement application is submitted concurrently for a single proposed project, each planning entitlement application shall be acted upon concurrently by the highest review authority. In this case, the highest review authority is the Planning Commission, therefore the Planning Commission will take action on the formal planning entitlement applications discussed above for the project. The Planning Commission's decision is final unless the request is appealed to the City Council per Upland Municipal Code Section 17.47.040.

SITE AND PROJECT DESCRIPTION

The 1.21 acre parcel is located approximately 330 feet east of Campus Avenue on the south side of 20th Street in the northeast quadrant of the I-210/Campus Avenue interchange in the northern portion of the Colonies at San Antonio Specific Plan area. Presently, the site is vacant and free of any above grade structures.

The site is bound by East 20th Street and a rock quarry to the north, an In-N-Out Burger restaurant the west, a proposed 8,825 square foot building with five (5)

commercial suites (Conditional Use Permit No. 19-11, Site Plan No. 19-08 & Design Review No. 19-14) and the new Ford of Upland dealership that is currently under construction is located to the east, and Interstate 210 is to the south. The site is relatively flat, with no major changes in elevation. Groundcover at the subject site consists of exposed soil and localized weed growth.



Existing land uses and Specific Plan designations on and surrounding the project site are as follows:

	Existing Land Use	*Specific Plan Designation*
Site	*Undeveloped*	*CH (Highway Commercial)*
North	*East 20th Street and a rock quarry.*	*GM (Gravel Mine)*
South	*I-210 and Colonies Crossroads Commercial Center.*	*CH (Highway Commercial)*
East	*Undeveloped lot and the new Ford of Upland dealership under construction.*	*CH (Highway Commercial)*
West	*In-N-Out Burger.*	*CH (Highway Commercial)*

The project would provide for the construction of a service station, a 4,565 square foot convenience store with an attached 1,515 square foot quick serve restaurant, an automated car wash, and a service station canopy encompassing approximately 4,370 square feet covering sixteen (16) fuel pumps. The proposed building will be of wood/stucco construction with a slab-on-grade floor.

ANALYSIS

CONDITIONAL USE PERMIT

As noted above, a Conditional Use Permit is required for the car wash, service station, and off-sale alcohol sales in the convenience store, in accordance with Chapter 7.0/Table 7B (Development Regulations) of The Colonies at San Antonio Specific Plan.

Chapter 7.8 of The Colonies at San Antonio Specific Plan has specific development standards for these uses in that these specific uses possess distinctive characteristics that require special development standards in order to prevent impacts on other nearby uses. These specific development and operational standards per type of use are provided below.

Chapter 7.8.1 Alcohol Sales. This section sets forth the development and operational standards for the sale of alcoholic beverages. The following conditions shall apply to any commercial/retail operation selling alcoholic beverages of any kind:

- The sale of any manner of alcoholic beverage shall comply with all applicable regulations of the State of California Department of Alcohol Beverage Control (ABC).

- The operator of the use shall prevent loitering in any parking area serving the use.

- The parking lot of the premises shall be lighted to a minimum level of one foot-candle at ground level.

- The premises shall be kept free of graffiti and litter. Any graffiti occurring on the premises shall be removed within 48 hours.

- The rear doors of the establishment shall be kept closed at all times except to permit deliveries.

- The establishment shall have a security management plan that details the means by which on-site security measures shall be conducted and that identified responsible person(s) to be contacted in case of an emergency.

- In the event security problems occur, at the reasonable request of the Police Chief, the establishment shall provide California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Chief.

- For off-sale establishments, a silent robbery alarm shall be required.

- For off-sale establishments, the cash register shall be bolted to a stationary counter, visible from the outside of the premises, and located in close proximity to the public entrance.

- For off-sale establishments, alcoholic beverages shall be displayed in one general location and merchandise shall be arranged within the establishment to permit eye level visibility throughout the public areas of the establishment.

- Employees selling alcoholic beverages between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age.

- Such facilities shall not be situated in a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, public park or playground.

- The owner and management at each location shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violations of these laws. In addition, the owner and management shall provide health warning about the consumption of alcoholic beverages. This requirement may be met by posting prominent signs, decals, or brochures at the point of purchase. The owner and management shall provide adequate training for all employees at the location as to these matters.

- Cold beer or wine shall be sold from or displayed in permanently affixed electrical coolers only.

- For on-sale establishments, the sale of alcoholic beverages shall be incidental to the sale and consumption of food.

- No sale of alcoholic beverages shall be made from a drive-through window.

- No lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of buildings or within window areas.

- Any window signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the entrance.

- Public telephones shall not be allowed on the exterior of the establishment. Public telephones inside the establishment shall be equipped to prevent incoming calls.

Those development and operational standards listed above that are applicable to the sales of beer and wine in the convenience store have been incorporated into the attached Resolution as proposed conditions of approval.

If approved the convenience store would be open seven (7) days a week, 24 hours a day. No alcoholic beverages would be sold between the hours of 2:00 a.m. and 6:00 a.m. Approximately three to five employees will be on site at all times to staff the car

wash/gas station, convenience store, and quick serve restaurant during the business hours seven days a week. Lastly, the car wash, convenience store, quick service restaurant, and gas station canopy would be equipped with a security surveillance system.

The Type 20 ABC license request for the convenience store is exclusively intended for establishments that offer off-sale beer and wine only. Premises that sell beer and wine with a Type 20 license are prohibited from selling liquor. This is the most typical license of most grocery stores and convenience stores. Notice that most grocery stores and convenience stores will never have a bottle of liquor on their shelves. That is because they obtained a Type 20 license. In addition, a Type 20 license mandates that the alcohol, although bought on the premises, must only be opened and consumed offsite.

The Upland Municipal Code (UMC) does not establish a requirement for the separation of sensitive uses (i.e., park, school, day care etc.) in relation to on-site sales. However, the State Alcoholic Beverage Control (ABC) Board requires applicants to identify the sensitive land uses within 600 feet of the site. Staff has determined that there are no sensitive receptors located within a half-mile of the project location.

The ABC determines the concentration of ABC licenses based on the average number of alcohol licenses per capita in a given census tract. However, the ABC and the City recognize that licenses should be reviewed on a case by-case basis to ensure that such sales will not adversely affect surrounding residents, businesses, and institutions and to ensure that any such use operates in a manner compatible with existing and future adjacent uses. Conditions of approval will ensure the sale of beer and wine for off-site consumption in conjunction with the proposed convenience store will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the project site. If the Planning Commission approves the Conditional Use Permit the California Department of Alcoholic Beverage Control will have the final decision on whether or not to issuance the liquor license.

<u>Chapter 7.8.4 Automotive Facilities. Car Washes.</u> Activities typically include the washing and polishing of automobiles. Uses typically include automobile laundries; car washes, self-service washes; and automotive detailing. The following standards shall apply:

- Car washes located within commercial centers shall have an architectural style consistent with the theme established for the center.

- Car cleaning facilities shall only be located in commercial areas of the Specific Plan, and may be stand-alone facilities or co-located with automotive gas stations, light vehicle maintenance facilities, and/or vehicle sales outlets.

- Facilities shall be designed, constructed and maintained in a manner which minimizes the use of water.

- All vehicle wash facilities shall include devices, equipment, or structures which intercept wash water which may contain contaminants. Such a system shall collect water and separate contaminants for proper disposal prior to the conveyance of water into the local drainage systems.

- Except for automated vehicle washing facilities, such as those commonly provided at automotive service stations, queuing lanes shall provide at least 120 feet of reservoir space for the stacking of vehicles, as measured from the car wash structure to the entry point into the car wash facility.

- The design and locations of the car wash and necessary queuing lanes and/or detailing areas shall not block and/or interfere with traffic or increase congestion on public streets or private property adjacent to the facility.

- For automated vehicle washes, the number of vehicle drying areas, each minimally sized 12 feet by 20 feet, shall equal two times the maximum capacity of the vehicle wash. For non-automated vehicle washes, two drying areas, minimally sized 12 by 20 feet, shall be provided for each washing bay. Drying areas shall not interfere with the normal flow of traffic on-site or on adjacent roadways.

- An adequate number of waste receptacles shall be provided at self-service car auto washes. Trash receptacles shall be located adjacent to "vacuum stations" and shall be adequately screened. Areas around trash receptacles shall be maintained in a neat and sanitary manner.

- No on-site storage of inoperable vehicles shall be permitted.

- Vehicle wash facilities may include retail sales within an enclosed building, including but not limited to the sale of precooked or prepared food and beverages, packaged food and beverages, convenience items, automobile accessories, and other sundries. Outdoor public address systems are not permitted in Planning Areas 17, 18, or 19.

- Adult magazines shall be kept in racks providing for the shielding of cover pages and be individually wrapped in plastic shrink- wrap or bags. Adult magazines shall only be accessible to store employees.

- Loitering shall not be permitted on site.

The applicable development standards listed above relating to the layout and design of the car wash have be incorporated into the proposed project's design. All of the other development and operational standards have been incorporated into attached Resolution as proposed conditions of approval.

The car wash's entry point will be on the south side of the building. A maximum of one vehicle will be allowed to go through the car wash at a time. When vehicles enter the car wash tunnel, a belt transporter conveys the vehicle through the tunnel and wash/dry process. Customers will remain in their vehicles for the entire wash/dry process that will take approximately two – three minutes to complete. At the end of the wash/dry process, customers may leave the site or utilize one of the two 12x20 foot self-service vacuum parking spaces that will be located in the parking area north of the building. A water recovery system is included with the system to collect, filter, and recycle wash and rinse water to the greatest extent possible. When the car wash is closed, decorative roll-down doors will secure the tunnel openings.

Chapter 7.8.5 Automotive Facilities: Gas Stations. Activities typically include, but are not limited to the sale from the premises of goods and the provision of services normally required in the daily operation of motor vehicles, including the principal sale of petroleum products, the incidental sale of replacement items, and the performance of minor repairs. The following standards shall apply.

- Automotive gas stations within consolidated commercial centers shall have an architectural style consistent with the theme established for the center in which they are located.

- In order to provide for adequate vehicular circulation on-site, pump islands shall have at least a 25 foot separation from any building or car wash facility, as measured from the pump island curb to the building or building curb, if provided.

- Automotive gas stations shall have a minimum of 150 feet of separation between on-site driveways. Driveways shall be a minimum width of 35 feet and a maximum width of 48 feet. Driveways shall not be located closer than 50 feet from a street intersection (measured from the beginning and end of the curb return), or 10 feet from an interior side property line. Under no circumstance shall a driveway be permitted to interfere with the movement and safety of vehicular and pedestrian traffic. Gas stations may be accessed from a shared driveway, if the above standards are met.

- Landscaped areas shall be provided in the following locations:

    - 10 feet adjacent to street side lot lines.

    - Adjacent to street corners and corner cut off areas as defined in Upland Municipal Code Section 17.18.060.

    - 5 feet adjacent to the interior perimeter of required parking areas.

- All landscaped areas shall be planted with living plant materials, provided with permanent and automatic irrigation systems, and maintained in a healthy and thriving condition. Landscaping shall be enclosed by a raised curb of not less than 6 inches.

- All repair or maintenance areas, washing areas, or other service uses shall be entirely enclosed within a building. Vehicle service bays shall either be oriented away from public view, or screened from public view by a 6-foot high decorative wall and landscape screen.

- Detached buildings housing accessory uses, such as car wash facilities, shall have a separation distance as required by the Uniform Building Code.

- All outdoor storage areas shall be enclosed on at least three sides by a solid 6-foot high decorative wall and landscape screen. Any opening in such an enclosure shall be provided with a decorative steel view obscuring gate (chain link prohibited). No storage shall be elevated above the top of the required wall.

- Each pump island may include computerized payment stations. Such stations shall be situated in a manner that will not cause interference with circulation or the sale of motor fuels.

- For each 20 lineal feet of pump island fascia that is served by a nozzle, one parking stall shall be deducted from the required parking for a convenience store.

- Automotive gas stations shall be provided with adequate evening/night lighting to provide a safe and secure environment for employees and patrons. All on-site lighting shall be designed, arranged and controlled to avoid excessive light and glare on adjacent properties and/or public rights-of-way.

- Personnel security measures satisfactory to the City of Upland Police Department including, but not limited to: bulletproof windows and cashier booths, surveillance cameras, and alarm systems shall be installed at automotive gas stations.

- Where operations encourage or require pedestrian traffic, the circulation system shall be designed so as to minimize conflict between pedestrian and vehicle traffic.

- All vehicle parking and loading areas shall conform to applicable provisions of this Specific Plan. All parking spaces shall be located on-site and adjacent to landscaped planters. No parking shall impede or interfere with vehicle flow or visibility, nor be located in any corner cutoff area. No parking space shall overhang more than 2.5 feet into any required planter area.

- All on-site loading and/or truck maneuvering areas shall be designed so as to safely accommodate fuel supply vehicles, other delivery vehicles, and emergency vehicles.

- Merchandise, wares and crates, in the form of storage or displays, shall remain within the confines of the building.

- The premises shall be maintained in a neat and orderly condition at all times. Structures shall be maintained in a condition of good repair and appearance.

- Storage of used or discarded automotive or truck parts or equipment or permanently disabled, junked, or wrecked vehicles shall not be visible from a public street.

- Vehicles that are in the process of being serviced and/or repaired shall be parked in an enclosed structure or within a clearly marked staging area. Outside staging areas shall be sufficiently screened from public view and be located in a manner that does not interfere with normal flow of on-site traffic. Parking spaces within any such staging area shall not count towards the number of spaces required by this Specific Plan. Staging area(s) shall be maintained in a neat and orderly manner.

- All repair and service activities shall be conducted entirely within an enclosed building, except as follows:

    - The dispensing of petroleum products, water, oil, and air from pump islands.

    - Trash areas, enclosed by walls, to be integrated with the design of the gas station.

    - Public telephones, provided that they are well lighted, are in a location that is visible from a public street, and are accessible on a 24-hour basis. Public telephones shall permit outgoing calls only.

- Automotive gas stations shall provide men's and women's public rest rooms that are accessible to the general public, including physically disabled persons, during all hours that the station is open to the public.

- At least one air pump and water supply area shall be provided at each automotive gas station, and shall be located such that its use will not conflict with on-site vehicular movement. Charges, if any, for air and water shall be governed by the provisions of State law.

- Automotive gas stations may include ancillary food services and retail sales within an enclosed building, including but not limited to the sale of precooked

or prepared food and beverages, the sale of packaged food and beverages, convenience items and other sundries. The incidental sale of beer and wine from automotive gas stations for off-site consumption shall be allowed for sales areas at least 2,500 square feet in size, as conditioned by the Police Department.

- Outdoor public address systems shall be prohibited, except for communication devices as required by the Americans with Disabilities Act or other State building codes.

Those development standards listed above that are specifically applicable to this type of gas station relating to it's the layout and design have be incorporated into the proposed project. All of the other applicable development and operating standards have been incorporated into attached Resolution as proposed conditions of approval.

SITE PLAN/DEVELOPMENT STANDARDS

In addition to the specific development standards discussed above, the follow general development standards pursuant to Chapter 7.5 of the Specific Plan are required.

Development Standards

Development Standards	Required	Proposed	Meets Standard
Minimum Lot Area	NR[1]	52,925 square feet (1.21 acres)	Yes
Maximum Lot Coverage	NR[1]	21.26%	Yes
Landscaping	10% min.	13.7%	Yes
Building Height	55 feet. max	Building = 21 feet Pump Island Canopy 23 feet 9 in.	Yes
Setbacks[2]			
Interstate 10	20 feet	25 feet	Yes
20th Street (for building)	25 feet	71 feet	Yes
20th Street (for parking)	15 feet	20 feet	Yes
Interior Property Lines	NR[1]	5 feet min.	Yes
Special Setbacks for Gas Stations			
From any structure or building	20 feet	110 feet to the proposed building to the east.	Yes
Pump islands	20 feet	70 feet	Yes
Pump island canopy	10 feet	62 feet	Yes
Fill storage fill pipes	15 feet	45 feet	Yes

Notes: 1 NR = No requirement
2 Setbacks are measured from property lines

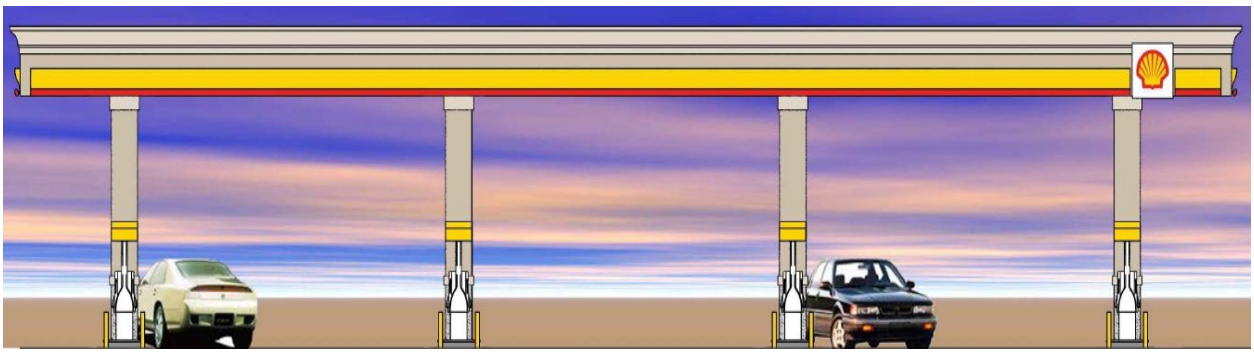
ARCHITECTURE/DESIGN

The purpose of the Colonies at San Antonio Specific Plan Commercial Design Guidelines is to broadly establish planning and design parameters that will allow both design controls and design flexibility for the future development of nonresidential Planning Areas. The Guidelines do not constitute specific development standards, but provide a framework for preferred construction design and materials while continuing

to promote individual creativity and unique architectural styles that will be asset to the community.

The proposed architecture reflects a clean, contemporary style smooth stucco finish, through the use of simple massing, varying parapet heights and exterior materials that are consistent with the applicable design principles within the Commercial Design Guidelines. A modern dark and light two-tone brown color scheme to provide contrast in the different parts of the facade scheme will complement the aluminum finish awning overhang entries. Outdoor lighting will be required to comply with Chapter 17.14 (Outdoor Lighting) of the Upland Municipal Code, including dark-sky lighting requirements.

The service station would include a 38-foot by 115–foot canopy (4,370 square feet) with eight (8) pump stations and sixteen (16) dispensers. The canopy is designed to match the building with a flat roof system. The canopy fascia has a cornice on top to match the building architecture and the fascia is painted to match the convenience store main walls. Curved yellow ACM panels and an internally illuminated red band will be attached to the face of the fascia. The 30-inch by 30-inch canopy columns consist of natural color concrete veneer wainscot and smooth stucco which extends to the canopy deck to match the convenience store building. Also, included are two (2) 20,000-gallon double wall fiberglass underground storage tanks (USTs).



LANDSCAPING

No landscaping currently exists on the project site. Groundcover at the subject site consists of exposed soil and localized weed growth. With the proposed construction of the commercial building, the Specific Plan requires the Project provide a minimum

10 percent landscape coverage. The Conceptual Landscape Plan provides 13.7% landscape coverage.

The conceptual landscape plan proposes the installation of a variety of new trees, plants, and shrubs along the project perimeter and throughout the site, including 8-Fruitless Olive Trees (24-inch box), 5-Sonoran Palo Verde Trees (24-inch box), 4-Sweet Bay Trees (24 inch box), and 4-Western Redbud Trees (24-inch box).

The Fruitless Olive Tree is a distinctive evergreen that grows at a slow to medium rate to twenty-five to thirty feet tall and wide, and has an airy appearance. It has narrow, gray-green foliage with a light silvery-green on the undersides of the leaves.

The Sonoran Palo Verde Tree is also called Palo Brea. This tree has smooth, blue-green bark that looks like a leotard clinging to the branches. This tree is more sculptural looking. It has fewer lower branches and at 35 feet, is a taller tree.

The Sweet Bay Tree is a slender conical form tree with dark green, highly aromatic foliage which is valued as a flavorful culinary seasoning.

The Western Redbud Tree is a small deciduous tree and can reach 15-20 ft. tall and as wide. Round green leaves, 2-3 in. wide are heart-shaped at the base. Showy clusters of pea-shaped flowers occur in early spring and range in color from light to deep magenta.

Ground cover consists of an assortment of low-water use plants and shrubs (1-Gallon to 5-Gallon). The ground plane shrubs and groundcovers were selected for color, shape, texture, water usage and performance from the property's existing plant palette. All landscaping is categorized as low or moderate for water usage and will be irrigated by a low volume drip system.

PARKING/CIRCULATION

The Colonies at San Antonio Specific Plan requires 4 parking spaces for every 1,000 square feet of commercial building area in Planning Area 21. This equates to 1 parking space for every 250 square feet. However, the Applicant has chosen to utilize the more restrictive parking requirements specified in the City' Development Code which requires 1 parking for every 250 square feet for the convenience store, 1 parking space for every 100 square feet for the quick service restaurant, and 1 space for the car wash tunnel. Also, the Specific Plan does allow for each 20 lineal feet of pump island fascia that is served by a nozzle, one parking stall shall be deducted from the required parking for a convenience store.

Type of Use	**Square Footage**	**Parking Ratio**	**# of Spaces Required**	**# of Spaces Provided**
Convenience store	4,565	1/250	18.26	19
Quick Service Restaurant	1,515	1/100	15.15	16

Car Wash	1,684	1 per tunnel	1	2
Pump Nozzle Credit	N/A	1/20 LF by Nozzle	-16	N/A
Total	7,764		19	37

The Specific Plan requires commercial buildings up to 100,000 square feet to provide one (1) loading space. The requirements for the size of the loading space are that it is to be not less than 10 feet in width, 20 feet in length and 14 feet vertical clearance. The project plan provides a loading space at the south end of the building. The proposed loading space is 12 feet wide by 45 feet long.

The site will be accessed via a two shared driveways from 20th Street to the north. These joint driveways will be shared with proposed development to the east and the existing In-N-Out to the west.

Internal circulation consists of a minimum drive-aisle width of 26 feet. The circulation system has been reviewed and approved by the San Bernardino County Fire Department and Public Works Department.

TRAFFIC IMPACTS

When the adjacent In-N-Out Burger Restaurant was approved by the Planning Commission on March 22, 2017, the Planning Commission raised questions regarding the possibility of installing a traffic signal at 20th Street and Campus Avenue due to the new development along 20th Street, east and west of Campus Avenue. The Colonies at San Antonio Specific Plan Environmental Impact Report (EIR) studied and prescribed traffic signals at different locations throughout the Colonies, however, the 20th Street at Campus Avenue intersection was not one of them. Furthermore, when the General Plan update was completed in 2015, a traffic signal was not prescribed for this location, either.

When the EIR's Traffic and Circulation Analysis was prepared for The Colonies at San Antonio Specific Plan it analyzed future development buildout along 20th Street, east and west of Campus Avenue. The case scenario for development buildout along 120th Street consisted of a 150-room hotel, a 40,000 square foot health club, a day-care center, two service/gasoline stations, restaurants, and auto sales lots. With all of this potential development the Traffic and Circulation Analysis concluded that the area near 20th Street and Campus Avenue would operate at a Level of Service (LOS) "C". Level of service (LOS) is a qualitative measure used to relate the quality of motor vehicle traffic service. LOS is used to analyze roadways and intersections by categorizing traffic flow and assigning quality levels of traffic based on performance measure like vehicle speed, density, congestion, etc. LOS "C" means that traffic would move at a stable flow, at or near free flow. The ability to maneuver through lanes would be noticeably restricted and lane changes require more driver awareness. Minimum vehicle spacing is about 220 feet or 11 car lengths. Most experienced drivers are comfortable, roads remain safely below but efficiently close to capacity,

and posted speed is maintained. Minor incidents may still have no effect but localized service will have noticeable effects and traffic delays will form behind the incident.

In approving the In-N-Out Burger Restaurant, the Planning Commission, at the request of the Public Works Department, added a condition of approval that specified that in the future, based on traffic conditions, a Warrant Study maybe conducted for the intersection of Campus Avenue and 20th Street, to determine if or when a traffic signal may be needed at that location. Therefore, the Public Works Department has recommended the following condition of approval, which has been incorporated into the attached Resolution.

162. In the future, based on traffic conditions, if determined by the Public Works Director, a Warrant Study will be prepared and considered by the City Council for the intersection of Campus Ave and 20th Street, to determine if or when a traffic signal or other mitigating measures may be needed. A Study may be required and will include an analysis based upon projected traffic volumes, derived from existing traffic volumes collected at the 20th Street and Campus Ave intersection and surrounding areas, with the addition of projected increases in the site generated traffic resulting from development along 20th Street.

CALIFORNIA ENVIRONEMNTAL QUALITY ACT

Pursuant to the California Environmental Quality Act ("CEQA") Guidelines, the City certified an Environmental Impact Report (EIR) on September 24, 2002 (SCH No. 1998051075) in the connection with the City's approval of Specific Plan Amendment No. SPA-7: Modification No. 2, General Plan Amendment GPA 00-02, Zone Text Amendment 180, Zone Change ZC 00-01, Development Agreement DA 02-01, Master Tentative Tract Map TT-16198, Street Vacation SV 02-01, Conditional Use Permit CUP 02-04, and Site Plan SP 00-07. Pursuant to CEQA Guidelines Section 15162, no subsequent or supplemental EIR of Negative Declaration is required in connection with subsequent discretionary approvals of the same project unless: (i) substantial changes are proposed to the project that indicate new or more severe impacts on the environment; or (ii) substantial changes have occurred in the circumstances under which the project was previously reviewed that indicates new or more severe environmental impacts; or (iii) new important information shows the project will have new or more severe impacts than previously considered; or (iv) additional mitigation measures are now feasible to reduce impacts or different mitigation measures can be imposed to substantially reduce impacts.

Staff has evaluated the proposed project and have concluded that the project is within the scope of the approved overall project and analysis included in the Final EIR identified above and no additional environmental review is required in connection with the City's consideration of Conditional Use Permit No. 19-10, Site Plan No. 19-07 and Design Review No. 19-13. Substantial changes to the project or the circumstances surrounding the project have not occurred which would create new or

more severe impacts than those evaluated in the previous EIR. The previous environmental review analyzed the effects of the proposed project. Staff further finds that the project will not have one or more significant effects not discussed in the previous EIR, nor have more severe effects than previously analyzed, and that additional or different mitigation measures are not required to reduce the impacts of the project to a level of less than significant.

TECHNICAL REVIEW COMMITTEE

The Project was reviewed by the City's Technical Review Committee (Planning, Building, Public Works, Police, San Bernardino County Fire and Burrtec Waste Industries). The Committee recommended that the Project move forward as presented to the Planning Commission for final review and approval.

NOTICING

Public hearing notification is applicable. In accordance with Upland Municipal Code Section 17.46 all owners of real property within 300 feet of the exterior boundaries of the parcel that is the subject of the hearing shall be notified. In this case there are less than ten properties within 300 feet of the outer boundaries of the parcel, therefore, applicant has extended the notification radius to 600 feet. Upland Municipal Code Section 17.46.020B requires that notification shall be extended when less than ten properties are within 300 feet of the subject parcel.

A total of 27 public hearing notices were mailed to owners of property within 600 feet of the site on September 10, 2020. A public hearing notice was also published by the Inland Valley Daily Bulletin on September 11, 2020.

Additionally, the Planning Division on September 10, 2020, posted two (2) true and correct copies of the public hearing notice at the Upland City Hall Bulletin Board and at the Upland Public Library in accordance with the Upland Municipal Code Section 17.46.020; and

CONCLUSION

The request for Conditional Use Permit No. 19-10, Site Plan No. 19-07, and Design Review No. 19-13, are consistent with the requirements of The Colonies at San Antonio Specific Plan. The project has been conditioned to meet or exceed all applicable development standards through project conditions.

The development of new well-designed commercial building that will be complementary to the surrounding commercial land uses in the surrounding area providing additional dining, retail and employment opportunities for our residents and the region. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached resolution.

ATTACHMENTS

Exhibit A – Draft Resolution
Exhibit B – Project Plans

Exhibit A – Draft Resolution

EXHIBIT A

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 19-10, SITE PLAN NO. 19-07, AND DESIGN REVIEW NO. 19-13, A REQUEST TO ALLOW A SERVICE STATION, AUTOMATED DRIVE-THRU CAR WASH, A 4,565 SQUARE FOOT CONVENIENCE STORE WITH BEER AND WINE SALES (ABC CLASS 20 LICENSE), AND A 1,515 SQUARE FOOT QUICK SERVICE RESTAURANT ON PROPERTY LOCATED ON THE SOUTH SIDE OF 20TH STREET, 330 FEET EAST OF CAMPUS AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1044-111-49 .

The City of Upland Planning Commission hereby resolves as follows:

Section 1: Recitals

WHEREAS, Mr. Ash Etemadian filed an application for the approval of Conditional Use Permit No. 19-10, Site Plan No. 19-07, and Design Review No. 19-13, as described in the title of this Resolution. Hereinafter in this Resolution, the subject Conditional Use Permit, Site Plan, and Design Review are referred to as the "the applications"; and

WHEREAS, Chapter 17.43.050E of the Upland Municipal Code requires that if one or more applications are submitted concurrently for a single proposed project, each application shall be acted upon concurrently by the highest review authority. In this case, the highest review authority is the Planning Commission; and

WHEREAS, the Project Site is located within Planning Area 21 of the Colonies at San Antonio Specific Plan. Planning Area 21 has a Highway Commercial (CH) Designation. Development in this Planning Area permits retail uses and restaurants; and

WHEREAS, the City's Technical Review Committee met and reviewed the project and referred the project to the Planning Commission for their review; and

WHEREAS, on September 10, 2020, the Planning Division mailed a copy of the notice of public hearing on the applications to all owners of real property within 600 feet of the exterior boundaries of the parcel that is the subject of the hearing in accordance with Upland Municipal Code Section 17.46.020; and

WHEREAS, on September 10, 2020, the Planning Division posted two (2) true and correct copies of the notice of public hearing on the applications at the Upland City Hall Bulletin Board and at the Upland Public Library in accordance with the Upland Municipal Code Section 17.46.020; and

WHEREAS, on September 11, 2020, the Planning Division published the notice of public hearing on the applications in the Inland Valley Daily Bulletin, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, on September 23, 2020, the Planning Commission of the City of Upland conducted a duly noticed public hearing on the applications at which time the Planning Commission concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF UPLAND AS FOLLOWS:

Section 2: All of the above recitals are true and correct and incorporated herein by reference.

Section 3. Findings – Conditional Use Permit: In accordance with Upland Municipal Code Section 17.44.040F, Findings for Approval of Conditional Use Permits, and based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. Finding: The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses near the subject property.

   Evidence: The proposed use would be compatible and harmonious with development in the same general area and would not be materially detrimental to other properties within the area. The project site is located on the south side of 20TH Street, 330 feet east of Campus Avenue. Adjacent uses include Interstate 210 to the south, In-N-Out Burger to the west, a new auto dealership under construction to the east and a rock quarry is located to the north. An 8,825 square foot mixed-use building (retail/food) with a single drive-through is being proposed directly and adjacent to the east. Therefore, there are other existing and proposed compatible commercial uses located in the area. The proposed conditional uses, as conditioned, would not generate adverse noise, traffic, or parking impacts that are unusual for commercially-zoned neighborhoods. Standard conditions of approval have been included as part of staff's recommendation. These conditions of approval include conditions related to the car wash, as well as uses proposing the concurrent sale of alcoholic beverages and motor fuel.

2. Finding: The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g. fire and medical) access and public services and utilities.

   Evidence: The site is physically suitable for the proposed use in that adequate access, parking, utilities and services will be provided to serve the proposed businesses. The Police Department, Public Works Department, and San Bernardino County Fire Department have reviewed the project proposal and do not have any concerns regarding access, public services, or utilities provided to the existing neighborhood and surrounding area.

3. Finding: The proposed use will not be detrimental to the public health, safety, and welfare of the persons residing or working in the neighborhood of the proposed use.

   Evidence: The proposed project, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. The surrounding neighborhood consists of commercial uses in the Highway Commercial (HC) District. The proposed project is similar in size and scale to the other commercial buildings nearby. The construction and operations of the businesses are expected to meet all Code standards regarding noise and odor. The project is therefore not expected to generate public health, safety or welfare impacts or be detrimental to improvements in the vicinity.

   Regarding the Use Permit to allow the sale of beer and wine, alcohol sales are common among mini-markets/gas stations, and often generate a significant portion of their business. Conditions of Approval, specific to alcohol sales, have been made a part of this project. These address loitering, signage, sales to minors, etc., which will ensure the business operates in a manner that is not detrimental to the public health, safety, or general welfare. The type of license requested from the State ABC is for off-sale only; no consumption of alcohol on the premises is allowed.

<u>Section 4. Findings – Development Plan (Site Plan and Design Review):</u> In accordance with Upland Municipal Code Zoning Ordinance Section 17.44.030H, Findings for Approval of a Development Plan (Site Plan and Design Review), and based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. Finding: The design and layout of the proposed project will not interfere with the use and enjoyment of existing and future neighboring properties and structures.

   Evidence: The design, layout, size, architectural features and general appearance of the proposed project is consistent with the applicable Colonies

at San Antonio Specific Plan development standards, design guidelines, and would maintain and enhance the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public.

2. Finding: The proposed architectural design makes use of appropriate materials, texture, and color, and will remain aesthetically appealing and appropriately maintained.

   Evidence: The design of the building, including the layout, size, shape, mass, height, architectural elements and other design factors are appropriate to the size and shape of the lot and are compatible and harmonious with the uses and structures on adjacent properties. Also, the building materials and design features are of a quality and type that will remain aesthetically appealing over time without necessitating frequent and unrealistic maintenance or replacement.

3. Finding: The proposed landscaping design, including color, location, size, texture, type, and coverage of plant materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.

   Evidence: The preliminary landscape plan proposes the use of plant material that provide varied color and texture. The plans shows landscaping that includes a variety of plants materials, distinct in color and size, as well a large number of new trees all of which will be maintained by the property owner. Conditions of approval are included requiring the submittal of Final Landscape and Irrigation plans for review and approval. Therefore, the proposed landscaping design is sufficient in terms of color, location, size, texture, type, and coverage of plant materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.

4. Finding: The proposed design will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.

   Evidence: The proposed project, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. The surrounding neighborhood consists of commercial uses in the Highway Commercial (HC) District. The proposed project is similar in size and scale to the other commercial building nearby. The construction and operations of the businesses are expected to meet all Code standards regarding noise and odor.

The project is therefore not expected to generate public health, safety or welfare impacts or be detrimental to improvements in the vicinity.

Section 5. Environmental Determination: Pursuant to the California Environmental Quality Act ("CEQA") Guidelines, the City certified an Environmental Impact Report (EIR) on September 24, 2002 (SCH No. 1998051075) in the connection with the City's approval of Specific Plan Amendment No. SPA-7: Modification No. 2, General Plan Amendment GPA 00-02, Zone Text Amendment 180, Zone Change ZC 00-01, Development Agreement DA 02-01, Master Tentative Tract Map TT-16198, Street Vacation SV 02-01, Conditional Use Permit CUP 02-04, and Site Plan SP 00-07. Pursuant to CEQA Guidelines Section 15162, no subsequent or supplemental EIR of Negative Declaration is required in connection with subsequent discretionary approvals of the same project unless: (i) substantial changes are proposed to the project that indicate new or more severe impacts on the environment; or (ii) substantial changes have occurred in the circumstances under which the project was previously reviewed that indicates new or more severe environmental impacts; or (iii) new important information shows the project will have new or more severe impacts than previously considered; or (iv) additional mitigation measures are now feasible to reduce impacts or different mitigation measures can be imposed to substantially reduce impacts.

Staff has evaluated the proposed project and have concluded that the project is within the scope of the approved overall project and analysis included in the Final EIR identified above and no additional environmental review is required in connection with the City's consideration of Conditional Use Permit No. 19-10, Site Plan No. 19-07 and Design Review No. 19-13. Substantial changes to the project or the circumstances surrounding the project have not occurred which would create new or more severe impacts than those evaluated in the previous EIR. The previous environmental review analyzed the effects of the proposed project. Staff further finds that the project will not have one or more significant effects not discussed in the previous EIR, nor have more severe effects than previously analyzed, and that additional or different mitigation measures are not required to reduce the impacts of the project to a level of less than significant.

Section 6. Determination/Conditions of Approval: Based upon the findings and conclusions set forth above, this Planning Commission hereby approves the applications subject to each and every condition in the Conditions of Approval incorporated herein by this reference.

PLANNING DIVISION

1. This action approves Conditional Use Permit No. 19-10, Site Plan No. 19-07, and Design Review No. 19-13, to allow a service station, automated drive-thru car wash, a 4,565 square foot convenience store with beer and wine sales (ABC Class 20 License), and a 1,515 square foot quick service restaurant on property

located on the south side of 20th Street, 330 feet east of Campus Avenue (APN: 1044-111-49).

2. The applicant is required to sign a Statement of Acceptance of Conditions of Approval provided by the Planning Division. The signed Statement of Acceptance of Conditions of Approval shall be returned to the Planning Division within 15 days of the date of approval by the Planning Commission.

3. This approval shall expire on September 23, 2022, unless Building Permits are issued and construction commenced and diligently pursued prior to the expiration date. If the project does not move forward by the expiration date then a new project approval would be required unless a written request for extension is submitted to and approved by the Development Services Director 30 days prior to the expiration date.

4. Construction plans submitted for Building Permits shall be in substantial compliance with plans approved by this action on September 23, 2020. Any modifications to the use, building, site or project description shall be subject to review and approval by the Development Services Director and may require a separate Planning Entitlement review process.

5. A copy of the conditions of approval provided herein shall be included in the construction documentation package for the Project, which shall be continuously maintained on site during Project construction.

6. Approval of this request shall not waive compliance with all sections of the Development Code, all other applicable City ordinances, and the Colonies at San Antonio Specific Plan.

7. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold City and its elected officials, officers, contractors serving as City officials, agents, and employees ("Indemnitees") harmless from liability for damage and/or claims for damage for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with Conditional Use Permit No. 19-10, Site Plan No. 19-07, and Design Review No. 19-13 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims for damage, as described above, regardless of whether or not the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. The City shall have the right to select counsel of its choice that the Applicant reasonably approves. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge or take any position adverse to the Applicant in connection with such third-party challenge.

8. If the Development Services Director finds evidence that conditions of approval have not been fulfilled or the use has resulted in a substantial adverse effect on the health and/or general welfare of uses of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Development Services Director may refer Conditional Use Permit No. 19-10, Site Plan No. 19-07, and Design Review No. 19-13 back to the Planning Commission for review. If, upon review of the matter the Planning Commission finds that any of the results above have occurred, the Planning Commission may modify or revoke Conditional Use Permit No. 19-10, Site Plan No. 19-07, and Design Review No. 19-13.

9. The applicant shall pay off all existing deficit deposit accounts associated with processing this permit. The applicant shall provide a receipt to the Planning Division, which shows that all discretionary deposit accounts have been paid. No Certificate of Occupancy or Final Planning Division Inspection can be issued/completed if there are deficit deposit accounts.

10. It shall be the responsibility of the property owner and management to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to the establishment of the use.

11. All construction and operational activities on the property shall comply with the City of Upland Noise Regulations as set forth in Chapter 9.40 of the Upland Municipal Code at all times.

12. Prior to issuance of a building permit, the Applicant shall submit a Lighting Plan showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture for review and approval of the Planning Division, Building Division and Police Department.

13. The Lighting Plan shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be

hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The fixtures will be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The location, height, style and design shall be reviewed and approved by the Planning and Building Divisions. Lighting shall be incompliance with Section 8.2.9 of The Colonies at San Antonio Specific Plan.

14. Prior to the issuance of a grading permits, the Applicant shall prepare a detailed landscape plan for the project area which shall be reviewed and approved by the Planning Division. The plan shall be certified by a licensed landscape architect or a licensed landscape contractor, as required, as taking into account the approved preliminary landscape plan.

15. Landscaping shall be installed to screen the drive-through aisle from primary circulation routes (E. 20th Street) and shall be used to minimize the visual impact of order boards and directional signs.

16. Prior to the issuance of certificates of use and occupancy, the Applicant shall install said landscaping and irrigation system and shall have a licensed landscape architect or licensed landscape contractor, certify in writing that it was installed in accordance with the approved plan. Said written certification shall be submitted to the Planning Division.

17. All irrigation systems shall function properly and landscaping shall be maintained in a healthy and thriving condition. The maintenance of landscaping and the irrigation system shall be permanently provided for all areas of the project site, as well as walkways and the portion of public rights-of-way abutting the project site. Furthermore, the plans shall identify responsibility for the continued maintenance.

18. To prevent pollution generated from site specific activities, the Applicant shall implement Best Management Practices (BMPs) for eating and drinking establishments, including but not limited to, the use and maintenance of grease interceptors and the use of a dedicated cleaning area with a drain which is plumbed to the sanitary sewer system. All equipment, including floor mats, grease filters, grills, garbage cans, etc., shall be cleaned in a wash area that is plumbed to the sanitary sewer system (i.e. mop sink or wash water containment basin). Wash water from the cleaning of outdoor eating areas, “drive-thru” areas, sidewalks, parking lots and dumpster storage areas must be contained and disposed of properly and shall not be allowed to enter the storm drain system including the gutter and storm-drain inlets.

19. Restaurant tenants with cooking facilities shall be equipped at all times with filtering devices to minimize odors and fumes. Details of said devices shall be shown on the tenant improvement plans submitted for issuance of building permits and shall be subject to review and approval by the Building Official prior to issuance of building permits for the tenant improvements.

20. No signs of any type are approved as a part of this action. Any signs must receive a sign permit approved by Planning Division prior to installation. Signs shall be consistent with the regulations of Section 7.7 of the Colonies at San Antonio Specific Plan.

21. All proposed mechanical units, air conditioning equipment, blowers, make-up air units, ducts, etc. shall be shown on the building permit plans. The project developer shall effectively screen from view all ducts, blowers, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the building. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Development Services Director. All required screening shall be provided prior to occupancy. The construction plans shall include appropriate elevations and cross-section drawings demonstrating how such equipment is to be screened from view (include dimensions, materials, colors, etc.).

22. All ground mounted utility structures such as transformers and back flow prevention valves shall be located out of view from a public street or adequately screened through the use of landscaping and/or masonry walls.

23. Prior to the release of a Certificate of Occupancy by the City, the Applicant shall submit to the City for review by the City Engineer and the Development Services Director a shared access agreement. The City Engineer and the Development Services Director shall review and approve the appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage will be commonly shared and maintained.

24. All driveways shall be provided with an enhanced pavement treatment. Generally, the enhanced pavement treatment shall extend from the property line (back of the approach apron), into the site, to the first intersecting drive aisle or parking space.

25. Bumper guard or wheel stops shall be provided, where necessary, to protect a structure or parked vehicle. In lieu of wheel stops, 2 feet of additional area

may be added to sidewalks or landscape areas to serve as an automobile overhang.

26. The owner/developer shall arrange for a final inspection by representatives of the Planning Division, Building Division, Public Works Department, Police Department and San Bernardino County Fire Department prior to the release of occupancy. Any discrepancy between the approved plans and the field conditions shall be remedied prior to occupancy such that the field condition is consistent with the approved plans.

27. The Applicant shall submit a design for the onsite trash enclosure for review and approval by the Planning Division and the City's Solid Waste Service Provider during building plan check review. The applicant shall work with staff to incorporate the trash enclosure within the building's design. The design will be reviewed for aesthetic value and use of quality materials. All outside trash and garbage collection areas shall be paved and enclosed on at least three (3) vertical sides by solid five (5) foot high wall and on the fourth side by a view obscuring gate to screen the containers from view. The trash enclosure shall be of a size sufficient to contain all trash containers maintained outside the building. The finish and color of the trash enclosure shall be designed to match a primary element from the site building style as well as incorporate a decorative cover per the approval of the Planning Division. The trash enclosure bins shall be kept inside the enclosure except when being unloaded.

28. Pedestrian paths shall be maintained in such manner to allow the safe and convenient passage of persons across drive aisles. Pedestrian pathways shall be clearly marked with paint and/or enhanced paving materials and designated with adequate and appropriate signage. Pedestrian pathways adjacent to drive aisles shall be separated by a raised curb, planter, berm, or other device to ensure a safe and adequate separation between pedestrians and motor vehicles.

29. Prior to issuance of a grading permit the Applicant/Property Owner shall submit for review and approval to the Development Services Department a Lot Line Adjustment to adjust the common property line between Assessor's Parcel Numbers 1044-111-49 and 1044-111-50 to ensure that future development does not encroach onto the property line between the adjoining parcels or into the adjacent property. The final approved lot line adjustment is required to be recorded with the San Bernardino County Assessor-Recorder-County Clerk's Office prior to the issuance of a grading permit.

Alcohol Sales

30. The sale of any manner of alcoholic beverage shall comply with all applicable regulations of the State of California Department of Alcohol Beverage Control (ABC).

31. The operator of the use shall prevent loitering in any parking area serving the use.

32. The parking lot of the premises shall be lighted to a minimum level of one foot-candle at ground level.

33. The premises shall be kept free of graffiti and litter. Any graffiti occurring on the premises shall be removed within 48 hours.

34. The rear doors of the establishment shall be kept closed at all times except to permit deliveries.

35. The establishment shall have a security management plan that details the means by which on-site security measures shall be conducted and that identified responsible person(s) to be contacted in case of an emergency.

36. In the event security problems occur, at the reasonable request of the Police Chief, the establishment shall provide California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Chief.

37. A silent robbery alarm shall be required.

38. The cash register shall be bolted to a stationary counter, visible from the outside of the premises, and located in close proximity to the public entrance.

39. Alcoholic beverages shall be displayed in one general location and merchandise shall be arranged within the establishment to permit eye level visibility throughout the public areas of the establishment.

40. Employees selling alcoholic beverages between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age.

41. The owner and management at each location shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violations of these laws. In addition, the owner and management shall provide health warning about the consumption of alcoholic beverages. This requirement may be met by posting prominent signs, decals, or brochures at the point of purchase. The owner and management

shall provide adequate training for all employees at the location as to these matters.

42. Cold beer or wine shall be sold from or displayed in permanently affixed electrical coolers only.

43. No lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of buildings or within window areas.

44. Any window signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the entrance.

45. Public telephones shall not be allowed on the exterior of the establishment. Public telephones inside the establishment shall be equipped to prevent incoming calls.

Car Washes.

46. The facility shall be designed, constructed and maintained in a manner which minimizes the use of water.

47. All vehicle wash facilities shall include devices, equipment, or structures which intercept wash water which may contain contaminants. Such a system shall collect water and separate contaminants for proper disposal prior to the conveyance of water into the local drainage systems.

48. An adequate number of waste receptacles shall be provided at self-service car auto washes. Trash receptacles shall be located adjacent to "vacuum stations" and shall be adequately screened. Areas around trash receptacles shall be maintained in a neat and sanitary manner.

49. No on-site storage of inoperable vehicles shall be permitted.

50. Adult magazines shall be kept in racks providing for the shielding of cover pages and be individually wrapped in plastic shrink- wrap or bags. Adult magazines shall only be accessible to store employees.

51. Loitering shall not be permitted on site.

Gas Stations.

52. All landscaped areas shall be planted with living plant materials, provided with permanent and automatic irrigation systems, and maintained in a healthy and thriving condition. Landscaping shall be enclosed by a raised curb of not less than 6 inches.

53. Each pump island may include computerized payment stations. Such stations shall be situated in a manner that will not cause interference with circulation or the sale of motor fuels.

54. Automotive gas stations shall be provided with adequate evening/night lighting to provide a safe and secure environment for employees and patrons. All on-site lighting shall be designed, arranged and controlled to avoid excessive light and glare on adjacent properties and/or public rights-of-way.

55. Personnel security measures satisfactory to the City of Upland Police Department including, but not limited to: bulletproof windows and cashier booths, surveillance cameras, and alarm systems shall be installed at automotive gas stations.

56. No parking space shall overhang more than 2.5 feet into any required planter area.

57. Merchandise, wares and crates, in the form of storage or displays, shall remain within the confines of the building.

58. The premises shall be maintained in a neat and orderly condition at all times. Structures shall be maintained in a condition of good repair and appearance.

59. The project shall provide men's and women's public rest rooms that are accessible to the general public, including physically disabled persons, during all hours that the station is open to the public.

60. At least one air pump and water supply area shall be provided at each automotive gas station, and shall be located such that its use will not conflict with on-site vehicular movement. Charges, if any, for air and water shall be governed by the provisions of State law.

61. Outdoor public address systems shall be prohibited, except for communication devices as required by the Americans with Disabilities Act or other State building codes.

<u>BUILDING DIVISION</u>

62. The Project shall comply with the adopted California Model Code (California Code of Regulations, Title 24).

63. Prior to the issuance of any permit a soils report is required to be submitted to the Building Division for review and approval.

64. The Project shall provide ADA compliance accessibility to public right-of-way.

65. The Project shall provide ADA compliance throughout the site.

SAN BERNARDINO COUNTY FIRE DEPARTMENT

66. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred (300) feet from any portion of a structure.

67. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 1500 GPM for a 2 hour duration at 20 psi residual operating pressure. Fire Flow is based on an 8,825 square foot structure.

68. This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.

69. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions, including width, vertical clearance and turnouts.

70. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.

71. An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.

72. Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".

73. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.

74. An automatic hood and duct fire extinguishing system is required. A Fire Department approved designer/installer shall submit detailed plans with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

75. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.

76. A flow test report is required to be submitted to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.

77. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

78. An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

79. Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.

80. Building plans shall be submitted to the Fire Department for review and approval.

81. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

82. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

83. The referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the Fire Department.

POLICE DEPARTMENT

84. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Upland Police Department, and City Planning.

85. A 6-month review/inspection shall be conducted to ensure permittee's compliance with all operating conditions.

86. Graffiti abatement by the business owner/licensee shall be immediate and ongoing on the licensed premises, but in no event shall graffiti be allowed unabated on the premises for more than 48 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee shall notify the City within 24 hours of any graffiti elsewhere on the property not under the business owner/licensee's control so that it may be abated by the property owner.

87. The Developer, builder, contractors, sub-contractors, and any other persons associated with this project shall adhere to the Upland Municipal Code (UMC) dealing with unnecessary noises under section 9.40.100. Furthermore, prior to the beginning of construction, a sign shall be posted at the entrance of the

property educating everyone entering as to the authorized construction times and failure to comply with such requirements will result in an immediate citation for violating the aforementioned UMC section.

88. Units with front and rear drive access shall affix or paint address numbering/lettering in a conspicuous location, free from plant obstruction, and readily visible to emergency services personnel on both front and rear accesses.

89. Each building that has a flat roof shall be required to have the address numbering painted on the roof, as close to the center of the roof as possible, and at least 15 feet (or as far as possible if less than 15 feet) from roof mounted equipment or exhaust stacks, to assist helicopter patrols in quick location of the building. Numbering must be at least 12 inches wide, 48 inches tall, and be painted in contrast to the background on which it is affixed.

90. Draft stops shall be required between all tenant subdivisions in the same unit or building so that persons may not access a tenant unit from an adjacent tenant unit via entry down through the roof or up through the drop ceiling.

91. Prior to occupancy all private streets, parking areas, parking lots, and driveways shall be dedicated for off-road traffic, fire lane, soliciting, handicap, and loitering enforcement. The applicant must submit a written request to the City Clerk asking that a resolution from the City Council allow Police Enforcement of the above violations on the property. Once the resolution has been obtained, a sign shall be erected/posted at all access points stating the above listed locations and violations have been dedicated for enforcement by the Upland Police Department.

92. Prior to occupancy, the Police Department will conduct an on-site inspection of the property, checking proper lighting has been installed throughout the property, proper locks on exterior doors and doors leading to the interior are in place and functioning properly. In addition, the Police Department will check that proper addressing/lettering has been installed.

93. Hinges for outwardly swinging doors or hatchway covers shall be equipped with non-removable hinge pins or a mechanical interlock system to prevent removal of the door from the exterior by removal of the hinge pins.

94. All hatchways shall be secured from the interior of the building with a sliding bolt or bar mechanism.

95. If the hatchway cover is of a wooden material, it shall be reinforced with at least 16-gauge U.S. sheet steel, or its equivalent, on the interior face of the cover and shall be attached with screws no more than six inches apart around the entire perimeter of the interior face cover.

96. Building design and window placement shall facilitate high visibility to the public and police patrol vehicles as well as enabling employees to make periodic visual inspections of the premises.

97. The applicant shall submit for review by the Police Department the design and specifications for all proposed lighting fixtures proposed for the buildings, drive aisles, parkways, parking areas, pathways, and surrounding areas within the development. The fixtures shall be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The number, location, height, style and design shall be reviewed and approved by the Police Department prior to issuance of building permits.

98. All exterior doors shall be equipped with a lighting device capable of providing a minimum of two foot-candle of light at ground level.

99. All exterior lighting lower than 12 feet from the ground level shall be enclosed in vandal-resistant covers.

100. Lighting shall be required in all area of public access.

101. All exterior lighting shall be oriented inward onto the project so as not to interfere with adjacent residential areas or vehicular traffic on adjacent public streets.

102. Public parking areas and access thereto shall be provided with a maintained minimum of 2 foot candle power of light on the parking surface, from dusk to dawn, or as modified by the Chief of Police, based on documented proof that meeting the 2 foot candle power standard is impractical. Lighting shall be provided through the use of photo cells; use of low pressure sodium fixtures and bulbs is prohibited.

103. Signs prohibiting loitering shall be installed to the satisfaction of the Chief of Police. They shall be mounted between six and ten feet above ground. The following must be printed on the sign in letters at least two inches tall: "PC647(h), UMC10.72.010." and "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES." The signs shall be posted on the front, rear, and sides of the building, and shall be clearly visible to patrons of the licensee.

104. Signs shall comply with all City of Upland sign requirements (UMC 17.15 et seq.). No more than 50% of the total window area and clear doors shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the public sidewalk or entrance to the premises (this applies to all windows of this location).

105. A digital video surveillance system is required at the premises. It is recommended to have a surveillance video/visual media that shall be maintained for a minimum of sixty (60) days and upon request, shall be accessible to law enforcement personnel for viewing, copying and collection purposes during regular business hours. The system shall be able to make license plates discernable. The video system shall cover all ingress and egress points of the businesses parking lots, the building itself, and the rear perimeter of the building.

106. Provide UPD with contact information of person responsible for maintaining video equipment/system and who has access to retrieve and copy surveillance video. The surveillance video/visual media system shall be remotely accessible to the Upland Police Department.

107. Applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment.

108. All landscaping must adhere to the 2’ 6’ rule (all ground cover landscaping must be maintained no higher than 2’ from ground level and all lower tree canopy must be maintained no lower than 6’ in height from the ground level).

109. Any vehicles not parked legally may be cited and/or towed if it is in violation of the California Vehicle Code and/or Upland Municipal Code.

110. Violation of any of the aforementioned conditions, may result in revocation of the CUP.

<u>PUBLIC WORKS DEPARTMENT LAND DEVELOPMENT AND TRANSPORTATION DIVISION</u>

EASEMENTS-MONUMENTS

Easements

111. Final approval of this project is subject to, and contingent upon, the execution and recordation of a reciprocal access agreement.

112. A lot line adjustment shall be recorded before issuance of grading permit.

113. Prior to recordation, the Owner/Developer shall submit two copies of the "before and after" legal descriptions for each affected parcel/lot for plan check by the Public Works Department.

114. Concurrently with the recordation of the Lot Line Adjustment, the Owner/Developer shall record a Grant Deed transferring ownership and describing each new parcel/lot(s) in conformance with State law.

Monuments

115. The Owner/Developer shall comply with Assembly Bill 1414, which was enacted into law and effective January 1, 1995. This bill amended Section 8771 of the Business and Professions Code (of the Land Surveyors Act). The County Surveyor requires that two corner records be filed; they are when:

a) Monuments exist that controls the location of subdivisions or tracts, streets or highways; or provides survey control. The monuments are located and referenced by a licensed Land Surveyor before any streets or highways are reconstructed or relocated. The corner record(s) of the references are filed with the County Surveyor.

b) Monuments are reset in the surface of the new construction and a corner record is filed with the County Surveyor before recording of a Certificate (Notice) of Completion for the project.

STREET IMPROVEMENTS

116. All deficient public improvements shall be upgraded to current City Standards and to the satisfaction of the Public Works Director.

117. Asphalt paving and other improvements damaged during construction shall be replaced to the City's satisfaction.

118. All onsite and offsite improvements (pavement areas, drainage facilities, landscaped areas, etc.) shown on the plans and/or approved exhibit shall be constructed to City Standards.

119. In accordance with California Building Code, Title 24 and the requirements of the Americans with Disabilities Act (ADA), handicap facilities shall be constructed and existing facilities shall be reconstructed within the project limits, as necessary, in locations specified by the Director of Public Works/City Engineer and the Development Services Director.

UTILITY (WATER – SEWER – ENVIRONMENTAL)

Utility General

120. All utility companies (for non-City owned utilities) shall be contacted to establish appropriate easements to provide services to each parcel.

121. All parcels shall be served by utilities, allowing each parcel/lot to function separately and independent from one another.

122. The Owner is responsible for research of private and public utility lines (Gas, Power, Telephone, Cable, Irrigation, etc.) to ensure there are no conflicts with the site.

123. All existing on-site utility lines, if any, that conflict with this project shall be relocated or removed to the satisfaction of the Public Works Director.

124. Composite Utility Plans shall be submitted before the issuance of a Grading Permit. Any easements will be dedicated to the appropriate Utility Company as required to accommodate the location and maintenance of each facility.

Undergrounding

125. All developments within the City shall be served by underground utilities. All utility plans (Edison, Telephone, and Cable TV, among others) shall be submitted to the Public Works Department for review and approval prior to the issuance of any permits for utility work within public right-of-way or public easements.

Environmental-WQMP

126. This project is subject to the General Construction Permit for Storm Water Discharges. The Owner/Developer is required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for construction activities. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and be available at the job site at all times.

127. This project is required to submit a Project Specific Water Quality Management Plan (WQMP) (reference the County of San Bernardino "Guidelines for New Development and Redevelopment") for review and approval by the City Of Upland, Public Works Department, and Environmental Division. WQMP is required to be bounded. Standard paper size for exhibits is 24" x 36".The subject WQMP shall be approved prior to the issuance of grading permit.

128. In developing the WQMP, the applicant shall infiltrate or treat projected runoff for the new development by an amount equal to or greater than the volume of runoff produced from a storm event through incorporation of design elements that address one or more of the goals set forth in the subdivisions below. The design elements utilized by an applicant may, but are not required to, include those provided on the list (A-L).

    One or more of the following design elements listed below may be used to achieve water quality goals:

A. Maximize permeable areas to allow more percolation of runoff into the ground through such means as:

    a. Biofilters;
    b. Green strips;
    c. Swales.

The use of permeable materials in lieu of or to replace hardscapes will increase the amount of runoff seepage into the ground

B. Maximize the amount of runoff directed to permeable areas and/or maximize stormwater storage for reuse or infiltration by such means as:

    a. Orienting roof runoff towards permeable surfaces, drywells, French drains, or other structural BMPs rather than directly to driveways or non-permeable surfaces so that runoff will penetrate into the ground instead of flowing off-site.
    b. Grading the site to divert flow to permeable areas.
    c. Using cisterns, retention structures or green rooftops to store precipitation or runoff for reuse.
    d. Removing or designing curbs, berms or the like so as to avoid isolation of permeable or landscaped areas.

C. Remove pollutants through installation of treatment control BMPs.

D. The WQMP must also include the applicant's plan for the maintenance of all BMP’s requiring ongoing maintenance.

E. The WQMP must include the applicant's signed statement accepting responsibility for all structural and/or treatment control BMP maintenance. The transfer of property subject to Water Quality Management Plan must include as a written condition to the transfer that the transferee assumes full responsibility for maintenance of any structural, and/or source or treatment control BMPs.

F. The applicant shall provide a trash and recycling enclosure for the development. No other area shall drain to the enclosed area. The trash enclosures are to be designed to accommodate any City-mandated recycling facilities, subject to review and approval of Public Works Director.

    The area where a trash receptacle or receptacles are located for use as a repository for solid wastes must meet the following Structural or Treatment Control BMP requirements:

    a. Drainage from adjoining roofs and pavement must be diverted away from the trash storage areas.

b. The trash enclosure area must be covered with a solid roof; to prevent rain from entering the area, sewer or storm drain conveyance system; screened or walled to prevent off-site transport of trash.
c. Trash bins must have solid covers and be covered at all times except while being emptied.

G. The Developer shall comply with the City's SWPPP in accordance with the NPDES MS4 permit requirement issued by the Regional Water Quality Control Board (RWQCB).

H. The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.

I. The project plans shall include storm water measures for the operation and maintenance of the project for the review and approval of the Public Works Director. The project plans shall Identify Best Management Practices (BMPs) appropriate to the uses conducted on site that effectively prohibit the entry of pollutants into storm water runoff.

J. All on-site storm drains are to be cleaned prior to occupancy and be cleaned each year immediately before the beginning of the rainy season (October 15).

K. Sidewalks, parking lots, and other paved areas must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged to the storm drain.

L. Landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution.

M. The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.

N. A structural control, such as an oil/water separator, sand filter, or other approved equal, is to be installed on site to intercept spills and pre-treat storm water prior to discharge to the public storm drain. The design,

location, maintenance schedule and maintenance responsibility are subject to Public Works Director's approval.

129. All projects that are required to prepare a SWPPP must file a letter with the SWRCB stating that the construction activity is complete. A copy of this letter must be on file with the City of Upland before occupancy is granted.

130. A Waste Management Plan (WMP) is necessary to demonstrate compliance with the Municipal Code 13.28.620 that requires projects to salvage, reuse or recycle at least 50% of construction and demolition debris generated by the project. This code was adopted to assist the City of Upland in meeting the State mandated diversion requirement of 50% of all waste generated. The WMP Form "A" shall be provided by the Land Development Department prior to issuance of a Building Permit. The WMP Form "B" shall be completed and approved by the Land Development Department prior to issuance of a Certificate of Occupancy.

131. The Owner/Developer shall obtain approval from the Public Works Department for a non-domestic waste wastewater discharge permit in accordance with Section 13.32.200 of the Upland Municipal Code. The Owner/Developer shall also:

    a. Provide an appropriate pretreatment facility that meets the Standards of the City of Upland including sewer inspection manholes.
    b. Construct a grease/oil and/or sand interceptors to the satisfaction of the Public Works Director
    c. Provide exterior plumbing to allow for the addition of a grease/sand and oil interceptor at a future date.

132. New fuel dispensing areas must be paved with Portland cement concrete, extending a minimum of 8'-0" from the face of the fuel dispenser and a minimum of 4'-0" from the nose of the pump island. Fuel dispensing areas should be· graded and constructed to prevent "run-on" or runoff from the area. Fuel dispensing facilities must have canopies; canopy roof downspouts must be routed to prevent drainage flow through the fuel dispensing area. The facility must have a spill cleanup plan. The fuel dispensing area must be dry-swept regularly. Dispensing equipment must be inspected routinely for proper functioning and leak prevention.

133. No vehicle or equipment washing activity associated with this facility shall discharge directly to the storm drains. Wash areas should be limited to areas that drain to the sanitary sewer collection system, or the wash water must be collected for ultimate disposal to the sanitary sewer, or water must be intercepted and treated prior to discharge to the storm drain system. This wash area must be covered and designed to prevent runoff from draining

into and from the area. A sign must be posted indicating the designated wash area.

Sewer

134. Proposed on-site sewer laterals, water services and drainage facilities shall be maintained by Owner/Developer.
135. City staff will inspect all newly installed sewer mains with the TV camera before acceptance of the line for public improvements.

136. Extend any sanitary sewer and water line facilities as necessary to serve the entire development, including the payment of any sewer and water connection fees as determined by the Public Works Director.

137. Sanitary sewer connections are subject to review, approval, and conditions of the Public Works Director.

138. All sewer facilities shall be installed outside any driveways and drive approaches, and shall be in accordance with the Public Works Department Standards.

139. Each business that sells motor oil shall be required to collect used motor oil from residents at no charge.

Water

140. Proposed gas tanks shall maintain a minimum horizontal distance of 500 feet from the nearest existing water production well. Additionally, the gas station underground storage tanks shall be pressure tested annually and comply with all governmental requirements. A letter verifying the clearance distance and compliance with necessary testing, including a map showing the accurate distance, shall be provided prior to grading permit.

141. On-site protection hydrant(s) and water systems shall be installed in accordance with the Upland Fire and Public Works Department Standards.

142. Approved Backflow Device(s) shall be installed and inspected, in accordance with the Public Works Department Standards.

143. All water facilities shall be installed outside any driveways and drive approaches, and shall be in accordance with the Public Works Department Standards.
144. All new and upgraded developments shall meet the requirements of Chapter 13.08 "Municipal Water System", Article VII, of the Upland Municipal Code.

This Code pertains to water system connection fees, water additive fees, and the transfer of water stock to the City of Upland.

GRADING - STORM DRAIN - EROSION CONTROL

145. A hydrology/hydraulics analysis is required to the satisfaction of the Public Works Director. Any offsite drainage, which may impact this development, or additional drainage created by this development, shall be addressed in accordance with the mitigation measures required in the hydrology report before issuance of any permits.

146. All drainage shall be directed on-site to the points so indicated upon the subject plan.

147. Temporary drainage controls may be required during construction phases as directed by the Public Works Director.

148. All catch basins and Storm Drain Inlet Facilities shall be stenciled with the appropriate "No Dumping" message.

149. A Geotechnical Report (no older than one year) shall be submitted for review before the issuance of a grading permit. Reports older than one year are not accepted.

150. Grading plan shall be prepared and shall conform to the requirements of California Building Code (CBC), latest edition. Said grading plan shall propose all applicable recommendations contained in the project's geotechnical report.

151. An erosion control plan shall be required as directed by the Public Works Director.

152. No permanent building construction shall commence until rough grading is certified and a building permit issued by the Building Division.

153. Owner is required to prepare Water Conservation Plan for its grading and construction operations in compliance to water conservation mandate by the State of California. Use of reclaimed water is highly encouraged.

154. Dust Control operations shall be performed by the Contractor at the time, location and in the amount required and as often as necessary to prevent the excavation or fill work, demolition operation, or other activities from producing dust in amounts harmful to people or causing a nuisance to persons living nearby or occupying buildings in the vicinity of the work. The Contractor is responsible for compliance with Fugitive Dust Regulations issued by the Air Quality Management District (AQMD).

155. Control of dust shall be by sprinkling of water, use of approved dust preventives, modifications of operations or any other means acceptable to the Engineer, City of Upland, the Regional Water Quality Control Board (RWQCB), the AQMD, and any Health or Environmental Control Agency having jurisdiction over the facility. The Engineer shall have the authority to suspend all construction operations if, in their opinion, the Contractor fails to adequately provide for dust control.

LANDSCAPING

156. All landscaping works proposed for this development shall comply with the City of Upland Municipal Code Ch. 17.12.

157. Any landscaping proposed within a City utility easement is subject to approval by the Public Works Director and Development Services Director.

158. Landscaping and irrigation plans shall be submitted for City review and approval.

159. All landscape and irrigation systems, located in the public parkways, shall be connected to a water supply system that is metered to the property owner.

160. All developments require a tree-planting scheme. Plant trees a minimum of five feet from other utilities, a minimum of ten feet from driveways, water meters, water lines, sewer lines, traffic and directional signs, and fire hydrants, a minimum of fifteen feet from street lights, and a minimum of thirty feet from street corners.

161. The project frontage shall be fully landscaped, including an automatic irrigation system in accordance with a plan subject to review and approval by the Development Services Director and the Public Works Director. Drought tolerant and water efficient irrigation system shall be required. Parkway landscaping shall be maintained by the Owner/Developer.

GENERAL ENGINEERING

162. In the future, based on traffic conditions, if determined by the Public Works Director, a Warrant Study will be prepared and considered by the City Council for the intersection of Campus Ave and 20th Street, to determine if or when a traffic signal or other mitigating measures may be needed. A Study may be required and will include an analysis based upon projected traffic volumes, derived from existing traffic volumes collected at the 20th Street and Campus Ave intersection and surrounding areas, with the addition of projected increases in the site generated traffic resulting from development along 20th Street.

163. Owner is required to arrange for a PRE-CONSTRUCTION MEETING with the Public Works Department 72 hours in advance before any permitted work can commence.

164. Public improvement plans and grading plans shall be submitted for plan check to the Public Works Department as a complete package. A complete package includes sewer, water, grading, drainage, and any appropriate reports and back up documents. Incomplete submittals shall be rejected.

165. All plans (including Landscaping Plans) depicting any work to be plan checked by Public Works shall be prepared on 24"x36" on City Standard title block. This includes street, sewer, water grading, storm drain, grading, erosion control, private street design, and landscape plans.

166. As-built plans (including sewer, water, and storm drain and grading plans) shall be submitted. Electronic drawing files on compact disc (CD's) shall be submitted to the City for file in the format acceptable by the City.

167. All Ordinances, Policy Resolutions, and Standards of the City in effect at the time this project is approved shall be complied with as a condition of approval.

168. No certificate of occupancy, or any other final clearance needed prior to occupancy, shall be given until all other conditions are met.

END OF CONDIITONS

Section 7. Inconsistency: If any section, division, sentence, clause, phrase or portion of this resolution or the document in the record in support of this resolution is determined by a court of competent jurisdiction to be invalid, unenforceable, unconstitutional or otherwise void, that determination shall not affect the validity of the remaining sections, divisions, sentences, clauses, phrases of this resolution.

Section 8. Certification: The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 23rd day of September, 2020.

_____

Robin Aspinall, CHAIR

ATTEST:

_____
Robert D. Dalquest, SECRETARY

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a regular adjourned meeting thereof held on the 23rd day of September, 2020, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

_____
Robert D. Dalquest, SECRETARY

Exhibit B – Project Plans

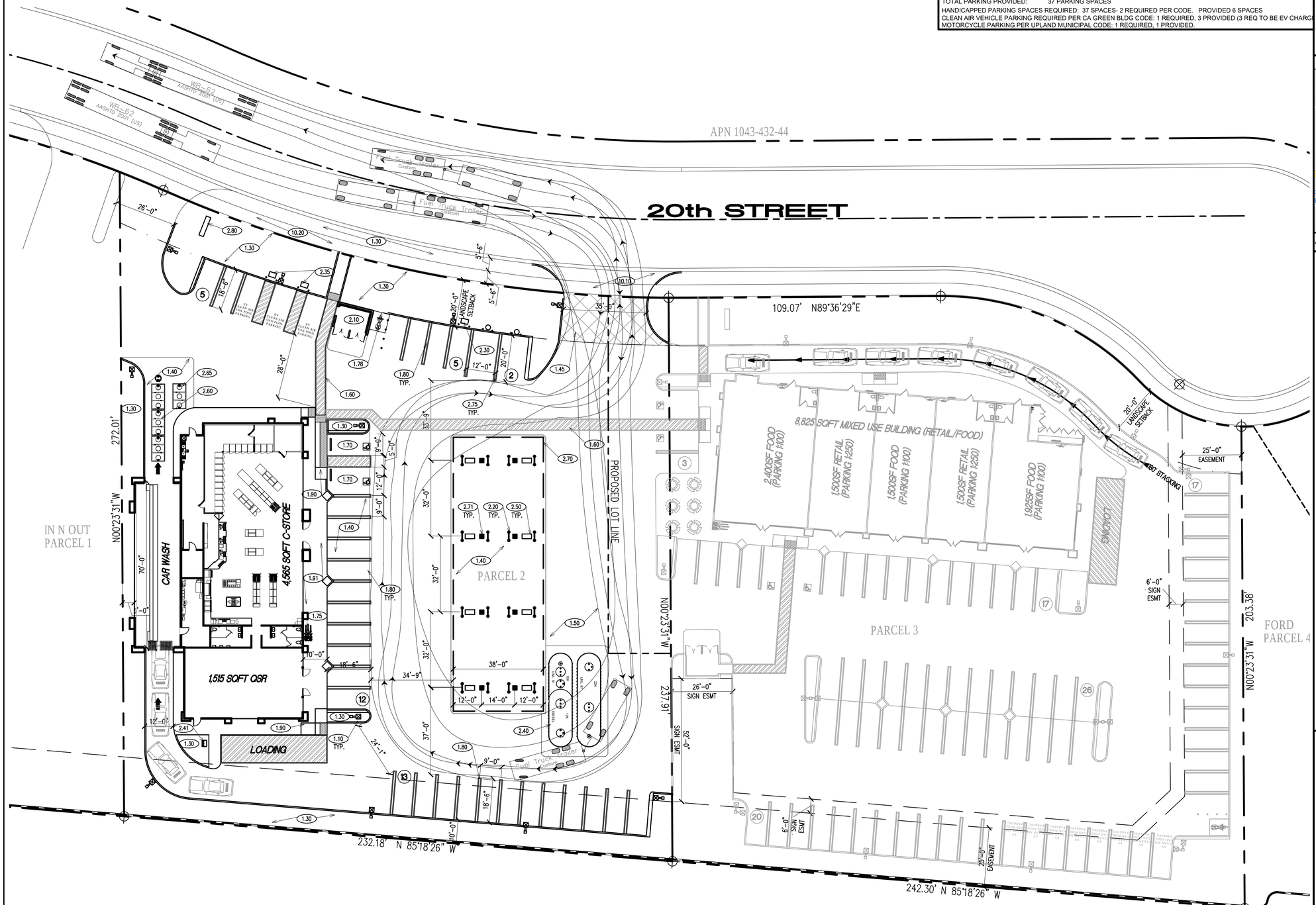
LEGAL DESCRIPTION

THE SUBJECT PROPERTY IS PARCEL 2 OF PARCELS MAP NO. 19562, IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER PLAT RECORDED IN BOOK 246, PAGES 33 & 34 INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

SITE PLAN & PARKING SUMMARY

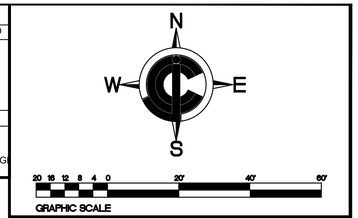
BUILDING NO.	SIZE	USE	PARKING EQUATION	REQ. NO. SPACES	PROVIDED
C-STORE BUILDING	4,565 SF.	RETAIL	1/250	18.26	19
QUICK SERVICE RESTAURANT	1,515 SF.	FOOD	1/100	15.15	16
CAR WASH	1,684 S.F.	SERVICE	2 PER TUNNEL	2	2
PUMP NOZZLE CREDIT	N/A	FUELING	1/20LF SERVE BYNOZZLE	-16	N/A
TOTAL BUILDING S.F.	7,764 S.F.			20	37

TOTAL PARKING PROVIDED: 37 PARKING SPACES
HANDICAPPED PARKING SPACES REQUIRED: 37 SPACES- 2 REQUIRED PER CODE. PROVIDED 6 SPACES
CLEAN AIR VEHICLE PARKING REQUIRED PER CA GREEN BLDG CODE: 1 REQUIRED, 3 PROVIDED (3 REQ TO BE EV CHARG
MOTORCYCLE PARKING PER UPLAND MUNICIPAL CODE: 1 REQUIRED, 1 PROVIDED.

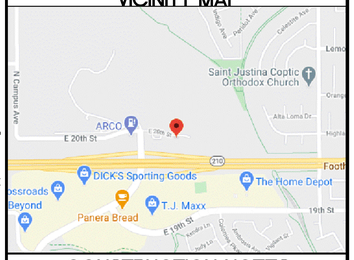


SITE PLAN

SCALE: 1"=20'-0"



VICINITY MAP



CONSTRUCTION NOTES

1.10 6" CONCRETE CURB
1.20 20'H LED AREA LIGHT WITH PHOTO-CELL AND TIME CLOCK SWITCHING PER "CALGREEN" AND TITLE 24 REQUIREMENTS. HOOD AND ARRANGE SO AS NOT TO CAUSE A NUISANCE TO ADJACENT STREET TRAFFIC OR TO LIVING ENVIRONMENT. THE AMOUNT OF LIGHT THAT SHALL BE PROVIDED DSHALL BE PER THE PUBLIC WORKS STANDARDS AND CALGREEN
1.30 LANDSCAPING WITH AUTOMATIC IRRIGATION
1.40 6" CONCRETE DRIVE SLAB WITH #3 BARS @ 18" O.C. OR AS SPECIFIED IN SOILS REPORT IF AVAILABLE.
1.45 COLORED CONCRETE WITH 8X8 SCORE LINES
1.50 6" OVER 4" A.B. ASPHALT PAVING OR AS SPECIFIED IN SOILS REPORT IF AVAILABLE.
1.60 HANDICAP PATH OF TRAVEL (MIN. 48" WIDE AND SLOPE NOT TO EXCEED 2% EACH WAY)
1.70 HANDICAP PARKING SPACE WITH ALL RELATED SIGNAGE (SLOPE NOT TO EXCEED 2% E.W.)
1.75 BICYCLE PARKING (MIN. 6) PER CAL GREEN CODE
1.78 7'Wx8'L MOTORCYCLE PARKING (MIN. 56SF)
1.80 9'X18'-6" STANDARD PARKING SPACES
1.90 CONCRETE HANDICAP RAMP (SLOPE 8.33%)
1.91 CONCRETE SIDEWALK (MIN. 48" WIDE WITH 2% CROSS SLOPE WHERE HANDICAP PATH OF TRAVEL OCCURS)
2.10 TRASH ENCLOSURE PUBLIC WORKS STANDARD
2.20 6" CONCRETE FILLED STEEL GUARD POSTS
2.30 AIR/WATER UNIT
2.35 ELECTRIC CHARGING STATION INFRASTRUCTURE
2.40 UNDER GROUND STORAGE TANKS (2) 20,000 GALLON UNDER REINFORCED CONCRETE SLAB
2.41 TANK VENT RISERS CARBON CANISTER
2.50 CONCRETE ISLAND W/ (1) MULTI PRODUCT DISPENSER (6" MIN. & 8" MAX. HEIGHT)
2.60 3,000 GALLON CLARIFIER FOR CAR WASH
2.65 750 GALLON GREASE INTERCEPTOR FOR Q.S.R.
2.70 FUELING CANOPY
2.71 FUELING CANOPY COLUMNS
2.75 12'X20' DRYING SPACE WITH STAND ALONE VACUUM UNIT
2.80 ID SIGNAGE
2.90 ELECTRICAL PANELS
3.10 ADA PARKING LOT ENTY SIGN PER CHAPTER 11B OF CBC
10.10 CONCRETE DRIVEWAY PER CITY OF UPLAND PUBLIC WORKS STANDARD
10.20 CONCRETE SIDEWALK PER CITY OF UPLAND PUBLIC WORKS STANDARD

BUILDING INFORMATION / ANALYSIS

CONVINIENCE STORE & FUTURE Q.S.R.

MERCHANTILE AREA:	4,280.0sf (M)
FUTURE Q.S.R.	1,500.0sf (M)
ALLOWABLE AREA:	36,000.0sf
ALLOWABLE HEIGHT:	55'-0"
FIRE SPRINKLERED:	YES
OCCUPANCY TYPE:	M
CONSTRUCTION TYPE:	V-B

OCCUPANT LOAD:

MERCHANTILE AREA:	2,600.0sf/30 = 87
STORAGE/OFFICE/RESTROOM:	1,680.0sf/300 = 7

FUELING CANOPY

AREA:	4,395.0sf (M)
ALLOWABLE AREA:	9,000.0sf
ALLOWABLE HEIGHT:	55'-0"
FIRE SPRINKLERED:	NO
OCCUPANCY TYPE:	M
CONSTRUCTION TYPE:	II-B
OCCUPANT LOAD:	12 FUELING POSITIONS

CAR WASH

QSR AREA:	2,155.0sf (B)
ALLOWABLE AREA:	9,000.0sf
ALLOWABLE HEIGHT:	55'-0"
FIRE SPRINKLERED:	YES
OCCUPANCY TYPE:	B
CONSTRUCTION TYPE:	V-B

REVISIONS

NO.:	DATE:	DESCRIPTION:
3	01/15/20	REVISED PER CLIENT
4	03/11/20	REVISED PER PHAE I
5	04/30/20	REVISED PER COLONIES COMMENTS
6	05/12/20	REVISED PER COLONIES COMMENTS
6	06/04/20	REVISED PER PLANNING COMMENTS

CJC Design, Inc.
Design Planning Permitting
22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
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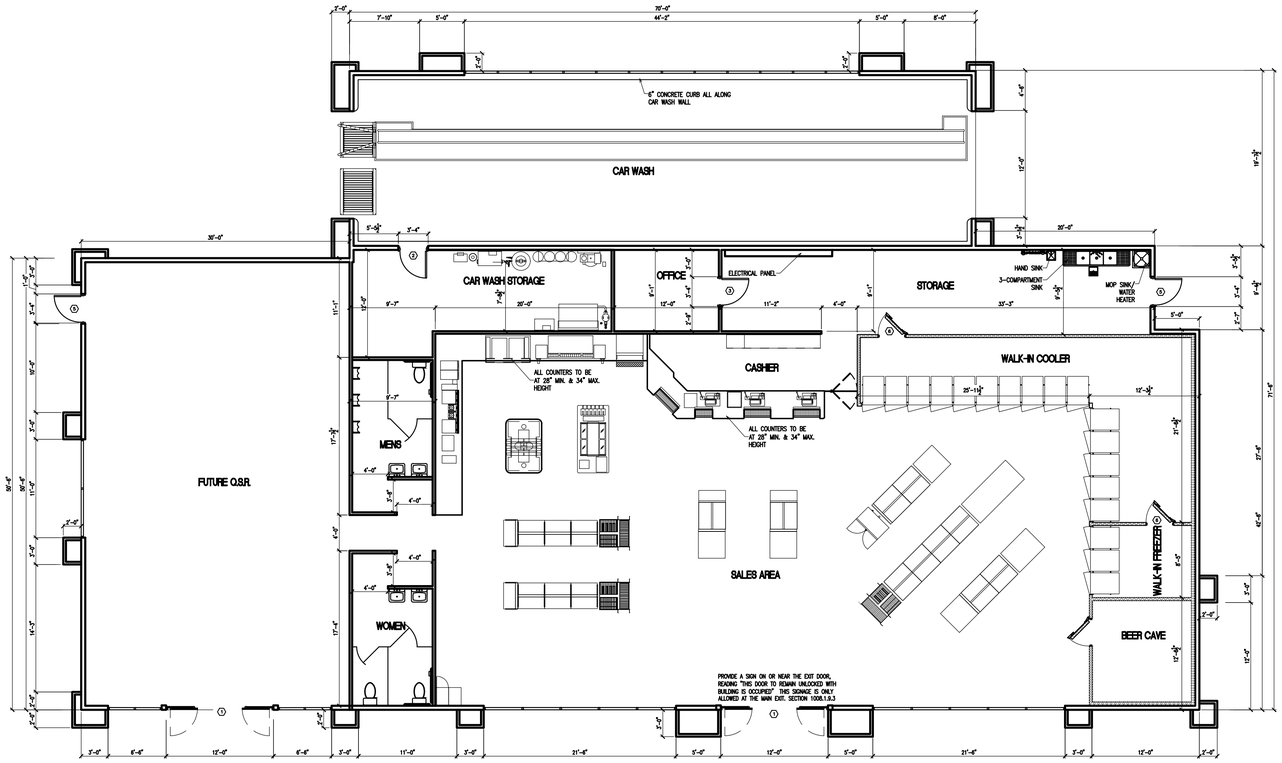
Colonies Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
SERVICE STATION SITE PLAN

DATE ISSUED: 2/28/19
SCALE:
DRAWN BY: F. COHEN
CHECKED BY:
PROJECT NUMBER: 19004
STORE NUMBER: UPLAND
SHEET: C.1.1-A



FLOOR PLAN

SCALE: 1/8"=1'-0"

DOOR SCHEDULE

MARK	QTY.	TYPE	MTL. GA.	SIZE	MFR	HDW GROUP	REMARKS
1	1	ASTRO-SLIDE 9 AUTOMATIC SLIDING	GL/AL	14'-0" x 7'-8"	DOR-O-MATIC	A	VERIFY MAGLOCK WITH CLIENT CORP SECURITY
2	1	HM INTERIOR	18	1 3/4" x 3'-0" x 6'-8"	UNIVERSAL	B	
3	1	HM INTERIOR	18	1 3/4" x 3'-0" x 6'-8"	UNIVERSAL	C	
4	2	HM INTERIOR	18	1 3/4" x 3'-0" x 6'-8'	UNIVERSAL	D	
5	1	HM EXTERIOR	18	1 3/4" x 3'-0" x 7'-0"	UNIVERSAL	E	EMERGENCY EXIT ONLY. SET DOOR FRAME IN SEALANT
6	1	INSULATED COOLER ACCESS	–	3'-0" x 6'-6"	HUSSMANN	–	SEE COOLER SHEET FOR SPECIFICATIONS
7	1	HM EXTERIOR	18	1 3/4" x 3'-0" x 7'-0'	UNIVERSAL	F	

DOOR HARDWARE

GROUP	EQUIPMENT	UNIVERSAL PART NO.	SPECIFICATION
A	LOCKSET: OTHER:	PROVIDED BY DOR-O-MATIC	ALL ASSOCIATED HARDWARE SUPPLIED AND INSTALLED BY DOR-O-MATIC. INCLUDE ASTRO-SCAN MOTION SENSOR W/ LIGHT GRAY GY-450 PAINTED FINISH. SEE MERCHANDISING/PURCHASING LIST FOR CONTACT. FALCON D841K-IC SINGLE-CYLINDER DEADBOLT w/ INTERCHANGABLE CORE POWER WITH EMERGENCY LOCK OUT CONNECTED TO THE CASHIER CONTROL PANEL. EXTERIOR KEYED OVERRIDE SWITCH MOUNTED IN DOOR FRAME. 1" H SIGNAGE "THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS." (CHEV DCL 222)
B	LOCKSET: HINGES: CLOSER: THRESHOLD: OTHER:	PP1070 PP1075 LK4515 HN1016 CL4130 TH3200 KP1087 DS1090 HM6002	HAGER "ACCENT" PUSH PLATE, MODEL NO. 30S 4" X 16" (US32D FINISH) HAGER "ACCENT" PULL PLATE, MODEL NO. H33E 4" X 16" ACCESSIBLE (US32D FINISH) PUSH/PULL PLATES ARE PRE-DRILLED FOR LOCKSET FALCON D841K-IC SINGLE CYLINDER DEADBOLT WITH INTERCHANGABLE CORE 1 1/2 PAIR HAGER HINGES BB1279 4 1/2" X 4 1/2" (US26D FINISH) LCN CLOSER MODEL NO. 1521 ACCESSIBLE NATIONAL GUARD PRODUCTS, INC. THRESHOLD MODEL NO. 327 36" 1 PAIR HAGER "ACCENT" STAINLESS STEEL KICKPLATES, 10" X 34" (US32D FINISH) HAGER CONCAVE WALL STOP MODEL NO. 236W (US32D WITH RUBBER BUMPER) HAGER DOOR SILENCER MODEL NO. 307D
C	LOCKSET: HINGES: CLOSER: THRESHOLD: OTHER:	PP1070 PP1075 LK4515 HN1016 CL4130 ——— DR2005 KP1087 HM6002 DS1090	HAGER "ACCENT" PUSH PLATE, MODEL NO. 30S 4" X 16" (US32D FINISH) HAGER "ACCENT" PULL PLATE, MODEL NO. H33E 4" X 16" ACCESSIBLE (US32D FINISH) PUSH/PULL PLATES ARE PRE-DRILLED FOR LOCKSET FALCON D841K-IC SINGLE CYLINDER DEADBOLT WITH INTERCHANGABLE CORE 1 1/2 PAIR HAGER HINGES BB1279 4 1/2" X 4 1/2" (US26D FINISH) LCN CLOSER MODEL NO. 1521 ACCESSIBLE NOT USED TACO 180 DEGREE DOOR VIEWER MODEL NO. TA3310 (CHROME) 1 PAIR HAGER "ACCENT" STAINLESS STEEL KICKPLATES, 10" X 34" (US32D FINISH) HAGER DOOR SILENCER MODEL NO. 307D HAGER CONCAVE WALL STOP MODEL NO. 236W (US32D WITH RUBBER BUMPER)
D	LOCKSET: HINGES: CLOSER: THRESHOLD: OTHER:	PP1070 PP1075 LK4301 HN1016 CL4130 ——— KP1087 DS1090 HM6002	HAGER "ACCENT" PUSH PLATE, MODEL NO. 30S 4" X 16" (US32D FINISH) HAGER "ACCENT" PULL PLATE, MODEL NO. H33E 4" X 16" ACCESSIBLE (US32D FINISH) PUSH/PULL PLATES ARE PRE-DRILLED FOR LOCKSET FALCON D871K INDICATOR DEADLOCK (ACCESSIBLE) WITH EMERGENCY KEY 1 1/2 PAIR HAGER HINGES BB1279 4 1/2" X 4 1/2" (US26D FINISH) LCN CLOSER MODEL NO. 1521 ACCESSIBLE NOT USED (VERIFY 1 HOUR ASSEMBLY REQUIREMENTS) 1 PAIR HAGER "ACCENT" STAINLESS STEEL KICKPLATES, 10" X 34" (US32D FINISH) HAGER CONCAVE WALL STOP MODEL NO. 236W (US32D WITH RUBBER BUMPER) HAGER DOOR SILENCER MODEL NO. 307D
E	LOCKSET: HINGES: CLOSER: THRESHOLD: OTHER:	PN2300 LK9207 HN1043 CL4135 TH3200 SW4000 WS1001	DCI TOUCHBAR RIM EXIT ALARM #1210A, BATTERY-POWERED, FINISH 628 ALUMINUM FALCON CYLINDER FOR DCI 1201A PANIC DEVICE 1 1/2 PAIR HAGER HINGES BB1191 4 1/2" X 4 1/2" (US26D FINISH) LCN CLOSER MODEL NO. 1521-SPRING/CUSH (ACCESSIBLE) NATIONAL GUARD PRODUCTS, INC. THRESHOLD MODEL NO. 350 36" NATIONAL GUARD PRODUCTS, INC. DOOR SWEEP MODEL NO. 18V 36" NATIONAL GUARD PRODUCTS, INC. PERIMETER SEAL MODEL NO. 160A 36" X 84"
F	LOCKSET: HINGES: CLOSER: THRESHOLD: OTHER:	PP1070 PP1075 LK4301 HN1043 CL4135 TH4126 SW4000 WS1001 DR9025	HAGER "ACCENT" PUSH PLATE, MODEL NO. 30S 4" X 16" (US32D FINISH) HAGER "ACCENT" PULL PLATE, MODEL NO. H33E 4" X 16" ACCESSIBLE (US32D FINISH) PUSH/PULL PLATES ARE PRE-DRILLED FOR LOCKSET FALCON D841K-IC SINGLE CYLINDER DEADBOLT (ACCESSIBLE) WITH INTERCHANGABLE CORE 1 1/2 PAIR HAGER HINGES BB1191 4 1/2" X 4 1/2" (US26D FINISH) LCN CLOSER MODEL NO. 1521-SPRING/CUSH (ACCESSIBLE) NATIONAL GUARD PRODUCTS, INC. THRESHOLD MODEL NO. 425E 36" NATIONAL GUARD PRODUCTS, INC. DOOR SWEEP MODEL NO. 18V 36" NATIONAL GUARD PRODUCTS, INC. PERIMETER SEAL MODEL NO. 160A 36" X 84" 2 – ANEMOSTAT HEAVY DUTY 18"x24" LOUVERS W/ BUG SCREEN

FLOOR PLAN NOTES

1. ALL CABINETS SHOWN ARE OF METAL CONSTRUCTION, N.S.F. APPROVED, W/ REMOVABLE ACCESS TO FLOOR SINKS MOUNTED ON 6" HIGH METAL LEGS. FOR WOOD ALT. SEE SHEET A09.
2. 3 1/2" MIN. ACOUSTIC BATT INSULATION REQUIRED IN ALL RESTROOM WALLS AND CEILING.
3. WALL DIMENSIONS ARE TO FACE OF STUD, OR CMU. FLOOR SINK DIMENSIONS ARE FROM FACE OF SLAB U.N.O.
4. ACCESSIBILITY DESIGN STANDARD: A.D.A. TITLE 24 CBC 2014
5. FOR EQUIPMENT SCHEDULE AND MERCHANDISING LAYOUT SEE "Y" SHEETS.
6. ALL SEALANT TO BE PAINTABLE.
7. ALIGN EXTERIOR FACE OF PLYWOOD AND FOUNDATION FACE OF CONCRETE (TYP.).
8. ALIGN DOWEL JOINTS W/ TILE LAYOUT. FOR TILE LAYOUT AND SPECIFICATIONS, SEE SHEET A07.
9. FOR WALK-IN COOLER SPECIFICATIONS, SEE SHEET Y03.
10. ALL DOORS, DOOR FRAMES AND HARDWARE ARE AVAILABLE FROM UNIVERSAL MANUFACTURING CO.
11. ALL WOOD FRAMING MEMBERS IN CONTACT WITH CONCRETE OR CMU SHALL BE PRESSURE TREATED DOUGLAS FIR U.O.N. TYP.
12. PROVIDE 1 HOUR CONSTRUCTION AND 20 MIN. LABEL DOORS AT CORRIDOR WHERE REQ'D BY LOCAL JURISDICTION.
13. COORDINATE OPTIONAL TRANSACTION DRAWER INSTALLATION WITH MULLION WIDTH: 4 1/2" MAX. FROM TRANSACTION DRAWER OUTSIDE FACE TO INSIDE FACE OF MULLION.
14. OVERHEAD MERCHANDISER APPROXIMATE WEIGHT 420 LBS, VERIFY LOCATION, INSTALLED BY OTHERS SEE Y02.
15. CARWASH EQUIPMENT IS SITE SPECIFIC. GC TO INSTALL SYSTEM COMPONENTS PER CLIENT REPRESENTATIVE.
16. PPG CONTACT FOR 3-PART EPOXY & BLOCK SEALER IS DAVE LANDRY (713) 944-8550.

STOREFRONT NOTES

1. STOREFRONT: AL. FRAME AS MANUFACTURED BY VISTAWALL OR EQ., SERIES PER GLAZING REQMTS., 2" X 4 1/2", FRONT LOADED GLAZING, w/ CLEAR ANODIZED ALUMINUM FINISH, ALTERNATE AND EQUIVALENT STOREFRONT FRAME AS MANUFACTURED BY U.S. ALUMINUM OR OTHER AS APPROVED BY CLIENT REPRESENTATIVE.
2. STANDARD STOREFRONT GLAZING SHALL BE 1/4" CLEAR TEMPERED GLASS. (TYP.)
3. VERIFY ALL WINDOW SIZES IN FIELD PRIOR TO FABRICATION.
4. GLAZING AND STOREFRONTS SHALL CONFORM TO LOCAL WIND LOAD REQUIREMENTS. GLAZING MATERIAL THICKNESS, AND LAMINATION AND/OR MULLION DESIGN IS SUBJECT TO CHANGE.

ROOM FINISH SCHEDULE

INTERIOR FINISHES	MERCHANDISING/CASHIER AREA/QSR	OFFICE	PUBLIC RESTROOMS	STORAGE	COOLER/FREEZER		CARWASH
FLOOR	CONCRETE KRETUS TOP SHELF EPOXY GRANITE COLOR (CIRCLED IN RED) DOUBLE BORADCAST SYSTEM (CIRCLED IN RED)			CONCRETE SMOOTH MACHINE TROWELLED FINISH COATING: BURKE SPARTAN COTE WB11 30%	CONCRETE KRETUS SEE MERCHANDISING		CONCRETE W/CLEAR SEALER
BASE	DAL TILE S-3619 TN1P2 TOP SET COVE BASE (CERAMIC TILE) – SLIM FOOT COLOR: ALMOND 0135 SIZE: 6" x 6" x 3/8"R GROUT: 1/4" GRAY (09) BY MAPEI OR EQUAL				BY COOLER MFR. 4" H METAL WITH 3/8" RADIUS		
WALLS	PAINTED SMOOTH FINISH 5/8" GYP BOARD MIN. 4' MAX. 8' FRP BEHIND ALL SINKS I.E. (3-CO SINK, HAND SINK, PREP SINK, ETC.)		FULL HEIGHT FRP	PAINTED SMOOTH FINISH 5/8" GYPBOARD MIN. 4' MAX. 8' FRP BEHIND ALL SINKS I.E. (3-CO SINK, HAND SINK, PREP SINK, ETC.)	METAL BY COOLER MFR		FIBERGLASS COAT OVER PLYWOOD
CEILING	PART OPEN CEILING AND PART ARMSTRONG "STONEBROOK" 2927, VINYL FACED, NONPERFORATED FOIL-BACKED, 24"x48"x1". SUSPENSION SYSTEM;ARMSTRONG "PRELUDE", 15/16". ALT: US GYPSUM DX 15/16"	ENAMEL PAINTED 5/8" SMOOTH FINISH GYPBOARD, SCREWED		ARMSTRONG "STONEBROOK" 2927, VINYL FACED, NONPERFORATED FOIL-BACKED, 24"x48"x1". SUSPENSION SYSTEM;ARMSTRONG "PRELUDE", 15/16". ALT: US GYPSUM DX 15/16"	METAL BY COOLER MFR		FIBERGLASS COAT OVER PLYWOOD
CEILING HEIGHT	OPEN TO STRUCTURE	8'-0"		10'-0"	7'-8 1/2"		MIN. 12' FIBERGLASS COAT OVER PLYWOOD

NOTES:

1. 3-PART EPOXY BY PPG. PRIMER: APPLY PPG 97-685/686 AQUAPON TWO COMPONENT POLYAMIDE EPOXY BLOCK FILLER AT THE RECOMMENDED WET FILM THICKNESS OF 20-40 MILS (MAXIMUM 24 MILS DFT) PER COAT, UNREDUCED.; INTERMEDIATE FINISH: APPLY PPG 97-130/139 AQUAPON HI-BUILD POLYAMIDE EPOXY AT THE RECOMMENDED WET FILM THICKNESS OF 7-10 MILS (4-6 MILS DFT) PER COAT, UNREDUCED.; FINISH: APPLY PPG PITTHANE 97-850 LOW VOC TWO COMPONENT ALIPHATIC ACRYLIC URETHANE AT THE RECOMMENDED WET FILM THICKNESS OF 4-5 MILS (2 MILS DFT) PER COAT, UNREDUCED.
2. NEW CONCRETE/ MASONRY SUBSTRATES TO RECEIVE 3-PART EPOXY, MUST BE EVALUATED PRIOR TO COATING TO INSURE THE PH AND MOISTURE CONTENT IS WITHIN ACCEPTABLE PARAMETERS (PH BELOW 9.0 AND MOISTURE BELOW 12%).
3. ALTERNATE MATERIAL FOR CARWASH, UPON APPROVAL OF THE CLIENT REPRESENTATIVE: SPECTRA-GLAZE II 8x8x16 GLAZED CMU BLOCK.

WALL LEGEND

- 2X6 SOUNDWALL W/ STAGGERED 2X4 STUDS @ 16" O.C. W/ 3-1/2" ACOUSTIC BATT INSULATION AND 5/8" GYP. BD. ON EACH FACE.
- 2X4 WALLS W/ 5/8" GYP. BD. ON EACH FACE U.O.N.
- 3 1/2" INSULATED COOLER WALLS W/ 5/8" GYP. BD. @ MERCH. AREA

REVISIONS

NO.:	DATE:	DESCRIPTION:
1	03/04/20	REVISED PER NEW ARCHITECTURE
2	04/30/20	REVISED PER COLONIES COMMENTS

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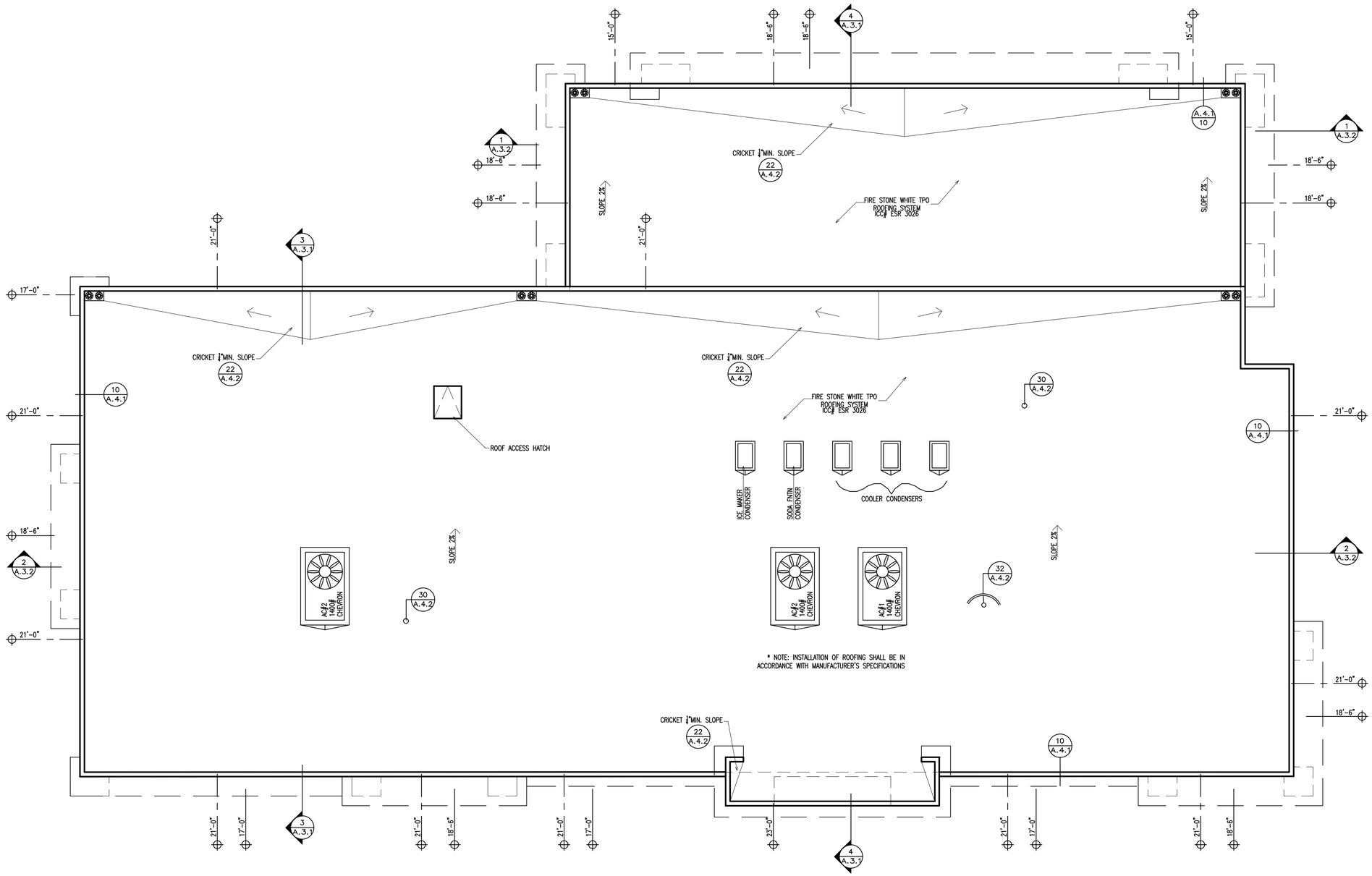
Colonies Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
FLOOR PLAN

DATE ISSUED: 2/28/19
SCALE:
DRAWN BY: F. COHEN
CHECKED BY:
PROJECT NUMBER: 19004
STORE NUMBER: UPLAND
SHEET: A.1.1



ROOF PLAN

SCALE: 3/16"=1'-0"

REVISIONS

NO.:	DATE:	DESCRIPTION:

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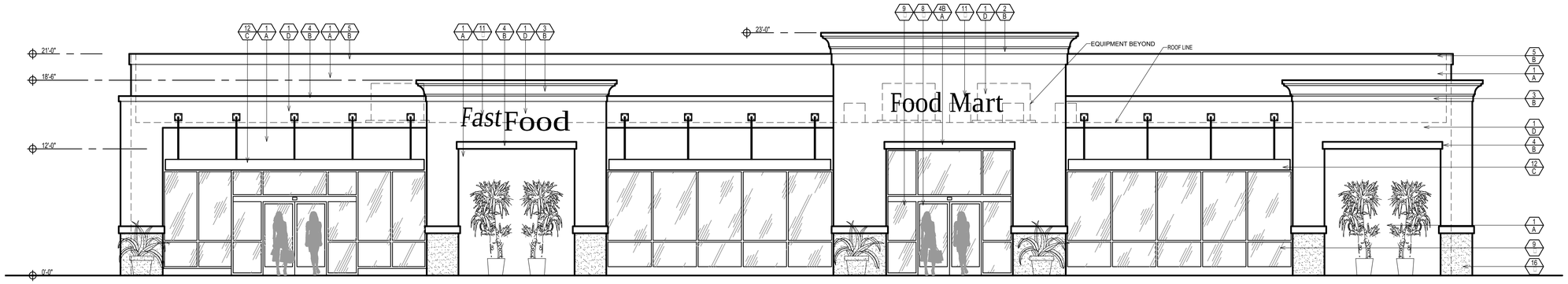
Colonies Campus Center

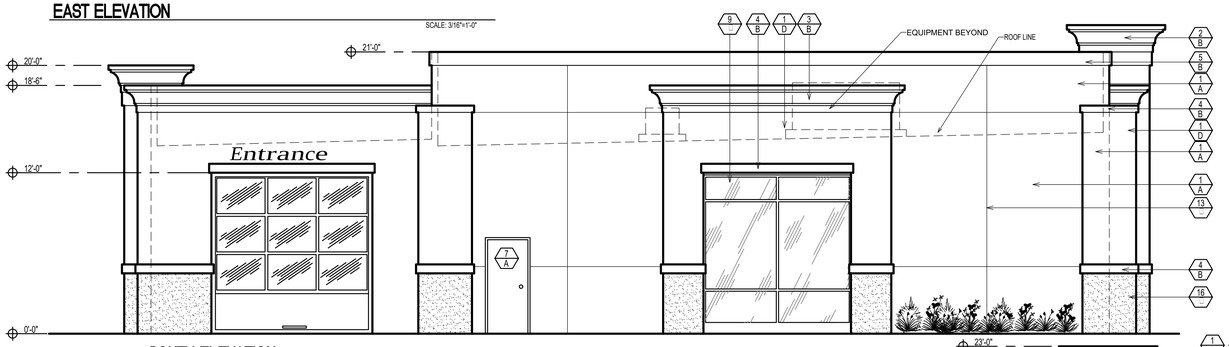
PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
ROOF PLAN

DATE ISSUED: 2/28/19	
SCALE:	
DRAWN BY: F. COHEN	CHECKED BY:
PROJECT NUMBER: 19004	
STORE NUMBER: UPLAND	
SHEET: A.1.2	



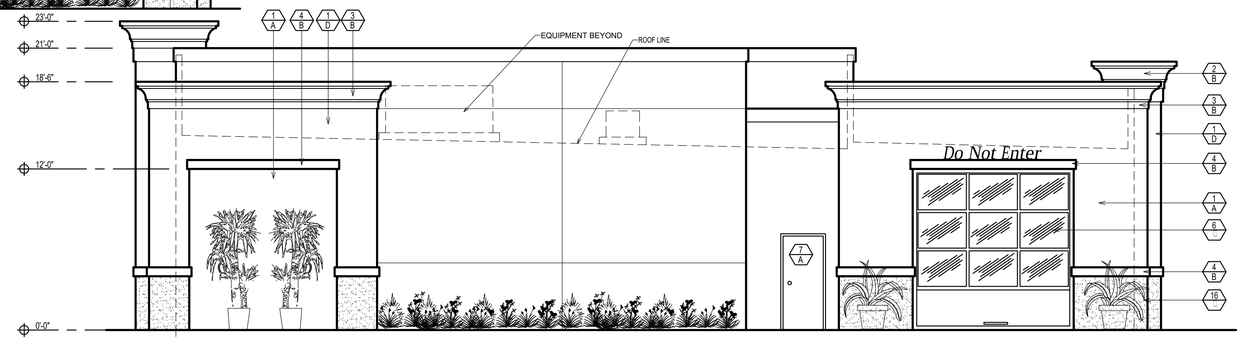
EAST ELEVATION

SCALE: 3/16"=1'-0"



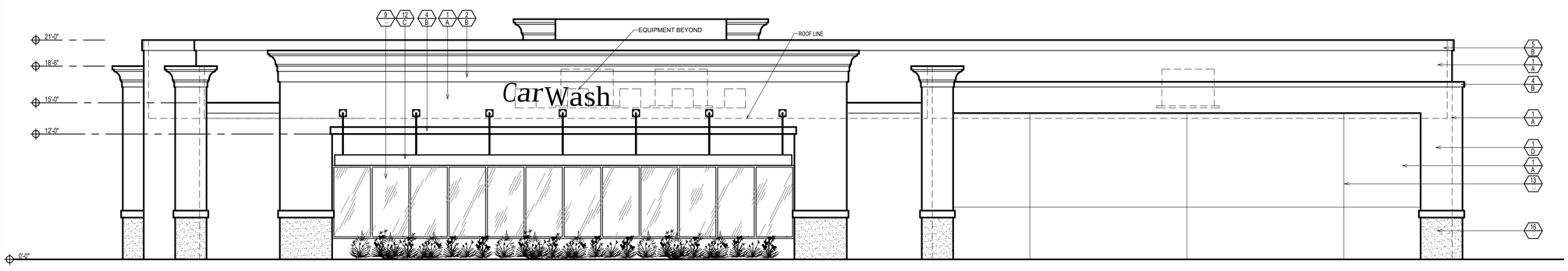
SOUTH ELEVATION

SCALE: 3/16"=1'-0"



NORTH ELEVATION

SCALE: 3/16"=1'-0"



WEST ELEVATION

SCALE: 3/16"=1'-0"

MATERIAL:

1. 7/8" SMOOTH STUCCO
2. 36"H TOP CORNICE SMOOTH FINISH
3. 24"H TOP CORNICE SMOOTH FINISH
4. 6"H SMOOTH FINISH TRIM
5. 10"H SMOOTH FINISH TRIM
6. OVERHEAD WITH GLA□ING ROLLUP DOOR
7. 3'□7' HOLLOW METAL DOOR
8. 3'□7' ANODI□ED ALUMINUM DOOR WITH 1/4" TEMPERED GLASS AND 10" KICK PLATE
9. WINDOWS ANODI□ED ALUMINUM FRAME AND 1/2" TEMPERED CLEAR GLASS
10. SIGNAGE BY OTHERS UNDER SEPARATE PERMIT
11. 12"H ALUMINUM FINISH AWNING OVERHANG
13. STUCCO EXPANSION JOINTS
14. NOT USED
15. NOT USED
16. PRECAST CONCRETE VENEER (NATURAL COLOR)

COLOR:

A. SHERWIN WILLIAMS DHURRIE BEIGE #SW7524 (MAIN WALLS)

B. SHERWIN WILLIAMS KESTREL WHITE #SW7516 (TRIM)

C. SHERWIN WILLIAMS RAINSTORM #SW6230 (AWNNG)

D. SHERWIN WILLIAMS DRY DOCK #SW7502 (TOWER & POP OUTS)

REVISIONS

NO.:	DATE:	DESCRIPTION:

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Colonies Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
BUILDING ELEVATIONS

DATE ISSUED: 2/28/19

SCALE:

DRAWN BY: F. COHEN

CHECKED BY:

PROJECT NUMBER: 19004

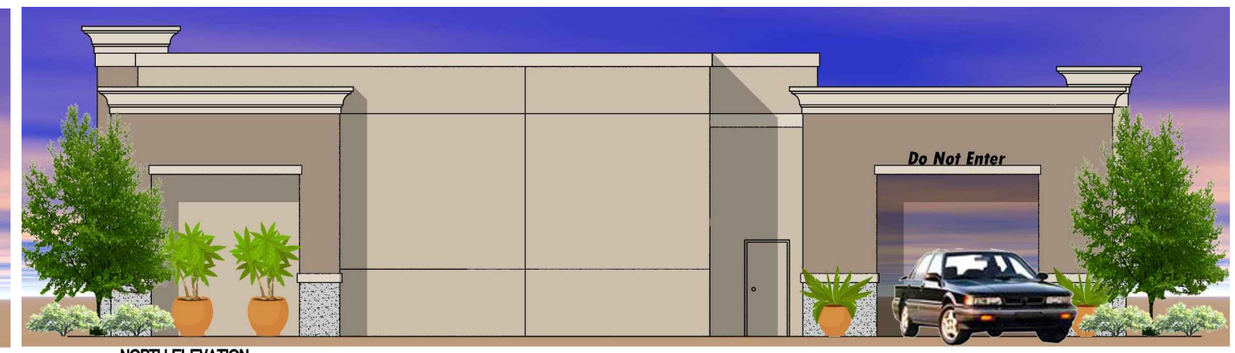
STORE NUMBER: UPLAND

SHEET: A.2.1

EAST ELEVATION

SCALE: 3/16"=1'-0"

SOUTH ELEVATION



NORTH ELEVATION

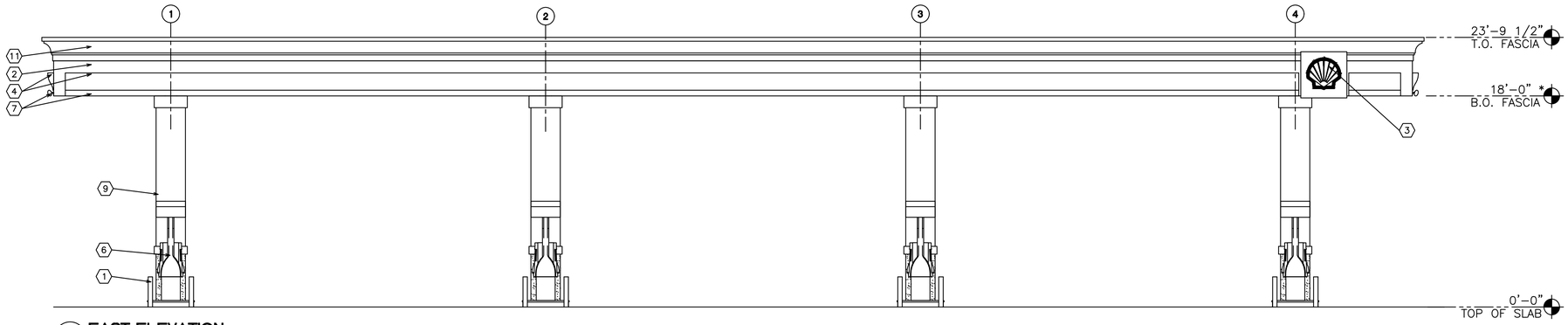
SCALE: 3/16"=1'-0"

WEST ELEVATION

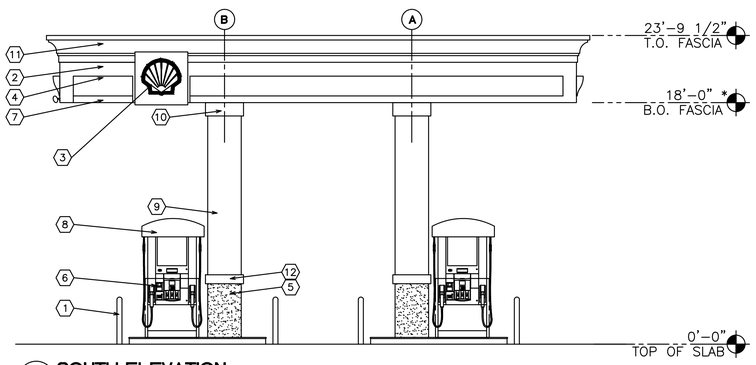
S.E. Corner Campus @ 20th Street, Upland, CA

KEYED NOTES

1. BOLLARD
2. ACM FASCIA PAINTED SW7524
3. ILLUMINATED SHELL PECTEN SIGN BOX
4. CURVED YELLOW ACM FASCIA PANELS
5. PRECAST CONCRETE VENEER (NATURAL COLOR)
6. FUEL DISPENSER AND CURB
7. 6" RED LED ILLUMINATED RED BAR
8. METAL DISPENSER TOPPER
9. 30"SQ STUCCO FIN COLUMN CLADDING SW7524
10. 12"H STUCCO FIN. TRIM SW7516
11. TOP CORNICE STUCCO FIN. SW7516
12. 6"H SMOOTH FINISH TRIM SW7516



02 CA.1.1 **EAST ELEVATION**
SCALE: 3/16"=1'-0"



03 CA.1.1 **SOUTH ELEVATION**
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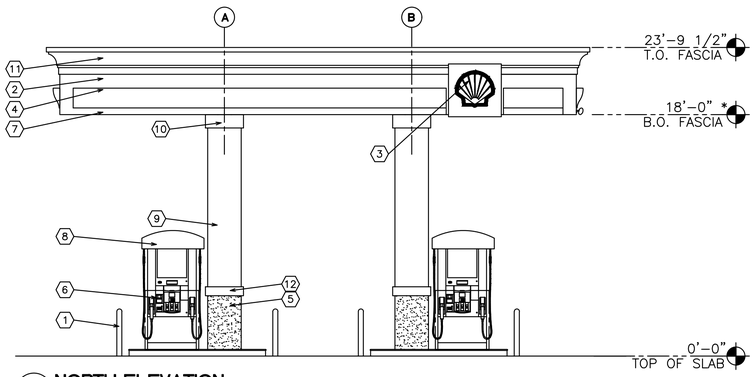
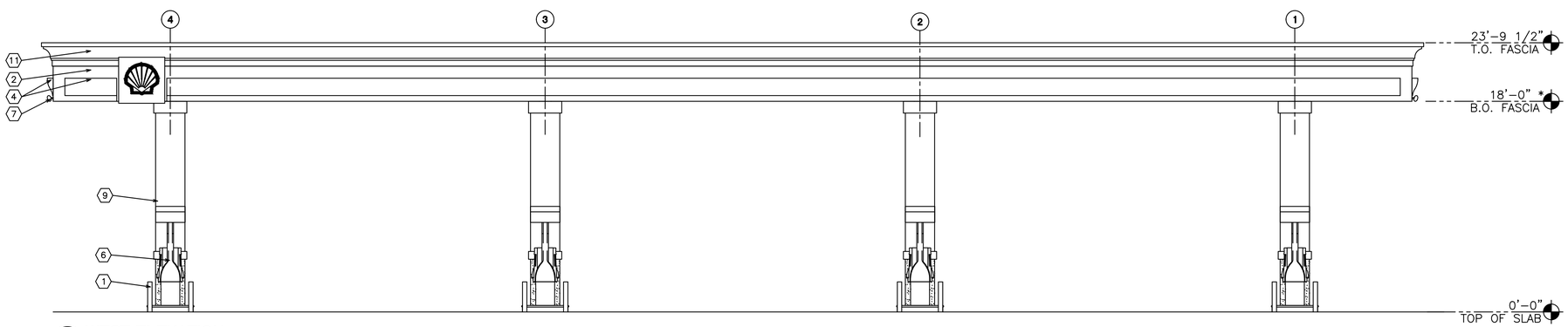


01 CA.1.1 **NORTH ELEVATION**
SCALE: 3/16"=1'-0"



04 CA.1.1 **WEST ELEVATION**
SCALE: 3/16"=1'-0"

REVISIONS

NO.:	DATE:	DESCRIPTION:

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Colonies Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
CANOPY ELEVATIONS

DATE ISSUED: 2/28/19
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CHECKED BY:
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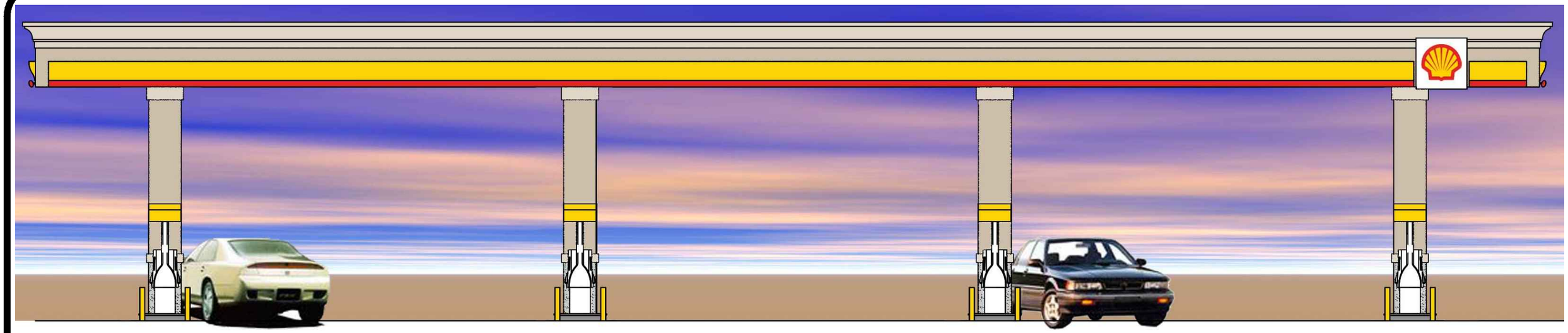
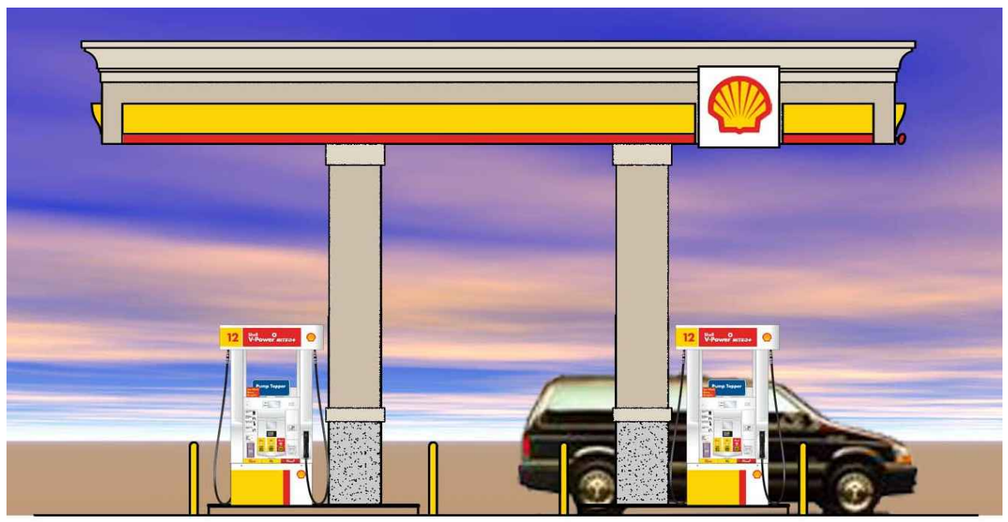
STORE NUMBER: UPLAND
SHEET: CA.1.1



02 CA.1.1 **EAST ELEVATION**
SCALE: 3/16"=1'-0"



01 CA.1.1 **NORTH ELEVATION**
SCALE: 3/16"=1'-0"

PLANT LEGEND

KEY	QTY	BOTANICAL NAMES	COMMON NAMES	WULCOS ZONE 4	SIZE	HEIGHT	WIDTH	SPACING
SHRUBS/ACCENTS ——— (••) PLANT SPECIES WITH THIS MARK ARE STORM WATER FRIENDLY								
		CISTUS CRETICUS (SCREENING)	ROCKROSE	LOW	5 GALLON	3–6'	3–6'	5' O.C.
		HESPERALOE PARVIFLORA	RED YUCCA	LOW	5 GALLON	3–4'	3–4'	5' O.C.
••		ANIGOZANTHOS CULTIVARS (A. FLAVIDUS)	KANGAROO RED PAW	LOW	5 GALLON	5'	2–3'	3' O.C.
••		FESTUCA IDAHOENSIS (BOTTOM OF BASIN)	FESCUE	LOW	5 GALLON	14"	10"	3' O.C.
GROUND COVER								
		ACHILLEA MILLEFOLIUM	YARROW	LOW	1 GALLON	6"	18"	3' O.C.
		DROSANTHEMUM FLORIBUNDUM	ROSIE ICEPLANT	LOW	1 GALLON	6"	5'	5' O.C.
		MACFADYENA UNGUIS–CATI 'PROSTRATUS'	CAT'S CLAW	LOW	5 GALLON			10' O.C.

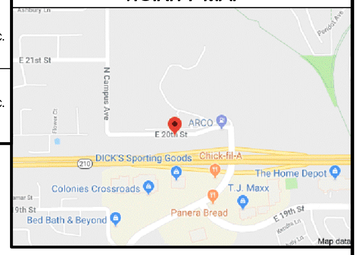
PLANT LEGEND

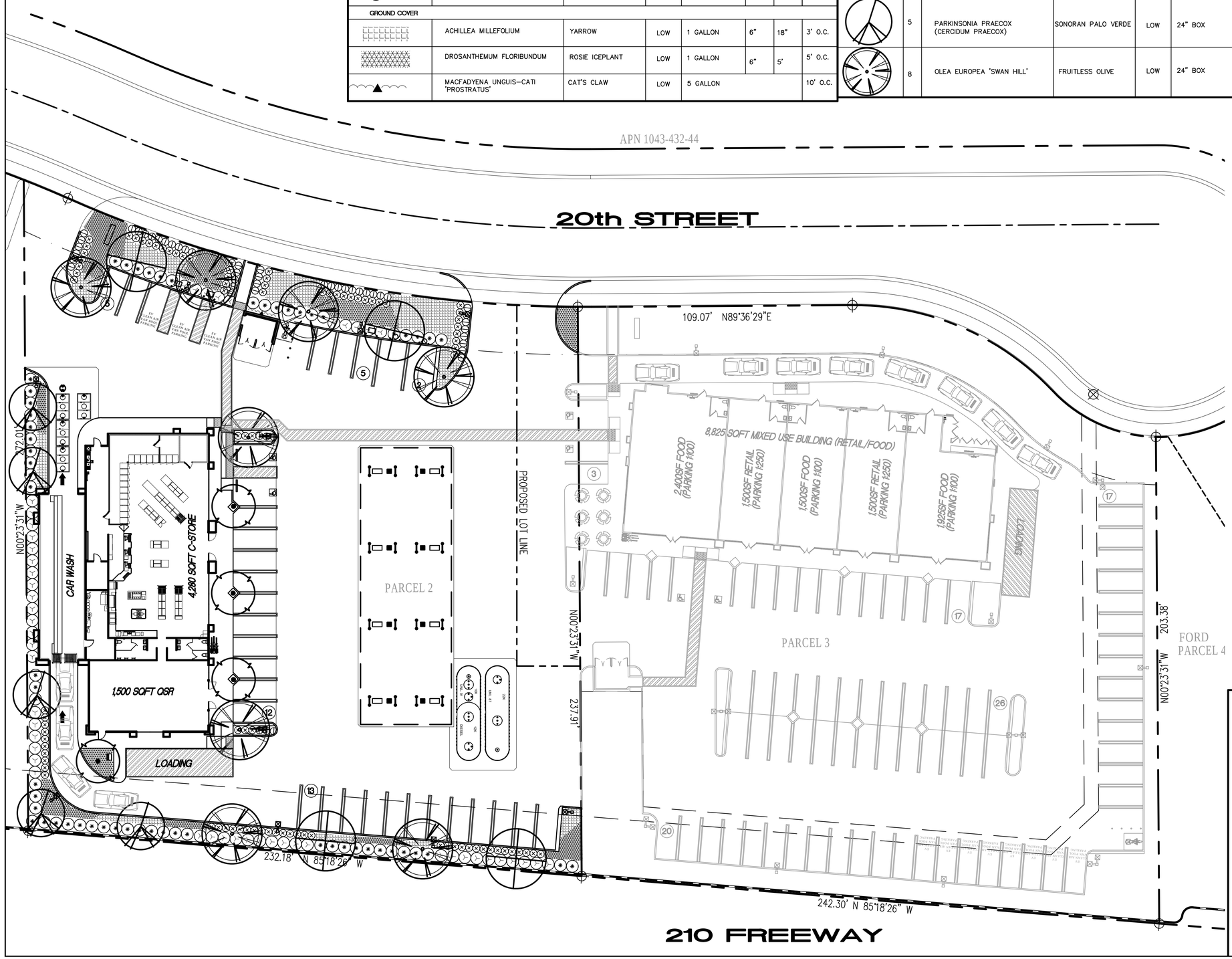
KEY	QTY	BOTANICAL NAMES	COMMON NAMES	WULCOS ZONE 4	SIZE	HEIGHT	WIDTH	SPACING
TREE								
	4	CERCIS OCCIDENTALIS	WESTERN REDBUD	LOW	24" BOX	10–18'	10–18'	20' O.C.
	4	LAURUS NOBILIS "SARATORGA" (SHADE TREE)	SWEET BAY	LOW	24" BOX	12–40'	12–40'	40' O.C.
	5	PARKINSONIA PRAECOX (CERCIDUM PRAECOX)	SONORAN PALO VERDE	LOW	24" BOX	20'	20'	20' O.C.
	8	OLEA EUROPEA 'SWAN HILL'	FRUITLESS OLIVE	LOW	24" BOX	25–30'	25–30'	30' O.C.

N
W E
S

20 16 12 8 4 0 20' 40' 60'
GRAPHIC SCALE

VICINITY MAP





PLANTING NOTES

A. PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS, THE WIDTH TWICE THE DIAMETER OF THE ROOTBALL AND 6" DEEPER THAN THE LENGTH OF THE ROOTBALL
EACH PLANT PIT SHALL BE BACKFILLED WITH THE FOLLOWING PREPARED SOIL MIX:

2 PARTS NITROLIZED REDWOOD SHAVINGS
1 PART 'NITROHUMUS'
3 PARTS EXCAVATED SOIL
21 GRAM 'AGRIFORM' PLANTING TABLET

PLANTING TABLETS SHALL BE APPLIED AS FOLLOWS:
1 TABLET PER 1 GALLON SIZE PLANT
2 TABLETS PER 5 GALLON SIZE PLANT
3 TABLETS PER 15 GALLON SIZE PLANT

LARGER PLANT MATERIAL WILL BE GIVEN ONE (1) TABLET PER 1/2 " DIAMETER OF TRUNK CALIPER

B. PREPARED SOIL SHALL BE TAMPED FIRMLY AT BOTTOM OF PLANT PIT. FILL PREPARED SOIL AROUND BALL OF PLANT 1/2 WAY AND INSERT PLANT TABLETS. COMPLETE BACKFILLING AND WATER IN THOROUGHLY.

NOTE:

ALL SHRUB AND GROUNDCOVER AREAS TO RECEIVE 3" DEPTH RED COLOR BARK MULCH. SUBMIT SAMPLE TO CITY INSPECTOR FOR APPROVAL PRIOR TO INSTALLATION

CONTRACTOR TO CONDUCT THEIR OWN PLANT MATERIAL QUANTITY TAKEOFFS

CONTRACTOR TO CONDUCT AGRONOMIC SOIL TEST REPORT AND CONVEY RESULTS TO OWNER RESULTS

COMPACTION SHALL NOT BE GREATER THAN 85% IN LANDSCAPE AREA. ALL FINISHED GRADES AT 1 ½" BELOW FINISHED SURFACES. SLOPES TO BE MAXIMUM 3:1

IRRIGATION SHALL PROVIDE SEPARATE SYSTEMS FOR TREE STREAM BUBBLERS WITH PC SCREEN

REVISIONS

NO.:	DATE:	DESCRIPTION:
1	03/11/20	REVISED PER PHAE I
2	06/04/20	REVISED TO ADD BOTH PHASE

CJC Design, Inc.
Design Planning Permitting
22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
Tel: (714) 970-9663
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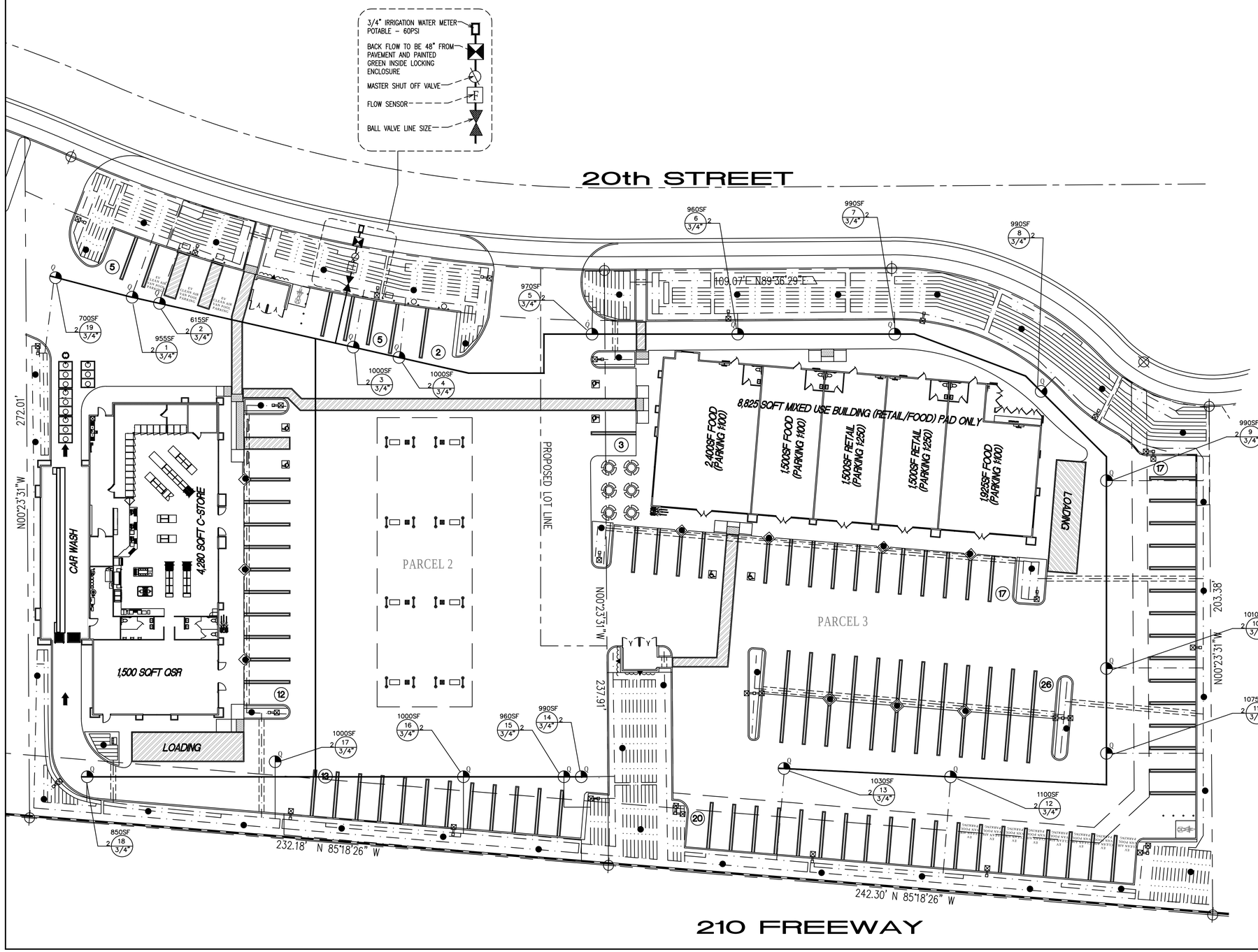
www.cjccorp.com

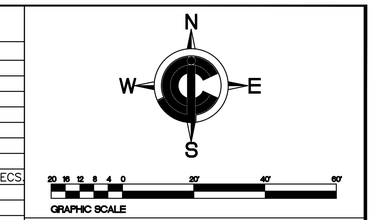
Colonies Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
SERVICE STATION CONCEPTUAL PLANTING

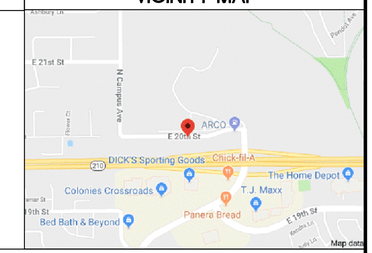
DATE ISSUED: 2/28/19
SCALE: SCALE: 1"=20'-0"
DRAWN BY: F. COHEN
CHECKED BY:
PROJECT NUMBER: 19004
STORE NUMBER: UPLAND
SHEET: L.1.1-A

Symbol	Manufacturer – Model Number	Pattern	Radius	PSI	GPH	Remarks
●	Rainbird 5HB or 5FB	—	—	20	2	2 HEADS PER TREE PER 24" BOX
T	HUNTER ET SENSOR					
Q	Rainbird Quick Coupling Valve – 33DNP or equal					Install in Fiberglass Valve Box
C	HUNTER PRO C–24 STATION or equal					PROVIDE HUNTER ET CONTROLLER AND SENSOR PER MANUF. SPECS.
	Rainbird XCZ–075 Control Zone Kit or equal					Size per plan, Install in Fiberglass Valve Box
	Rainbird PGA Series Remote Control Valve – 1" Master Valve					Install in Fiberglass Valve Box
	FEBCO 825Y–3/4" REDUCED PRESSURE BACKFLOW PREVENTER					
	NIBCO 113T LINE SIZED BALL VALVE					
F	HUNTER HFS/FCT–100					FLOW SENSOR TO BE INSTALLED PER MANUF. SPECS
	Irrigation Mainline – SCH 40 PVC 1"					
	Irrigation Lateral Line – SCH 40 PVC 3/4"					All Lateral Pipe Sizes Minimum 3/4" unless
	Drip line – Netafilm Tekline CV subsurface drip line or equal					otherwise noted on plan.
	Irrigation Pipe Sleeving – PVC Sch. 40 Minimum 2X Diameter Inside Pipe(s)					MINIMUM 30" COVER UNDER VEHICULAR PAVING



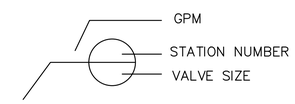


VICINITY MAP



IRRIGATION PRESSURE CALCULATIONS

FURTHEST VALVE FROM WATER METER IS VALVE 11 WITH 2 GPM
WATER PRESSURE AT METER: 40 PSI
LOSS THRU WATER METER: 2 PSI
LOSS THRU BACKFLOW: 10 PSI
LOSS THRU 1" MAINLINE: 300' AT 0.12 PSI LOSS PER 100' = 1 PSI LOSS
LOSS THRU 3/4" VALVE: 5.6 PSI
LOSS THRU LATERAL LINE: 3/4" = 2 PSI
LOSS THRU FITTINGS: 2 PSI
LOSS THRU ELEVATION: 6 FT X .0433 PSI/FT = 2.60 PSI
TOTAL LOSS: 27 PSI
RESIDUAL PRESSURE: 13 PSI



NOTES:
CONTRACTOR TO PROVIDE A NEATLY DRAWN LAMINATED IRRIGATION LAYOUT CHART FOR AUTOMATIC CONTROLLERS. CENTRAL CONTROLLER SHALL INCLUDE A MANUFACTURER SUPPORT PAGE. PEDESTALS SHALL BE LOCATED WITHIN PLANTER AREAS WITH AN 18" PAD OF DG OR MULCH AT FRONT FOR ACCESS

CONTROLLER AND WEATHER SENSOR SHALL BE CONNECTED AND OPERATING PRIOR TO FINAL INSPECTION

TREE IRRIGATION SHALL BE ON SPEARATE VALVE THAN DRIP IRRIGATION, 2 HEADS PER TREE PER 24" BOX SIZE, 3 HEADS PER 36" BOX SIZE

TREE BUBBLERS SHALL BE INSTALLED ON EACH SIDE OF THE ROOTBALL FOR CONSISTENT WETTING, 3' FROM TREE TRUNK. TREE BUBBLERS SHALL NOT OVERSPRAY ONTO PAVING OR SPRAY TREE STAKES

VALVE BOXES SHALL BE NO MORE THAN 2" ABOVE FG IN SHRUB AREAS, 1" IN TURF

DRIP LINE SHALL BE OUTSIDE OF TRUNK FLARE 8' SQUARE OR DIAMETER

IRRIGATION LATERAL LINES SHALL BE SCH 40 PVC AND A MINIMUM $\frac{3}{4}$" SIZE. ALL PRESSURE MAIN LINE SHALL BE SCH 40 PVC FOR SIZES UPTO 1 $\frac{1}{2}$" DIAMETER. CLASS 315 PVC FOR LINES 2" AND LARGER

IRRIGATION MAINLINES UNDER PAVING SHALL HAVE MIN. 24" COVER; LATERALS 18" COVER.

IRRIGATION PIPES UNDER STREETS SHALL BE INSTALLED 36" DEEP, SLEEVED AND IDENTIFIED WITH MARKING TAPE INSTALLED 12" FROM THE SURFACE IDENTIFYING TYPE OF LINE WITH APWA STANDARD "CAUTION WATERLINE BURIED BELOW" IN BLUE OR "CAUTION RECYCLED WATER LINE BURIED BELOW" IN PURPLE

AN IRRIGATION AUDIT REPORT BY A CERTIFIED IRRIGATION AUDITOR SHALL BE PROVIDED PRIOR TO CITY LANDSCAPE INSPECTION. REPORT SHALL INCLUDE
a. CONTROLLER PROGRAM IRRIGATION SCHEDULE TO INCLUDE: START TIMES, PROGRAMS, AND RUN TIMES. SCHEDULE SHALL CONSIDER APPLICATION RATE, SOIL TYPE, PLANT FACTORS, SLOPE AND EXPOSURE.
b. CONTROLLER PROGRAMMING TO ON–SITE WEATHER SENSOR OR CIMIS STATION
c. CONTROLLER PROGRAMMING TO FLOW SENSOR AND MASTER VALVE, OR LEARNED RUN TIMES
d. VERIFICATION OF EFFICIENT WATER USE WITH NO RUN OFF OR OVERSPRAY BY TESTING MIN. 15% OF SITE
e. VERIFICATION OF THE REDUCED SIZE IRRIGATION PLAN, LAMINATED WITH LAYOUT CHART INDICATING VALVE NUMBER AND COLOR–CODED AREA OF SYSTEM LIMITS AND IRRIGATION RUN SCHEDULE

REVISIONS

NO.:	DATE:	DESCRIPTION:

CJC Design, Inc.
Design Planning Permitting
22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
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Fax: (714) 970-9653
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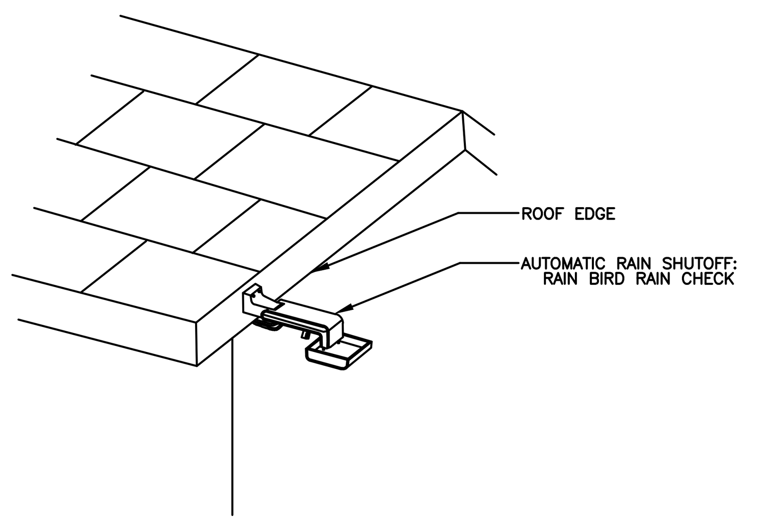
Colonies Campus Center

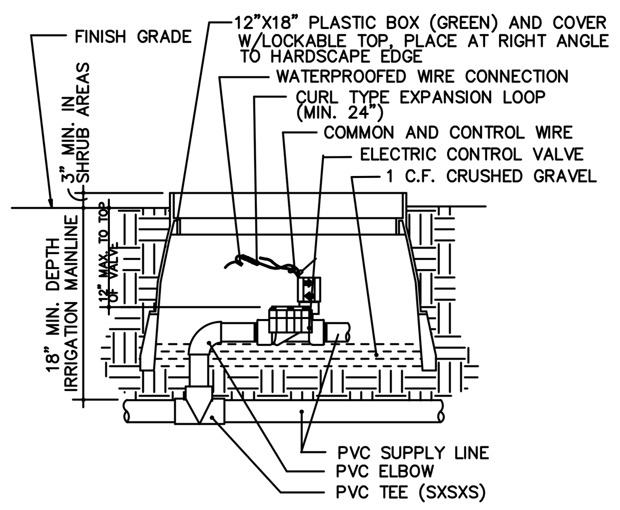
PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
IRRIGATION PLAN

DATE ISSUED: 2/28/19
SCALE: SCALE: 1"=20'-0"
DRAWN BY: F. COHEN
CHECKED BY:
PROJECT NUMBER: 19004
STORE NUMBER: UPLAND
SHEET: L.2.1

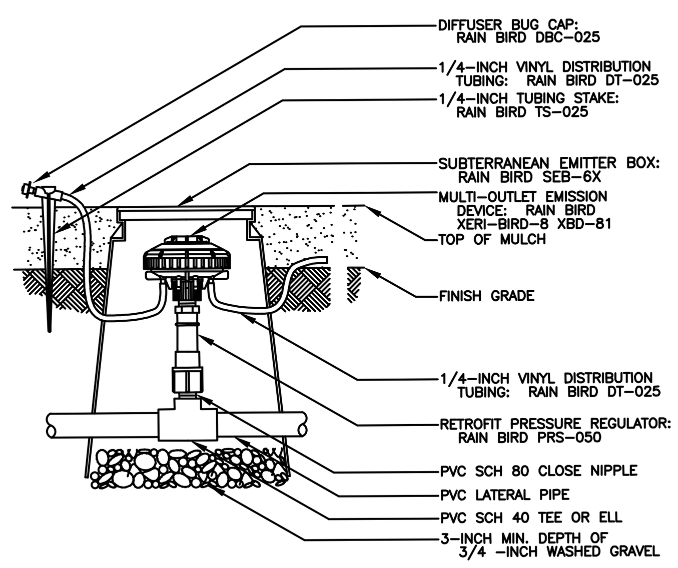


NOTE:
1. FOR COMPLETE INSTALLATION INSTRUCTIONS, SEE INSTRUCTIONS ENCLOSED WITH RAIN CHECK.

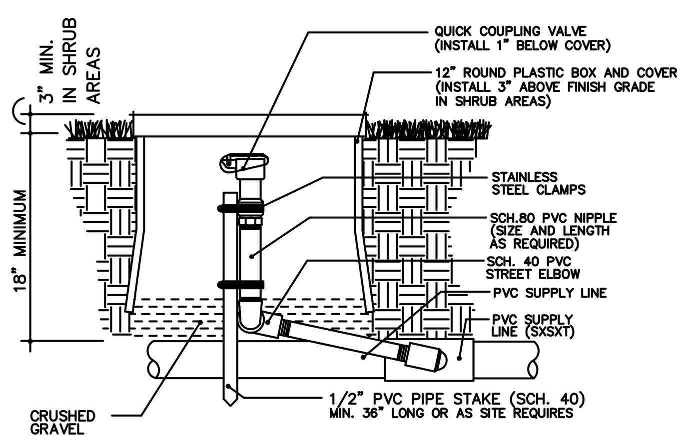
AUTOMATIC RAIN SHUTOFF N.T.S.



ELECTRIC MASTER VALVE N.T.S.

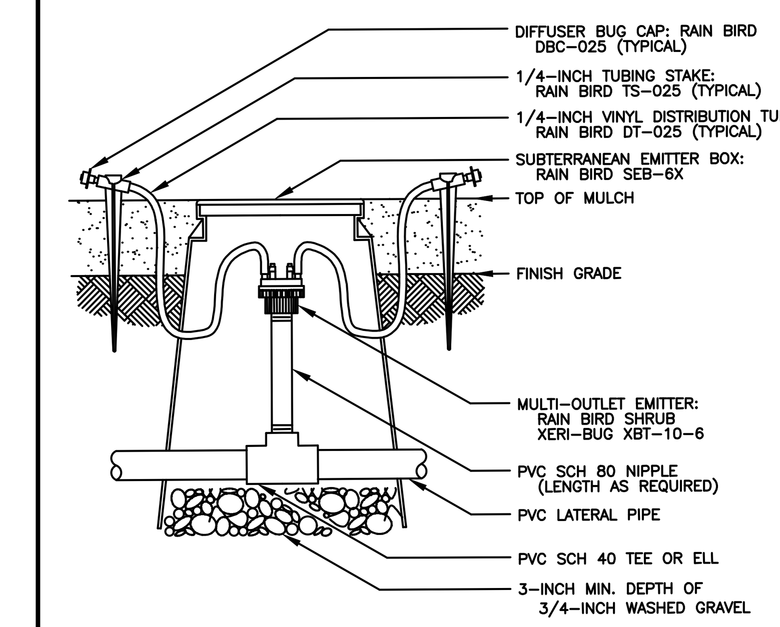


XERI-BIRD-8 N.T.S.

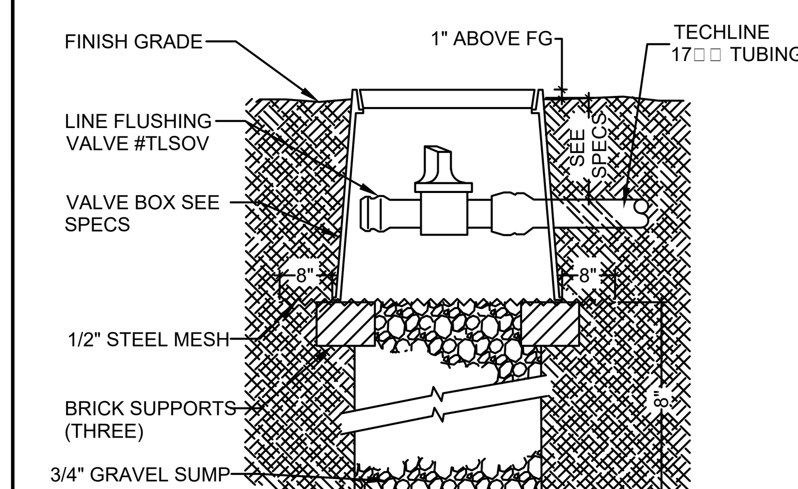


NOTE: ALL LATERAL LINES SHALL BE BURIED A MINIMUM OF 12" DEEP BELOW TOP OF SOIL. (VERIFY HEAD LENGTH FOR MIN. PIPE DEPTH)

QUICK COUPLER N.T.S.



XERI-BIRD-2 N.T.S.



MANUAL FLUSHING VALVE DETAIL N.T.S.

Month	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec
Station	All	All	All	All	All	All	All	All	All	All	All	All
Daily Run Time in Minutes (Each station)	20	20	20	30	30	30	30	30	30	20	20	20
Days per Month	13	12	13	13	13	13	13	14	13	13	13	13
Days per Week	3	3	3	3	3	3	3	3	3	3	3	3

Notes

THIS SCHEDULE IS JUST A RECOMENDATION.
CONTRACTOR IS RESPONSIBLE FOR FINAL SCHEDULE AND HEALTH OF PLANTS.

INITIAL SCHEDULE - 6 MONTH MAINTENANCE PERIOD
FOLLOW SCHEDULE FOR ESTABLISHMENT OF PLANTS FOR A 6 MONTH PERIOD BEGINNING AT END OF PLANTING

SCHEDULE BASED ON MONTHLY ETo FOR UPLAND

WATERING SHALL OCCUR BETWEN 6PM AND 6AM

Irrigation Schedule - Maintenance Period

Month	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec
Station	All	All	All	All	All	All	All	All	All	All	All	All
Daily Run Time in Minutes (Each station)	10	10	10	20	20	20	20	20	20	10	10	10
Days per Month	13	12	13	13	13	13	13	14	13	13	13	13
Days per Week	3	3	3	3	3	3	3	3	3	3	3	3

Notes

THIS SCHEDULE IS JUST A RECOMENDATION.
CONTRACTOR IS RESPONSIBLE FOR FINAL SCHEDULE AND HEALTH OF PLANTS.

ALLOW IRRIGATION CONTROLLER TO ADJUST RUN TIMES BASED ON WEATHER

WATERING SHALL OCCUR BETWEN 6PM AND 6AM

Irrigation Schedule - Established Plants

GENERAL IRRIGATION NOTES:

- 120 VOLT ELECTRICAL POWER OUTLET FOR CONTROLLER TO BE PROVIDE BY OTHERS. THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING THE ELECTRICAL CONNECTION FROM OUTLET TO THE CONTROLLER.
- ALL WIRE FROM CONTROLLER TO ELECTRIC REMOTE CONTROL VALVES TO BE COPPER UF #14 DIRECT BURIAL. USE BLACK FOR PILOT - WHITE FOR COMMON. INSTALL IN COMMON TRENCH WITH IRRIGATION MAINLINE PIPING WHEREVER POSSIBLE PROVIDE A MINIMUM OF 18" COVER.
- PROVIDE MINIMUM 18" COVER OVER ALL PRESSURE MAINLINE PIPE AND 12" OVER ALL NON-PRESSURE LATERAL LINE PIPE. ALL PIPE UNDER VEHICULAR PAVED AREAS TO BE INSTALLED IN SLEEVES W/30" MINIMUM COVER. ALL SLEEVES TO BE PVC 1120 SCH 80 PLASTIC PIPE INSTALLED PRIOR TO HARDSCAPE CONSTRUCTION.
- FINAL LOCATION OF AUTOMATIC CONTROLLER TO BE DETERMINED BY OWNER'S AUTHORIZED REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT.
- THE IRRIGATION DESIGN IS PURELY DIAGRAMMATIC. EQUIPMENT SHOWN IN PAVED AREAS IS FOR DESIGN CLARIFICATION ONLY AND IS TO BE INSTALLED WITHIN PLANTER AREAS WHEREVER POSSIBLE. SCREEN ALL IRRIGATION COMPONENTS WITH SHRUBS.
- THE IRRIGATION CONTRACTOR SHALL FLUSH ALL LINES AND ADJUST ALL SPRINKLER HEADS FOR MAXIMUM PERFORMANCE AND TO PREVENT OVERSPRAY ONTO ADJACENT WALKS, DRIVES, AND BUILDINGS WHENEVER POSSIBLE. THIS SHALL INCLUDE SELECTING THE BEST DEGREE OF ARC AND RADIUS TO FIT EXISTING SITE CONDITIONS.
- THE CONTRACTOR SHALL NOT WILLFULLY INSTALL THE IRRIGATION SYSTEM AS DESIGNED WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS OR GRADE DIFFERENCES EXIST THAT WERE NOT KNOWN DURING THE DESIGN PROCESS. SUCH CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE, OTHERWISE
- THE IRRIGATION CONTRACTOR MUST ASSSUME FULL RESPONSIBILITY FOR ANY AND ALL NECESSARY REVISIONS.
- THE CONSTRACTOR SHALL INSTALL ALL EQUIPMENT AS SHOWN IN THE IRRIGATION DETAIL SHEET.
- IRRIGATION SYSTEM DESIGN IS BASED ON MINIMUM OPERATING PRESSURE SHOWN AT EACH POINT OF CONNECTION AND THE MAXIMUM G.P.M. DEMAND SPECIFIED. THE IRRIGATION CONTRACTOR SHALL VERIFY ALL AVAILABLE STATIC PRESSURES ON THE PROJECT SITE
- PRESSURE REGULATORS SHALL BE INSTALLED ON THE IRRIGATION SYSTEM ENSURING THAT DYNAMIC PRESSURE OF THE SYSTEM IS WITHIN THE MANUFACTURER'S RECOMMENDED PRESSURE RANGE.
- IRRIGATION SCHEDULING SHALL COMPLY WITH FCC SECTION 28-104

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ETo) 52.30

Hydrozone # /Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq, ft,)	ETAF x Area	Estimated Total Water Use (ETWU)[e]
Regular Landscape Areas							
LOW	0.30	DRIP	0.81	0.37	18,185	6,729	218,177
				Totals	(A) 18,185	(B) 6,729	218,177
Special Landscape Areas							
	[redacted]			1			
				1			
				1			
				Totals	(C)	(D)	
						ETWU Total	218,177
						Maximum Allowed Water Allowance (MAWA)[e]	265,374

[a]*Hydrozone #/Planting Description*
E.g
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b]*Irrigation Method*
overhead spray
or drip

[c]*Irrigation Efficiency*
0.75 for spray head
0.81 for drip

[d]*ETWU* (Annual Gallons Required) =
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year.

[e]***MAWA (Annual Gallons Allowed) =*** *(Eto) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]*
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

MAWA=(52.3) (0.62) (0.45x18,185)
MAWA=(52.3) (0.62) (8,184)
MAWA=265,374

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	(B)	6,729
Total Area	(A)	18,185
Average ETAF	**B ÷ A**	0.37

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	(B+D)	6,729
Total Area	(A+C)	18,185
Sitewide ETAF	**(B+D) ÷ (A+C)**	0.37

A copy of this form may be obtained from Department of Water Resources website: http://www.water.ca.gov/wateruseefficiency/landscapeordinance/

PLANTING NOTES

A. PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS, THE WIDTH TWICE THE DIAMETER OF THE ROOTBALL AND 6" DEEPER THAN THE LENGTH OF THE ROOTBALL
EACH PLANT PIT SHALL BE BACKFILLED WITH THE FOLLOWING PREPARED SOIL MIX:

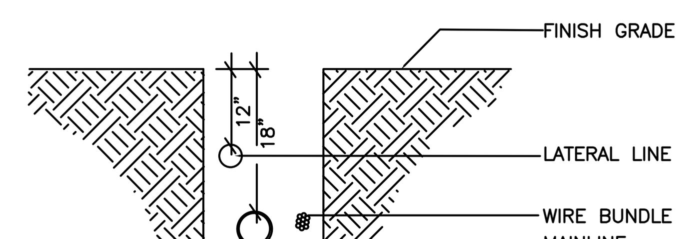
2 PARTS NITROLIZED REDWOOD SHAVINGS
1 PART 'NITROHUMUS'
3 PARTS EXCAVATED SOIL
21 GRAM 'AGRIFORM' PLANTING TABLET
PLANTING TABLETS SHALL BE APPLIED AS FOLLOWS:
1 TABLET PER 1 GALLON SIZE PLANT
2 TABLETS PER 5 GALLON SIZE PLANT
3 TABLETS PER 15 GALLON SIZE PLANT

LARGER PLANT MATERIAL WILL BE GIVEN ONE (1) TABLET PER 1/2 " DIAMETER OF TRUNK CALIPER

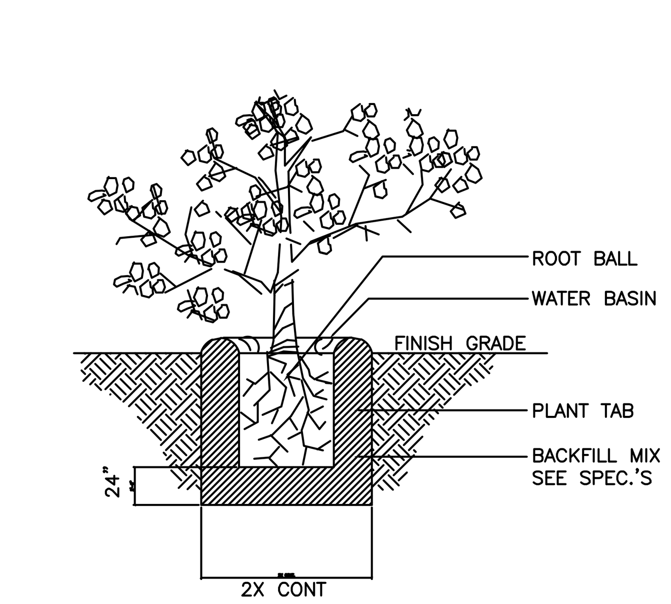
B. PREPARED SOIL SHALL BE TAMPED FIRMLY AT BOTTOM OF PLANT PIT. FILL PREPARED SOIL AROUND BALL OF PLANT 1/2 WAY AND INSERT PLANT TABLETS. COMPLETE BACKFILLING AND WATER IN THOROUGHLY.

GENERAL NOTES:

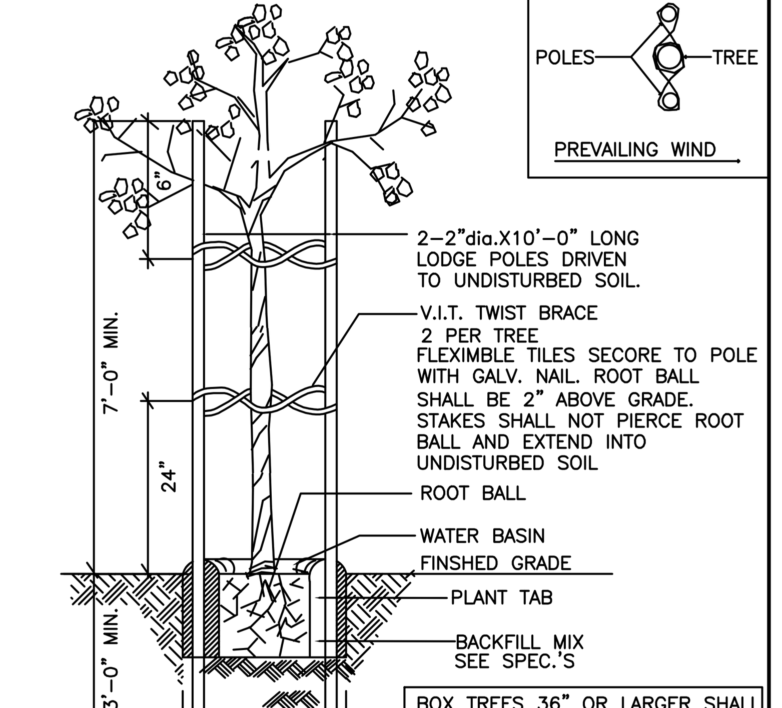
PIPE SHALL REST FIRMLY ON TRENCH BOTTOM.
MAINTAIN MIN 4" SEPARATION BETWEEN LATERAL LINES AND MAIN LINE
SNAKE PIPE FROM SIDE TO SIDE
WIRE IS TO BE 12 GAUAGE
BUNDLE WIRE AT 20' INTERVALS



IRRIGATION TRENCH DETAIL N.T.S.

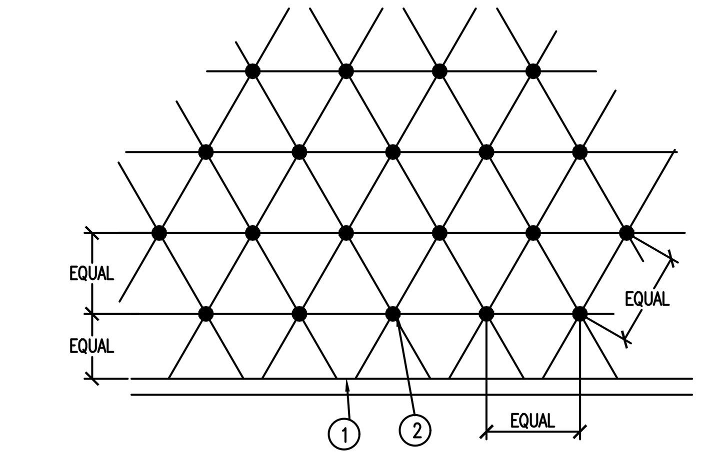


SHRUB PLANTING N.T.S.



BOX TREES 36" OR LARGER SHALL BE ROOTBALL ANCHORED. SEE EARTH ANCHORS DUCK BILL ROOTBALL SYSTEM

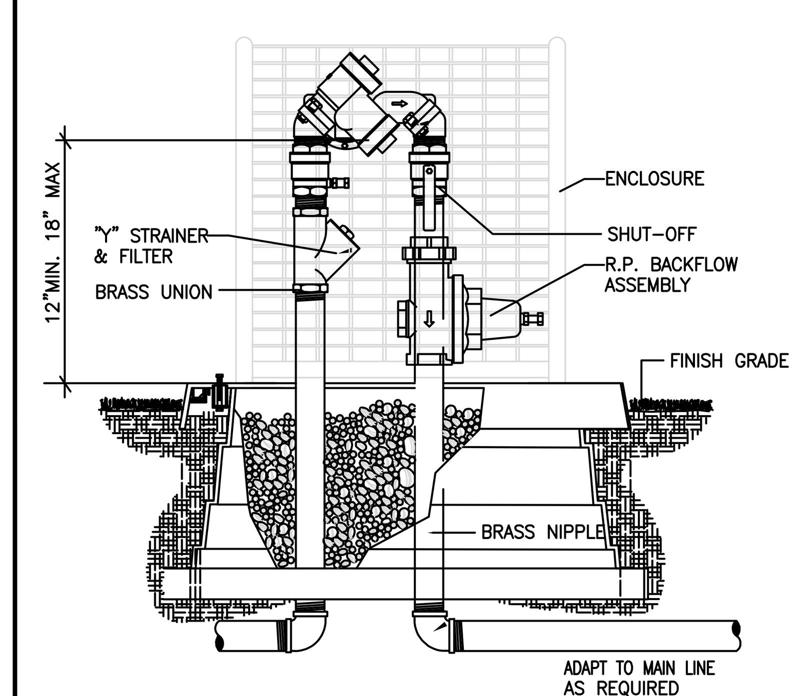
TREE PLANTING N.T.S.



LEGEND
1. BACK OF CURB OR EDGE OF PAVING
2. PLANT LOCATION.

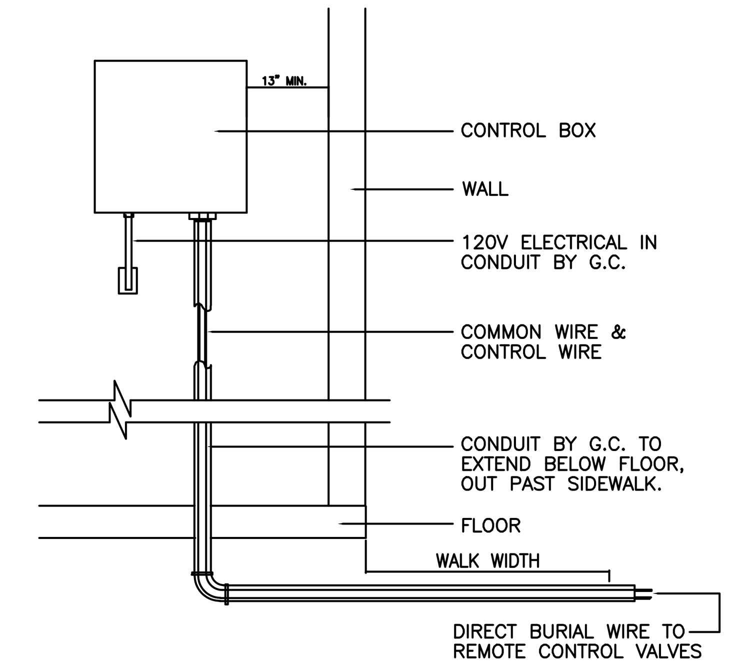
NOTE:
ALL SHRUBS/GROUND COVER TO BE PLANTED AT EQUAL SPACING (TRIANGULAR) UNLESS OTHERWISE INDICATED ON PLANS. SEE LEGEND FOR SPACING REQUIREMENTS

SHRUB/G.C. SPACING N.T.S.



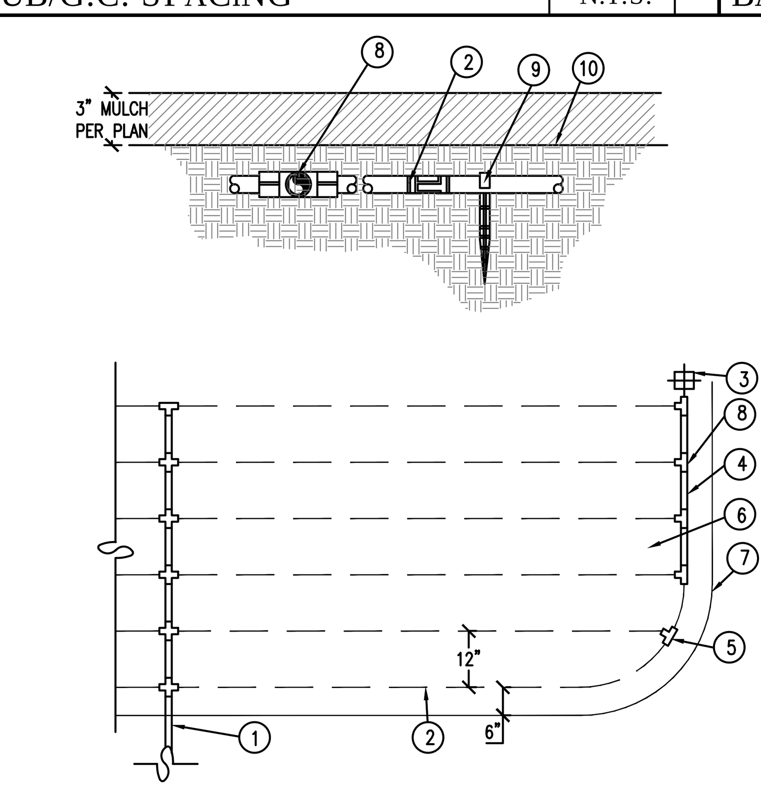
NOTE: INSTALL PER MANUFACTURERS RECOMMENDATIONS. ALL ABOVE GRADE PIPE & FITTINGS TO BE BRASS. ALL CONNECTIONS ON ASSEMBLY TO BE THREADED.

BACKFLOW PREVENTER N.T.S.



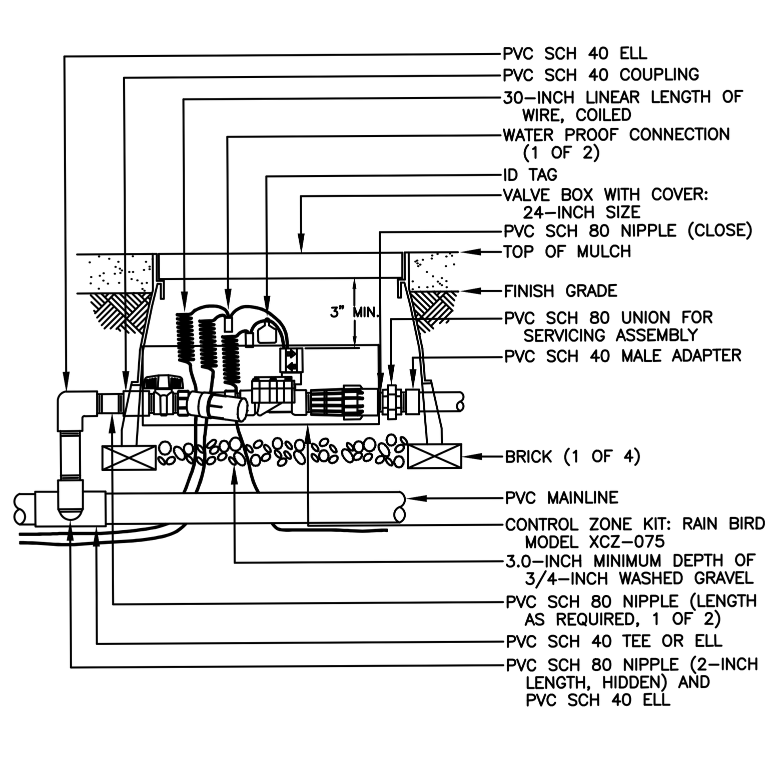
NOTE: SEE MANUAL FOR MOUNTING INSTRUCTIONS. ALL WIRING TO BE INSTALLED PER CODES.

CONTROL BOX N.T.S.



LEGEND
1. PVC INPUT LATERAL FROM VALVE, SIZE AS NOTED ON IRRIGATION PLAN.
2. NETAFIM DRIPPERLINE TLCV-,EMITTERS AND SPACING BETWEEN LINES AS PER IRRGATION LEGEND
3. MANUAL ½" FLUSH VALVE, MODEL AS NOTED ON IRRIGATION PLAN. INSTALL IN PLANTER AREA AT LOW END FARTHEST FROM VALVE. SEE FLUSH VALVE DETAIL FOR INSTALLATION.
4. PVC EXHAUST HEADER, SIZE AS REQUIRED (¾" MINIMUM). CONNECT TECHLINE TO PVC WITH PVC TEES AND COMPRESSION FITTINGS. GLUE ALL PVC-TO-PVC CONNECTIONS.
5. PVC COMPRESSION FITTINGS FOR ALL TECHLINE-TO-TECHLINE CONNECTIONS.
6. PLANTER AREA - SEE PLANS
7. EDGE OF PLANTER AREA
8. PVC FITTINGS, TYPE AND SIZE AS REQUIRED. GLUE ALL PVC-TO-PVC CONNECTIONS. USE COMPRESSION FITTINGS FOR ALL PVC-TO-TECHLINE CONNECTIONS.
9. TIE DOWN STAKE, SPACING AT 2' O.C. MAX.
10. FINISH GRADE.

DRIPLINE BELOW GRADE N.T.S.



XERIGATION CONTROL VALVE N.T.S.

REVISIONS		
NO.:	DATE:	DESCRIPTION:

CJC Design, Inc.
Design Planning Permitting
22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
Tel: (714) 920-9643
Fax: (714) 917-0250
www.cjccorp.com

Colonies
Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
LANDCAPE/IRRIGATION DETAILS

DATE ISSUED: 2/28/19
SCALE:
DRAWN BY: F. COHEN
CHECKED BY:
PROJECT NUMBER: 19004
STORE NUMBER: UPLAND
SHEET: L.3.1

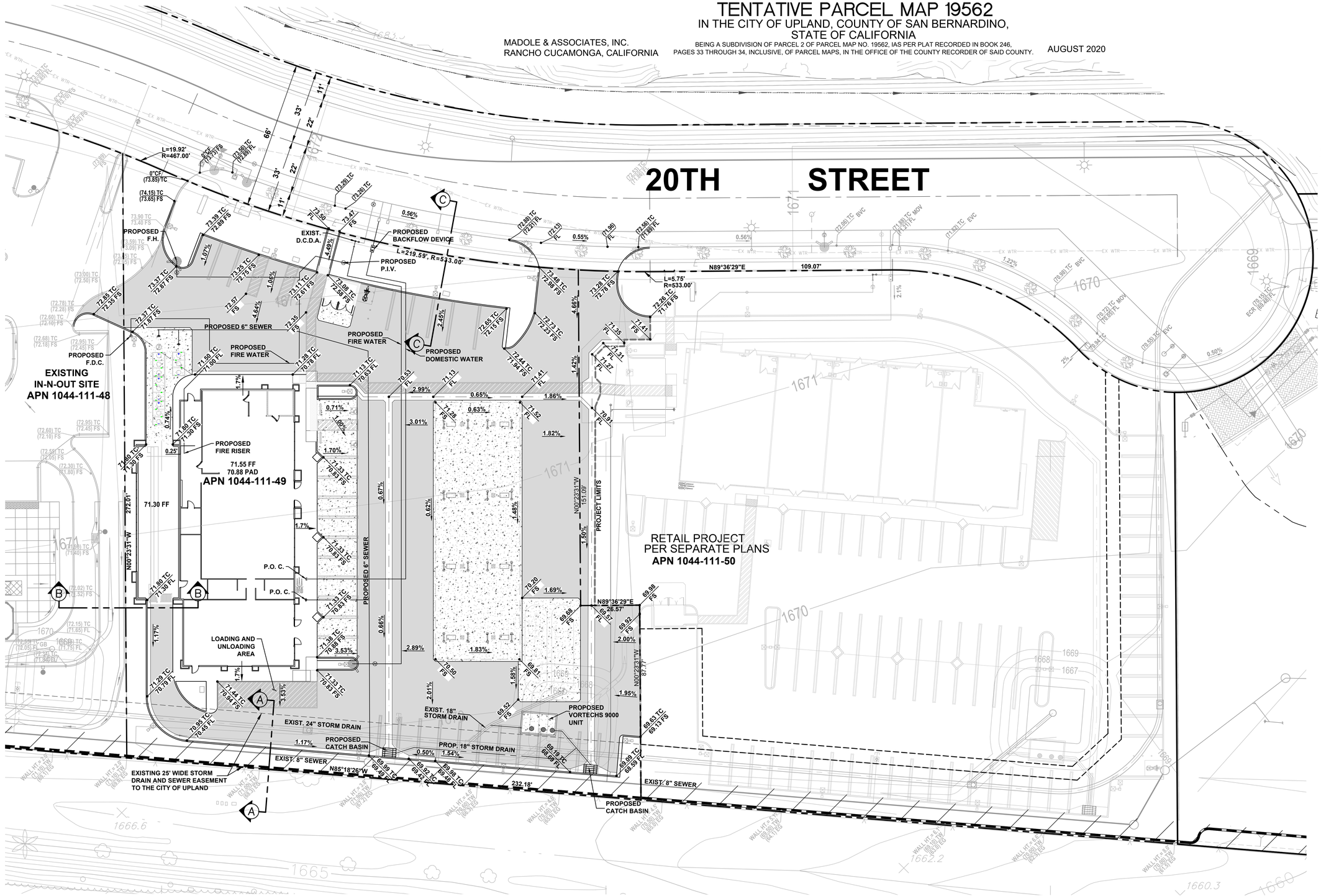
CONCEPTUAL GRADING
TENTATIVE PARCEL MAP 19562

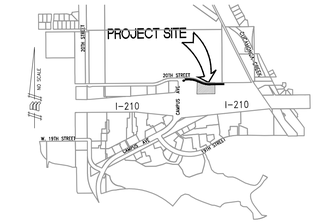
IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP NO. 19562, IAS PER PLAT RECORDED IN BOOK 246, PAGES 33 THROUGH 34, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

MADOLE & ASSOCIATES, INC.
RANCHO CUCAMONGA, CALIFORNIA

AUGUST 2020





VICINITY MAP

NTS

OWNER

ADMG, INC.
10995 INDIANA AVENUE
RIVERSIDE, CALIFORNIA 92503
CONTACT: MR. ASH ETEMADIAN

ENGINEER

MADOLE & ASSOCIATES, INC.
9302 PITTSBURGH AVE, SUITE 230
RANCHO CUCAMONGA, CA. 91730
CONTACT: MARK BERTONE
(909)481-6322

UTILITIES

WATER:	CITY OF UPLAND
SEWER	CITY OF UPLAND
TELEPHONE:	FRONTIER
GAS:	THE GAS COMPANY
ELECTRIC:	SOUTHERN CALIFORNIA EDISON CO.
FIRE PROTECTION:	SAN BERNARDINO COUNTY FIRE DEPARTMENT

GENERAL NOTES

1. ANY EXISTING STRUCTURES ON THE SUBJECT PROPERTY SHALL BE REMOVED. UNLESS OTHERWISE NOTED.
2. THIS SITE WILL MEET ALL ENGINEERING AND NPDES REQUIREMENTS.

BASIS OF BEARINGS

THE BEARING OF N89°36'29"EAST ALONG THE CENTERLINE OF 20TH STREET, AS SHOWN ON PARCEL MAP 19562 P.M.B. 246/33-34, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

BENCH MARK

CITY OF UPLAND BENCHMARK NUMBER: 4D-86. ELEVATION = 1217.216 (BASED ON NGVD 1929) EST: 7/01/1987.

2" CITY OF UPLAND BRASS DISC SET IN NORTHEAST CORNER OF PCC BASE FOR STEEL ELECTRICAL TRANSMISSION POLE # 1819200E, 19 FEET +/- WEST OF THE CENTERLINE OF CAMPUS AVENUE & 48 FEET +/- SOUTH OF THE CENTERLINE OF 9TH STREET.

LEGAL DESCRIPTION

THE SUBJECT PROPERTY IS PARCEL 2 OF PARCELS MAP NO. 19562, IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER PLAT RECORDED IN BOOK 246, PAGES 33 & 34 INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

GEOTECHNICAL

RMA GROUP, INC.
12130 SANTA MARGARITA COURT
RANCHO CUCAMONGA, CA. 91730
CONTACT: GARY WALLACE

REFERENCE REPORT:
NO. 15-H80-001
DATED: JANUARY 13, 2016

LEGEND

A.C. PAVEMENT

CONCRETE PAVEMENT

SCALE: 1" = 20'

SCALE: 1"=20'

0 20 40 60 80

REVISIONS	MADE BY	MADE DATE	APPROVED BY	APPROVED DATE
1				
2				
3				
4				
5				

PREPARED FOR:
ADMG, INC.
10995 INDIANA AVENUE
RIVERSIDE, CALIFORNIA 92503

CONCEPTUAL GRADING PLAN

PREPARED BY:
MADOLE & ASSOCIATES, INC.
Engineering Consultants for Life
9302 PITTSBURGH AVE. SUITE 230
RANCHO CUCAMONGA, CA. 91730
PHONE: 909.481.6322
FAX: 909.481.6320

SCALE: AS SHOWN
J.N.: 986-2824
DATE: 08/12/2020
SHEET 1 OF 2

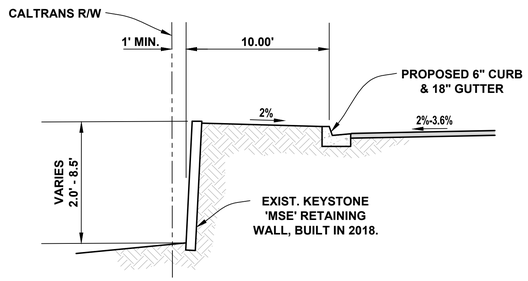
CONCEPTUAL GRADING
TENTATIVE PARCEL MAP 19562

IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

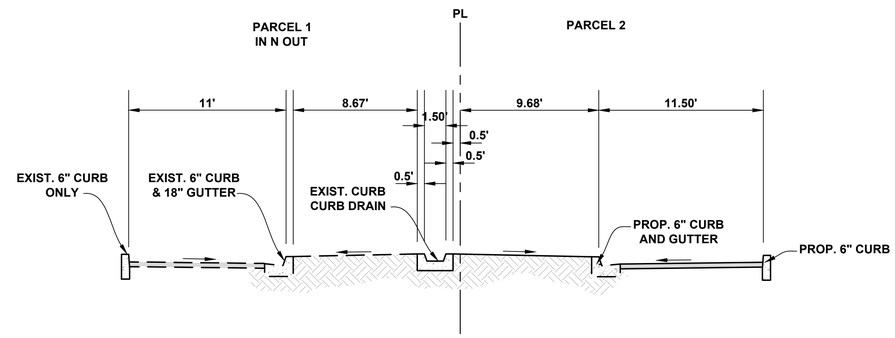
BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP NO. 19562, IAS PER PLAT RECORDED IN BOOK 246, PAGES 33 THROUGH 34, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

MADOLE & ASSOCIATES, INC.
RANCHO CUCAMONGA, CALIFORNIA

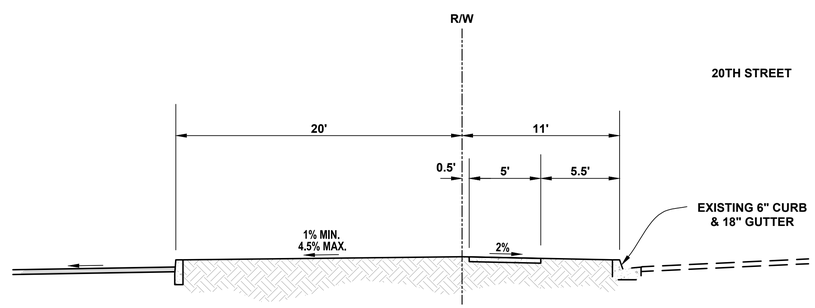
AUGUST 2020



SECTION A-A
SCALE: 1"=5'



SECTION B-B
SCALE: 1"=5'



SECTION C-C
SCALE: 1"=5'

REVISIONS	MADE BY	MADE DATE	APPROVED BY	APPROVED DATE

PREPARED FOR:
ADMG, INC.
10995 INDIANA AVENUE
RIVERSIDE, CALIFORNIA 92503

CONCEPTUAL GRADING PLAN

PREPARED BY:
MADOLE & ASSOCIATES, INC.
ARCHITECTURE CONSTRUCTION MANAGEMENT
9302 PITTSBURGH AVE, SUITE 230
RANCHO CUCAMONGA, CA. 91730
PHONE: 909.481.6322
FAX: 909.481.6320

SCALE: AS SHOWN
J.N.: 986-2824
DATE: 08/12/2020
SHEET 2 OF 2

COMPOSITE UTILITY PLAN
TENTATIVE PARCEL MAP 19562

IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP NO. 19562, IAS PER PLAT RECORDED IN BOOK 246, PAGES 33 THROUGH 34, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

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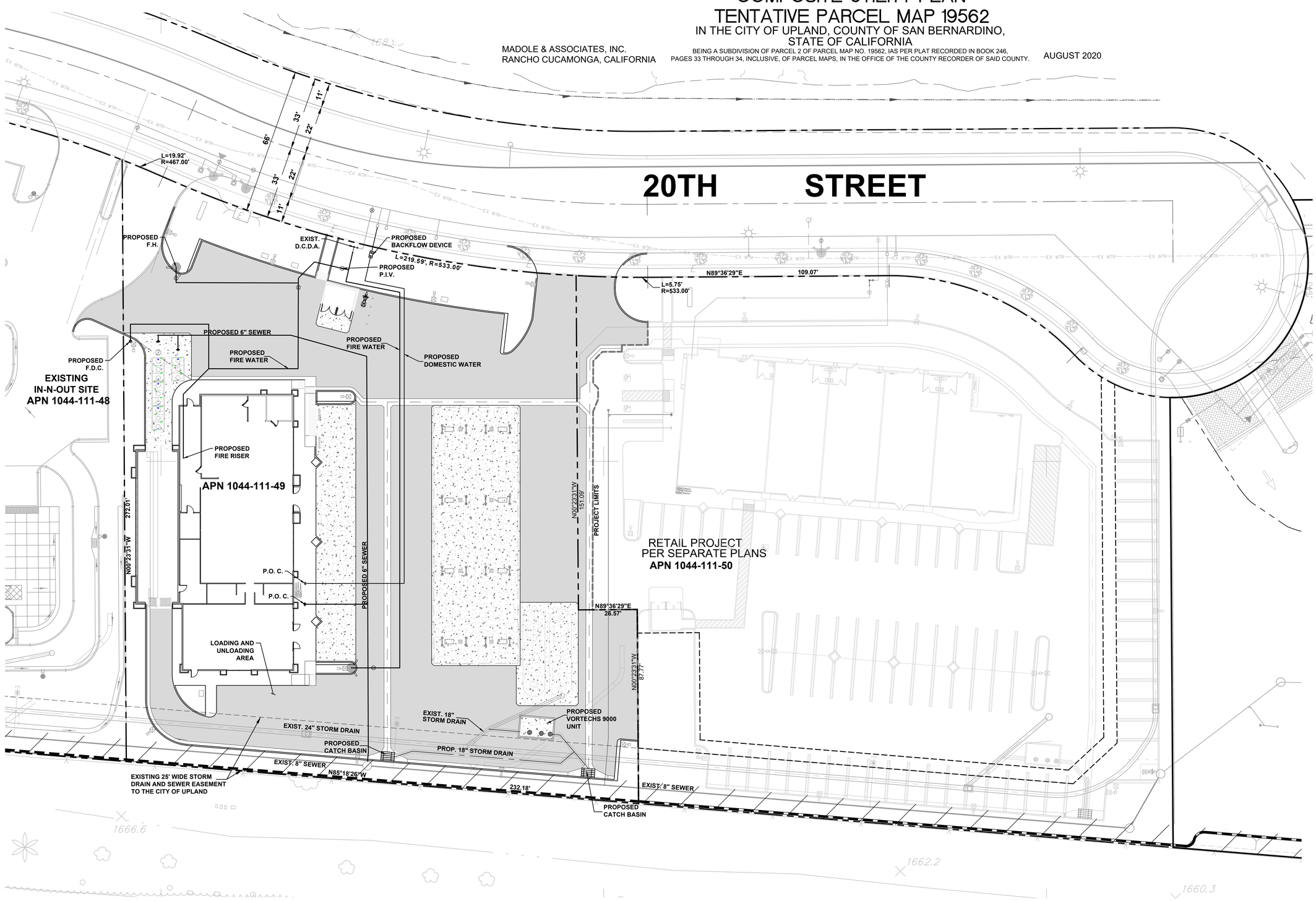
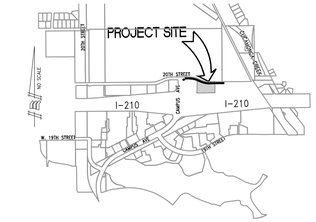
RANCHO CUCAMONGA, CALIFORNIA

AUGUST 2020





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SCALE: 1" = 20'

SCALE: 1"=20'

0 20 40 60 80

REVISIONS	MADE BY	MADE DATE	APPROVED BY	APPROVED DATE
1				
2				
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PREPARED FOR:
ADMG, INC.
10995 INDIANA AVENUE
RIVERSIDE, CALIFORNIA 92503

COMPOSITE UTILITY PLAN

PREPARED BY:
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9302 PITTSBURGH AVE. SUITE 230
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SCALE: AS SHOWN
J.N.: 986-2824
DATE: 08/12/2020
SHEET 1 OF 1

S.E. Corner Campus @ 20th Street, Upland, CA

PLANNING COMMISSION REPORT

ITEM NO. 8E

DATE: SEPTEMBER 23, 2020

TO: PLANNING COMMISSION

FROM: ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR

PREPARED BY: MIKE POLAND, CONTRACT PLANNING MANAGER

SUBJECT: CONSIDERATION OF CONDITIONAL USE PERMIT NO. 19-11, SITE PLAN NO. 19-08, DESIGN REVIEW NO. 19-14, AND ENVIRONMENTAL ASSESSMENT NO. EAR-0085 TO ALLOW AN 8,825 SQUARE FOOT BUILDING WITH FIVE (5) COMMERCIAL SUITES ON PROPERTY LOCATED ON THE SOUTH SIDE OF 20TH STREET, 550 FEET EAST OF CAMPUS AVENUE. APPLICANT: ASH ETEMADIAN

RECOMMENDED ACTION

Staff recommends that the Planning Commission by motion:

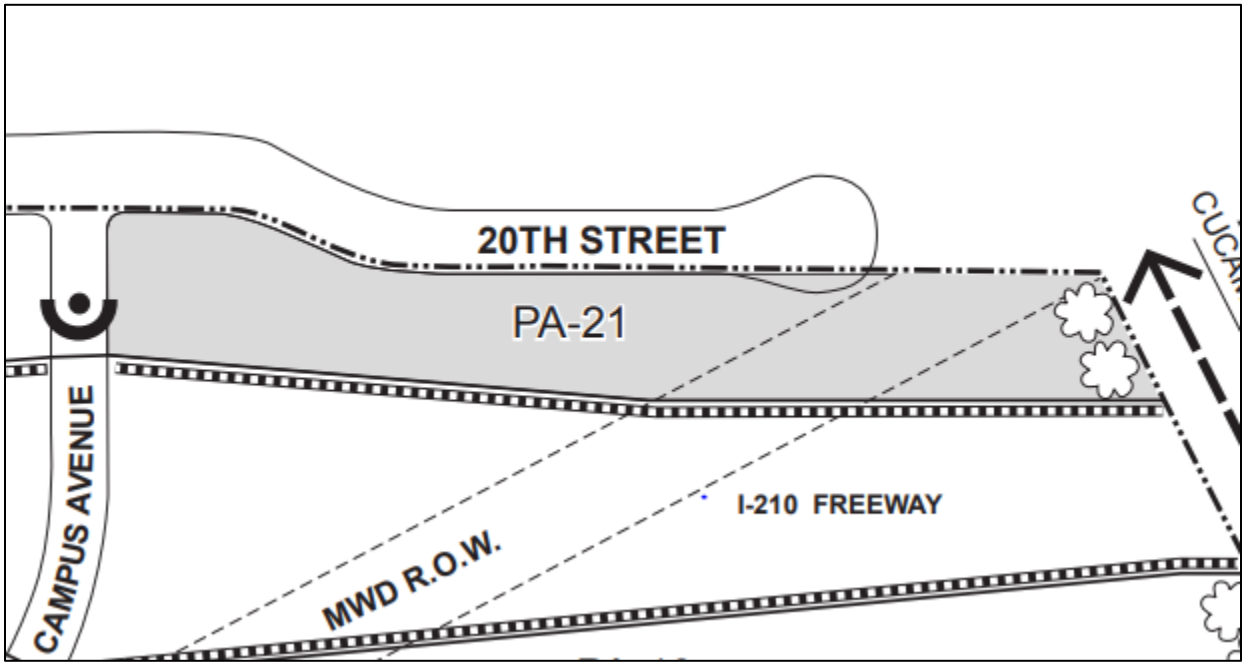
1. Find that no further environmental review is required pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162 as the project is consistent with the development intensity established in The Colonies at San Antonio Specific Plan for which a Final Environmental Impact Report (SCH#1998051075) was previously prepared and certified, and there are no new or more severe adverse impacts than discussed in the prior Final Environmental Impact Report.

2. Adopt the attached Planning Commission Resolution thereby approving Conditional Use Permit No. 19-11, Site Plan No. 19-08 and Design Review No. 19-14 subject to findings and conditions attached therein within Planning Area 21 of the Colonies at San Antonio Specific Plan.

BACKGROUND

The Project Site is located within Planning Area 21 of The Colonies at San Antonio Specific Plan which was approved by the City in 2012. Planning Area 21 has a Highway Commercial (CH) Designation. Development in this Planning Area can include automobile dealerships, hotels, retail uses, restaurants, gas stations, and other freeway-oriented commercial uses. The Planning Area's size and orientation increase the exposure of the uses to freeway travelers.

The purpose of The Colonies at San Antonio Specific Plan is to assist in the development of the 447.8-acre project site in a manner that will benefit local residents, regional consumers, the general public, and the City of Upland. The Specific Plan achieves this goal by establishing land uses and precise development/design controls within the limits of the Specific Plan. The customized development regulations contained in the Specific Plan address the unique characteristics of the site and surrounding properties, as well as the needs of the residential, commercial, community, and open space uses proposed for the site.



PLANNING ENTITLEMENTS

The project would provide for the construction of a commercial building with five (5) suites. Two (2) suites would be for retail businesses, while the other three (3) suites would be for eating establishments. One of the eating establishment suites would have a drive-through lane and pick-up window.

The following planning entitlement applications are required in order to process the applicant's proposed project.

1. Conditional Use Permit. - A Conditional Use Permit Application is required for the eating establishment that will have a drive-through lane for sales and pick-up in accordance with Chapter 7.0/Table 7B (Development Regulations) of The Colonies at San Antonio Specific Plan.

2. Site Plan Review. – A Site Plan Review Application is required in accordance with the Upland Municipal Code to provide for the review and approval of the development project for consistency with the adopted The Colonies at San Antonio Specific Plan development regulations, Chapter 7.0.

3. Design Review. – The Design Review Application process is required to promote quality architectural design, site planning, and landscape development. The process is aimed at improving and augmenting other development control included in Chapter 8.0 (Design Guidelines) of the adopted The Colonies at San Antonio Specific Plan.

4. Environmental Assessment Review. – The purpose of the Environmental Assessment Review is for the applicant to inform the City of the basic components of the proposed project so that the City may review the project pursuant to City policies, ordinances, and guidelines; the California Environmental Quality Act (CEQA) guidelines; and the City's Rules and Procedures to implement the CEQA Guidelines.

AUTHORIZATION

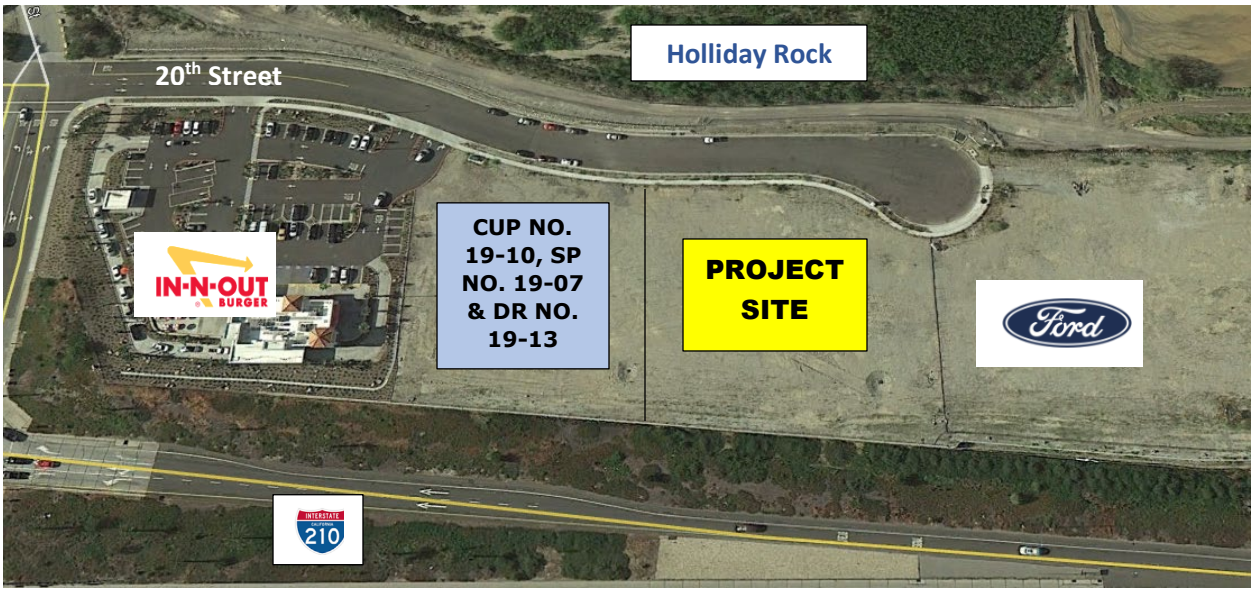
Per Upland Municipal Code Section 17.43.050E, if one or more planning entitlement application is submitted concurrently for a single proposed project, each planning entitlement application shall be acted upon concurrently by the highest review authority. In this case, the highest review authority is the Planning Commission, therefore the Planning Commission will take action on the formal planning entitlement applications discussed above for the project. The Planning Commission's decision is final unless the request is appealed to the City Council per Upland Municipal Code Section 17.47.040.

SITE AND PROJECT DESCRIPTION

The 1.40 acre parcel is located approximately 550 feet east of Campus Avenue on the south side of 20th Street in the northeast quadrant of the I-210/Campus Avenue interchange in the northern portion of The Colonies at San Antonio Specific Plan area. Presently, the site is vacant and free of any above grade structures.

The site is bound by East 20th Street and a rock quarry to the north, an existing In-N-Out Burger restaurant and a proposed service station, convenience store, quick serve restaurant and automated car wash (Conditional Use Permit No. 19-10, Site Plan No. 19-07 & Design Review No. 19-13) to the west, the new Ford of Upland dealership that is currently under construction is located to the east, and Interstate

210 to the south. The site is relatively flat, with no major changes in elevation. Groundcover at the subject site consists of exposed soil and localized weed growth.



Existing land uses and Specific Plan designations on and surrounding the project site are as follows:

	Existing Land Use	*Specific Plan Designation*
Site	*Undeveloped.*	*CH (Highway Commercial)*
North	*East 20th Street and a rock quarry.*	*GM (Gravel Mine)*
South	*I-210 and Colonies Crossroads Commercial Center.*	*Auxiliary Interstate Highway & CH (Highway Commercial)*
East	*The new Ford of Upland dealership under construction.*	*CH (Highway Commercial)*
West	*In-N-Out Burger and an undeveloped lot.*	*CH (Highway Commercial)*

The project would provide for the construction of an 8,825 square foot commercial building with five (5) suites. Two (2) of the suites would be for retail businesses, while the other three (3) suites would be for eating establishments. One of the eating establishment suites would have a drive-through lane and pickup. The proposed building will be of wood/stucco construction with a slab-on-grade floor.

ANALYSIS

CONDITIONAL USE PERMIT

As noted above, a Conditional Use Permit Application is required for the eating establishment that will have a drive-through window for sales and pick-up in accordance with Chapter 7.0/Table 7B (Development Regulations) of The Colonies at

San Antonio Specific Plan. Section of the 7.8.10 of The Colonies at San Antonio Specific Plan provides specific development standards for drive-through facilities. They include:

General Standards

- Drive-through facilities within consolidated commercial centers shall have an architectural style consistent with the theme established for the center and its corporate identity.
- The design and locations of the facility and queuing lane shall not contribute to increased congestion on public streets or private property adjacent to the facility.
- The design and location of the facility and queuing lane shall not impede access to or exit from project area parking facilities.

Specific Design Requirements

- Drive-through windows and drive-up remote tellers/ATMs shall provide at least 120 feet of reservoir space for the stacking of vehicles as measured from the service window or unit to the entry point into the drive-up lane.

  Compliance – Project is providing 180 feet of reservoir space for the stacking of vehicles.

- Drive-through windows and drive-up remote tellers/ATMs shall be separated from commercial drive aisles which provide direct access to a public street. A minimum 25 feet of travel distance shall be provided for drivers after leaving a drive-through window or remote teller/ATM before they enter a drive aisle that provides direct access to a public street.

  Compliance – Project is providing 37 feet of travel distance for drivers after leaving the drive-through window before they enter the drive aisle that provides direct access to 20th Street.

- Pedestrian paths shall be maintained in such manner to allow the safe and convenient passage of persons across drive aisles. Pedestrian pathways shall be clearly marked with paint and/or enhanced paving materials and designated with adequate and appropriate signage. Pedestrian pathways adjacent to drive aisles shall be separated by a raised curb, planter, berm, or other device to ensure a safe and adequate separation between pedestrians and motor vehicles.

  Compliance – Condition No. 30.

- Order board speakers or intercom systems shall be installed and maintained in a manner which diminishes and/or directs noise away from adjacent uses and public rights-of-way.

  Compliance – Condition No. 12.

- Landscaping shall be installed to screen drive-through aisles from primary circulation routes and shall be used to minimize the visual impact of order boards and directional signs.

  Compliance – Condition No. 16.

Operating Standards

- Drive aisles, landscaped areas, play areas, and parking facilities associated with drive through facilities shall be maintained in a neat and orderly manner.
- Drive-through facilities shall not constitute a nuisance to the Specific Plan area and/or adjacent uses due to noise, litter, loitering, smoke or odor.
- Order board speakers and/or intercom systems shall be operated in a manner which does not exceed standards stated in the City's Noise Ordinance or applicable sections of this Specific Plan.

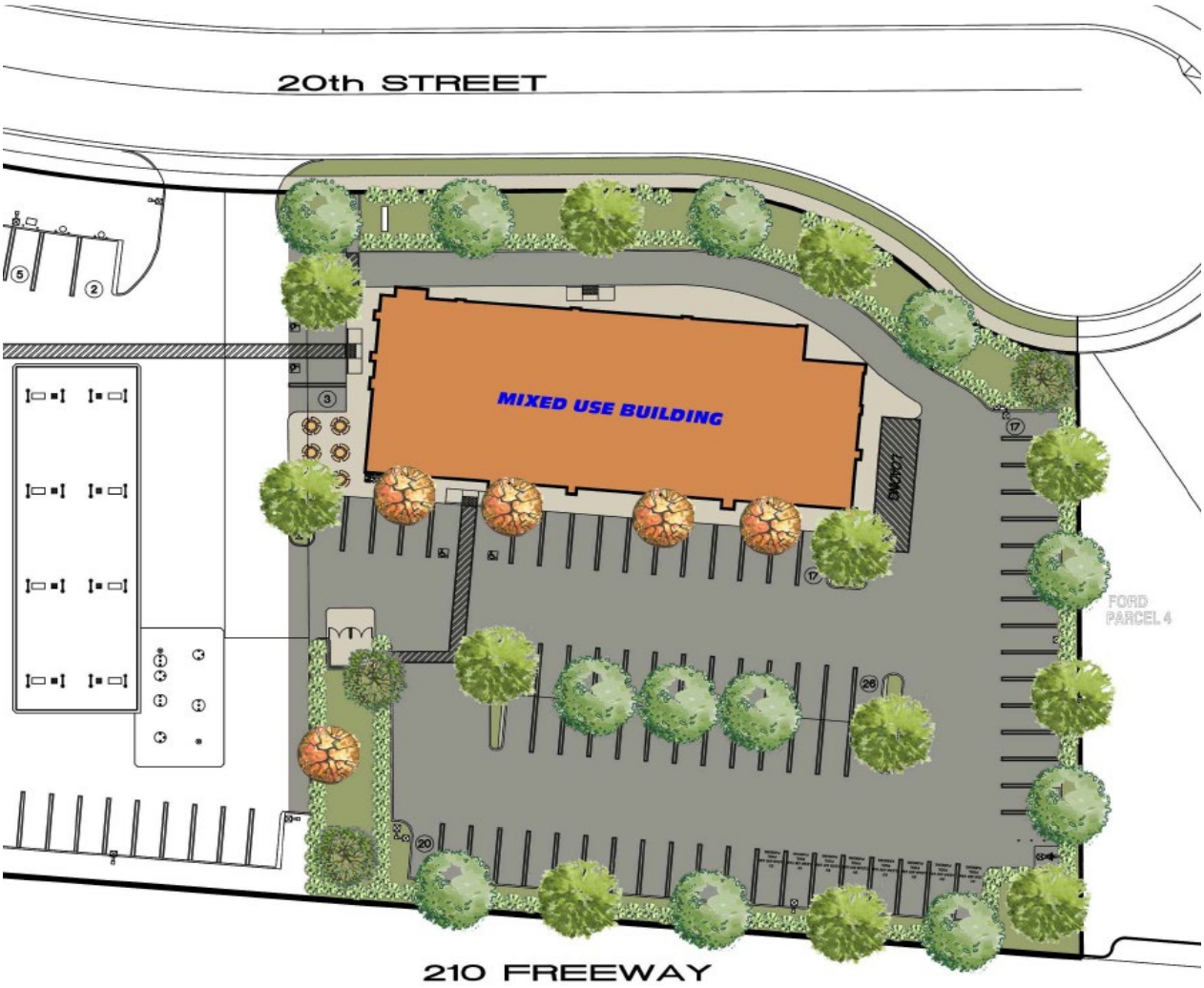
DEVELOPMENT STANDARDS

The project meets all of the City's Development Code's standards and the requirements of The Colonies at San Antonio Specific Plan. The development requirements identified in the table below are those contained within The Colonies at San Antonio Specific Plan. No specific users are proposed. As such, no detailed interior plans have been submitted for the eating establishments or the retail uses.

Development Standards

Development Standards	Required	Proposed	Meets Standard
Minimum Lot Area	NR[1]	1.40 acres	Yes
Maximum Lot Coverage	NR[1]	21.26%	Yes
Landscaping	10% min.	17.7%	Yes
Building Height	55 feet. max	33 feet	Yes
Setbacks[2]			
Interstate 210	20 feet	140 feet	Yes
20th Street (for building)	25 feet	33 feet	Yes
20th Street (for parking)	15 feet	40 feet	Yes
Interior Property Lines	NR[1]	45 feet min.	Yes

Notes: 1 NR = No requirement
2 Setbacks are measured from property lines



ARCHITECTURE/DESIGN

The purpose of the Colonies at San Antonio Specific Plan Commercial Design Guidelines is to broadly establish planning and design parameters that will allow both design controls and design flexibility for the future development of nonresidential Planning Areas. The Guidelines do not constitute specific development standards, but provide a framework for preferred construction design and materials while continuing to promote individual creativity and unique architectural styles that will be asset to the community.

The proposed architecture reflects a clean, contemporary style smooth stucco finish, through the use of simple massing, varying parapet heights and exterior materials that are consistent with the applicable design principles within the Commercial Design Guidelines. A modern dark and light two-tone brown color scheme to provide contrast in the different parts of the facade scheme will complement the aluminum finish awning overhang entries. Outdoor lighting will be required to comply with

Chapter 17.14 (Outdoor Lighting) of the Upland Municipal Code, including dark-sky lighting requirements.

LANDSCAPING

No landscaping currently exists on the project site. Groundcover at the subject site consists of exposed soil and localized weed growth. With the proposed construction of the commercial building, the Specific Plan requires the Project provide a minimum 10 percent landscape coverage. The Conceptual Landscape Plan provides 17.7% landscape coverage.

The conceptual landscape plan proposes the installation of a variety of new trees, plants, and shrubs along the project perimeter and throughout the site, including 12-Fruitless Olive Trees (24-inch box), 3-Sonoran Palo Verde Trees (24-inch box), 12-Sweet Bay Trees (24 inch box), and 5-Western Redbud Trees (24-inch box).

The Fruitless Olive Tree is a distinctive evergreen that grows at a slow to medium rate to twenty-five to thirty feet tall and wide, and has an airy appearance. It has narrow, gray-green foliage with a light silvery-green on the undersides of the leaves.

The Sonoran Palo Verde Tree is also called Palo Brea. This tree has smooth, blue-green bark that looks like a leotard clinging to the branches. This tree is more sculptural looking. It has fewer lower branches and at 35 feet, is a taller tree.

The Sweet Bay Tree is a slender conical form tree with dark green, highly aromatic foliage which is valued as a flavorful culinary seasoning.

The Western Redbud Tree is a small deciduous tree and can reach 15-20 ft. tall and as wide. Round green leaves, 2-3 in. wide are heart-shaped at the base. Showy clusters of pea-shaped flowers occur in early spring and range in color from light to deep magenta.

Ground cover consists of an assortment of low-water use plants and shrubs (1-Gallon to 5-Gallon). The ground plane shrubs and groundcovers were selected for color, shape, texture, water usage and performance from the property's existing plant

palette. All landscaping is categorized as low or moderate for water usage and will be irrigated by a low volume drip system.

PARKING/CIRCULATION

The Colonies at San Antonio Specific Plan requires 4 parking spaces for every 1,000 square feet of commercial building area in Planning Area 21. This equates to 1 parking space for every 250 square feet. However, the Applicant has chosen to utilize the more restrictive parking requirements specified in the City's City' Development Code which require 1 parking for every 250 square feet for the retail suites and 1 parking space for every 100 square feet for the eating establishments.

Type of Use	**Square Footage**	**Parking Ratio**	**# of Spaces Required**	**# of Spaces Provided**
Retail	3,000	1/250	12	12
Eating Establishment	5,825	1/100	58.25	71
Total	8,825		71	83

The Colonies at San Antonio Specific Plan (Table 7.E – Commercial Parking Adjustments) allows a reduction in the amount of required parking to be reduced by 1.0 parking spaces per 20 feet of drive-through stacking area that is provided. In that the project plan provides 180 feet of reservoir space for the stacking of vehicles a reduction in the amount of 9 spaces is permitted. Therefore, the total number of required spaces can be reduced from 71 to 62. As a result of this allowable reduction the Applicant is providing a surplus of 21 spaces (83-62=21).

The Specific Plan requires commercial buildings up to 100,000 square feet to provide one (1) loading space. The requirements for the size of the loading space are that it is to be not less than 10 feet in width, 20 feet in length and 14 feet vertical clearance. The project plan provides a loading space next to the southeast corner of the building. The proposed loading space is 12 feet wide by 45 feet long.

The site will be accessed via a shared driveway from 20th Street to the north. This joint driveway will be shared with proposed development to the west. Vehicle parking will be located on the south side of the building.

Internal circulation consists of 26-30 foot wide drive aisles. The drive-through aisle is 12 feet wide. The circulation system has been reviewed and approved by the San Bernardino County Fire Department and Public Works Department.

TRAFFIC IMPACTS

When the adjacent In-N-Out Burger Restaurant was approved by the Planning Commission on March 22, 2017, the Planning Commission raised questions regarding the possibility of installing a traffic signal at 20th Street and Campus Avenue due to the new development along 20th Street, east and west of Campus Avenue. The Colonies at San Antonio Specific Plan Environmental Impact Report (EIR) studied and

prescribed traffic signals at different locations throughout the Colonies, however, the 20th Street at Campus Avenue intersection was not one of them. Furthermore, when the General Plan update was completed in 2015, a traffic signal was not prescribed for this location, either.

When the EIR's Traffic and Circulation Analysis was prepared for The Colonies at San Antonio Specific Plan it analyzed future development buildout along 20th Street, east and west of Campus Avenue. The case scenario for development buildout along 120th Street consisted of a 150-room hotel, a 40,000 square foot health club, a day-care center, two service/gasoline stations, restaurants, and auto sales lots. With all of this potential development the Traffic and Circulation Analysis concluded that the area near 20th Street and Campus Avenue would operate at a Level of Service (LOS) "C". Level of service (LOS) is a qualitative measure used to relate the quality of motor vehicle traffic service. LOS is used to analyze roadways and intersections by categorizing traffic flow and assigning quality levels of traffic based on performance measure like vehicle speed, density, congestion, etc. LOS "C" means that traffic would move at a stable flow, at or near free flow. The ability to maneuver through lanes would be noticeably restricted and lane changes require more driver awareness. Minimum vehicle spacing is about 220 feet or 11 car lengths. Most experienced drivers are comfortable, roads remain safely below but efficiently close to capacity, and posted speed is maintained. Minor incidents may still have no effect but localized service will have noticeable effects and traffic delays will form behind the incident.

In approving the In-N-Out Burger Restaurant, the Planning Commission, at the request of the Public Works Department, added a condition of approval that specified that in the future, based on traffic conditions, a Warrant Study maybe conducted for the intersection of Campus Avenue and 20th Street, to determine if or when a traffic signal may be needed at that location. Therefore, the Public Works Department has recommended the following condition of approval, which has been incorporated into the attached Resolution.

129. In the future, based on traffic conditions, if determined by the Public Works Director, a Warrant Study will be prepared and considered by the City Council for the intersection of Campus Ave and 20th Street, to determine if or when a traffic signal or other mitigating measures may be needed. A Study may be required and will include an analysis based upon projected traffic volumes, derived from existing traffic volumes collected at the 20th Street and Campus Ave intersection and surrounding areas, with the addition of projected increases in the site generated traffic resulting from development along 20th Street.

CALIFORNIA ENVIRONEMNTAL QUALITY ACT

The Planning Division has determined that pursuant to the California Environmental Quality Act ("CEQA") Guidelines, the City certified an Environmental Impact Report

(EIR) on September 24, 2002 (SCH No. 1998051075) in the connection with the City's approval of Specific Plan Amendment No. SPA-7: Modification No. 2, General Plan Amendment GPA 00-02, Zone Text Amendment 180, Zone Change ZC 00-01, Development Agreement DA 02-01, Master Tentative Tract Map TT16198, Street Vacation SV 02-01, Conditional Use Permit CUP 02-04, and Site Plan SP 00-07. Pursuant to CEQA Guidelines Section 15162, no subsequent or supplemental EIR of Negative Declaration is required in connection with subsequent discretionary approvals of the same project unless: (i) substantial changes are proposed to the project that indicate new or more severe impacts on the environment; or (ii) substantial changes have occurred in the circumstances under which the project was previously reviewed that indicates new or more severe environmental impacts; or (iii) new important information shows the project will have new or more severe impacts than previously considered; or (iv) additional mitigation measures are now feasible to reduce impacts or different mitigation measures can be imposed to substantially reduce impacts.

Staff has evaluated the proposed project and have concluded that the project is within the scope of the approved overall project and analysis included in the Final EIR identified above and no additional environmental review is required in connection with the City's consideration of Conditional Use Permit No. 19-11, Site Plan No. 19-08 and Design Review No. 19-14. Substantial changes to the project or the circumstances surrounding the project have not occurred which would create new or more severe impacts than those evaluated in the previous EIR. The previous environmental review analyzed the effects of the proposed project. Staff further finds that the project will not have one or more significant effects not discussed in the previous EIR, nor have more severe effects than previously analyzed, and that additional or different mitigation measures are not required to reduce the impacts of the project to a level of less than significant.

TECHNICAL REVIEW COMMITTEE

The Project was reviewed by the City's Technical Review Committee (Planning, Building, Public Works, Police, San Bernardino County Fire and Burrtec Waste Industries). The Committee recommended that the Project move forward as presented to the Planning Commission for final review and approval.

NOTICING

Public hearing notification is applicable. In accordance with Upland Municipal Code Section 17.46 all owners of real property within 300 feet of the exterior boundaries of the parcel that is the subject of the hearing shall be notified. In this case there are less than ten properties within 300 feet of the outer boundaries of the parcel, therefore, applicant has extended the notification radius to 600 feet. Upland Municipal Code Section 17.46.020B requires that notification shall be extended when less than ten properties are within 300 feet of the subject parcel.

A total of 27 public hearing notices were mailed to owners of property within 600 feet of the site on September 10, 2020. A public hearing notice was also published by the Inland Valley Daily Bulletin on September 11, 2020.

Additionally, the Planning Division on September 10, 2020, posted two (2) true and correct copies of the public hearing notice at the Upland City Hall Bulletin Board and at the Upland Public Library in accordance with the Upland Municipal Code Section 17.46.020; and

CONCLUSION

The request for Conditional Use Permit No. 19-11, Site Plan No. 19-08 and Design Review No. 19-14, are consistent with the requirements of The Colonies at San Antonio Specific Plan. The project has been conditioned to meet or exceed all applicable development standards through project conditions.

The development of new well-designed commercial building that will be complementary to the surrounding commercial land uses in the surrounding area providing additional dining, retail and employment opportunities for our residents and the region. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached resolution.

ATTACHMENTS

Exhibit A – Draft Resolution
Exhibit B – Project Plans

Exhibit A – Draft Resolution

EXHIBIT A

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 19-11, SITE PLAN NO. 19-08, AND DESIGN REVIEW NO. 19-14, TO ALLOW A 8,825 SQUARE FOOT BUILDING WITH FIVE (5) COMMERCIAL SUITES, WITH ONE SUITE HAVING A DRIVE-THROUGH, ON PROPERTY LOCATED ON THE SOUTH SIDE OF 20TH STREET, APPROXIMATELY 550 FEET EAST OF CAMPUS AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1044-111-50.

The City of Upland Planning Commission hereby resolves as follows:

Section 1: Recitals

WHEREAS, Mr. Ash Etemadian filed an application for the approval of Conditional Use Permit No. 19-11, Site Plan No. 19-08, and Design Review No. 19-14, as described in the title of this Resolution. Hereinafter in this Resolution, the subject Conditional Use Permit, Site Plan, and Design Review are referred to as the "the applications"; and

WHEREAS, Chapter 17.43.050E of the Upland Municipal Code requires that if one or more applications are submitted concurrently for a single proposed project, each application shall be acted upon concurrently by the highest review authority. In this case, the highest review authority is the Planning Commission; and

WHEREAS, the Project Site is located within Planning Area 21 of the Colonies at San Antonio Specific Plan. Planning Area 21 has a Highway Commercial (CH) Designation. Development in this Planning Area permits retail uses and restaurants; and

WHEREAS, the City's Technical Review Committee met and reviewed the project and referred the project to the Planning Commission for their review; and

WHEREAS, on September 10, 2020, the Planning Division mailed a copy of the notice of public hearing on the applications to all owners of real property within 600 feet of the exterior boundaries of the parcel that is the subject of the hearing in accordance with Upland Municipal Code Section 17.46.020; and

WHEREAS, on September 10, 2020, the Planning Division posted two (2) true and correct copies of the notice of public hearing on the applications at the Upland City Hall Bulletin Board and at the Upland Public Library in accordance with the Upland Municipal Code Section 17.46.020; and

WHEREAS, on September 11, 2020, the Planning Division published the notice of public hearing on the applications in the Inland Valley Daily Bulletin, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, on September 23, 2020, the Planning Commission of the City of Upland conducted a duly noticed public hearing on the applications at which time the Planning Commission concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF UPLAND AS FOLLOWS:

Section 2: All of the above recitals are true and correct and incorporated herein by reference.

Section 3. Findings – Conditional Use Permit: In accordance with Upland Municipal Code Section 17.44.040F (Findings for Approval of Conditional Use Permits), and based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. Finding: The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses near the subject property.

   Evidence: The proposed use would be compatible and harmonious with development in the same general area and would not be materially detrimental to other properties within the area in that the current adjacent uses include Interstate 210 to the south, an existing In-N-Out burger to the west, a new auto dealership under construction to the east and a rock quarry is located to the north. Directly contiguous and to the west is a proposed service station, automated drive-thru car wash, convenience store with beer and wine sales, and a quick service restaurant.

   Therefore, the use is compatible with the planned land use for the location and surrounding area, indicating that it will remain compatible for the foreseeable future.

2. Finding: The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g. fire and medical) access and public services and utilities.

Evidence: The site is physically suitable for the proposed use in that adequate access, parking, utilities and services will be provided to serve the proposed businesses. The Police Department, Public Works Department, and San Bernardino County Fire Department have reviewed the project proposal and do not have any concerns regarding access, public services, or utilities provided to the existing neighborhood and surrounding area.

3. Finding: The proposed use will not be detrimental to the public health, safety, and welfare of the persons residing or working in the neighborhood of the proposed use.

   Evidence: The proposed use will not have a negative impact on either the subject site or neighboring properties given the project conditions of approval. The applicant will be required to comply with the Upland Police Department and San Bernardino County Fire Department requirements. These conditions are intended to help protect the public health, safety, and welfare of patrons and surrounding properties. Approval of the proposed use would be in accordance with the applicable provisions of the Upland Municipal Code (UMC), including the determination that all findings have been made relative to the issuance of a conditional use permit for the proposed project.

Section 4. Findings – Development Plan (Site Plan and Design Review): In accordance with Upland Municipal Code Section 17.44.030H (Findings for Approval of a Development Plan), and based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. Finding: The design and layout of the proposed project will not interfere with the use and enjoyment of existing and future neighboring properties and structures.

   Evidence: The design, layout, size, architectural features and general appearance of the proposed project is consistent with the applicable Colonies at San Antonio Specific Plan development standards, design guidelines, and would maintain and enhance the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public.

2. Finding: The proposed architectural design makes use of appropriate materials, texture, and color, and will remain aesthetically appealing and appropriately maintained.

   Evidence: The design of the building, including the layout, size, shape, mass, height, architectural elements and other design factors are appropriate to the size and shape of the lot and are compatible and harmonious with the uses and structures on adjacent properties. Also, the building materials and design

features are of a quality and type that will remain aesthetically appealing over time without necessitating frequent and unrealistic maintenance or replacement.

3. Finding: The proposed landscaping design, including color, location, size, texture, type, and coverage of plant materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.

   Evidence: The preliminary landscape plan proposes the use of plant material that provides varied color and texture. The plan shows landscaping that includes a variety of plant materials, distinct in color and size, as well a large number of new trees all of which will be maintained by the property owner. Conditions of approval are included requiring the submittal of Final Landscape and Irrigation plans for review and approval. Therefore, the proposed landscaping design is sufficient in terms of color, location, size, texture, type, and coverage of plant materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.

4. Finding: The proposed design will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.

   Evidence: The proposed project, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. The surrounding neighborhood consists of commercial uses in the Highway Commercial (CH) District. The proposed project is an 8,825 square foot commercial building similar in size and scale to the other commercial building nearby. The construction and operations of the businesses are expected to meet all Code standards regarding noise and odor. The project is therefore not expected to generate public health, safety or welfare impacts or be detrimental to improvements in the vicinity.

Section 5. Environmental Determination: Pursuant to the California Environmental Quality Act ("CEQA") Guidelines, the City certified an Environmental Impact Report (EIR) on September 24, 2002 (SCH No. 1998051075) in the connection with the City's approval of Specific Plan Amendment No. SPA-7, Modification No. 2, General Plan Amendment GPA 00-02, Zone Text Amendment 180, Zone Change ZC 00-01, Development Agreement DA 02-01, Master Tentative Tract Map TT-16198, Street Vacation SV 02-01, Conditional Use Permit CUP 02-04, and Site Plan SP 00-07. Pursuant to CEQA Guidelines Section 15162, no subsequent or supplemental EIR of Negative Declaration is required in connection with subsequent discretionary approvals of the same project unless: (i) substantial changes are proposed to the

project that indicate new or more severe impacts on the environment; or (ii) substantial changes have occurred in the circumstances under which the project was previously reviewed that indicates new or more severe environmental impacts; or (iii) new important information shows the project will have new or more severe impacts than previously considered; or (iv) additional mitigation measures are now feasible to reduce impacts or different mitigation measures can be imposed to substantially reduce impacts.

Staff has evaluated the proposed project and have concluded that the project is within the scope of the approved overall project and analysis included in the Final EIR identified above and no additional environmental review is required in connection with the City's consideration of Conditional Use Permit No. 19-11, Site Plan No. 19-08 and Design Review No. 19-14. Substantial changes to the project or the circumstances surrounding the project have not occurred which would create new or more severe impacts than those evaluated in the previous EIR. The previous environmental review analyzed the effects of the proposed project. Staff further finds that the project will not have one or more significant effects not discussed in the previous EIR, nor have more severe effects than previously analyzed, and that additional or different mitigation measures are not required to reduce the impacts of the project to a level of less than significant.

Section 6. Determination/Conditions of Approval: Based upon the findings and conclusions set forth above, this Planning Commission hereby approves the applications subject to each and every condition in the Conditions of Approval incorporated herein by this reference.

PLANNING DIVISION

1. This action approves Conditional Use Permit No. 19-11, Site Plan No. 19-08, and Design Review No. 19-14, to allow a 8,825 square foot building with five (5) commercial suites on property located on the south side of 20th Street, 550 feet east of Campus Avenue (APN: 1044-111-50). Two (2) of the suites would be for retail businesses, while the other three (3) suites would be for eating establishments. One of the eating establishment suites will have a drive-through lane and window.

2. The applicant is required to sign a Statement of Acceptance of Conditions of Approval provided by the Planning Division. The signed Statement of Acceptance of Conditions of Approval shall be returned to the Planning Division within 15 days of the date of approval by the Planning Commission.

3. This approval shall expire on September 23, 2022, unless Building Permits are issued and construction commenced and diligently pursued prior to the expiration date. If the project does not move forward by the expiration date then a new project approval would be required unless a written request for

extension is submitted to and approved by the Development Services Director 30 days prior to the expiration date.

4. Construction plans submitted for Building Permits shall be in substantial compliance with plans approved by this action on September 23, 2020. Any modifications to the use, building, site or project description shall be subject to review and approval by the Development Services Director and may require a separate Planning Entitlement review process.

5. A copy of the conditions of approval provided herein shall be included in the construction documentation package for the Project, which shall be continuously maintained on site during Project construction.

6. Approval of this request shall not waive compliance with all sections of the Development Code, all other applicable City ordinances, and the Colonies at San Antonio Specific Plan.

7. To the maximum extent permitted by law, Applicant must defend, indemnify, and hold City and its elected officials, officers, contractors serving as City officials, agents, and employees ("Indemnitees") harmless from liability for damage and/or claims for damage for personal injuries, including death, and claims for property damage, and with respect to all other actions and liabilities for damages caused or alleged to have been caused by reason of the Applicant's activities in connection with Conditional Use Permit No. 19-11, Site Plan No. 19-08, and Design Review No. 19-14 ("Project") on the Project site, and which may arise from the direct or indirect operations of the Applicant or those of the Applicant's contractors, agents, tenants, employees or any other persons acting on Applicant's behalf, which relate to the development and/or construction of the Project. This indemnity provision applies to all damages and claims for damage, as described above, regardless of whether or not the City prepared, supplied, or approved the plans, specifications, or other documents for the Project.

   In the event of any legal action challenging the validity, applicability, or interpretation of any provision of this approval, or any other supporting document relating to the Project, the Applicant must indemnify, defend and hold harmless the Indemnitees, and each of them, with respect to all liability, costs and expenses incurred by, and/or awarded against, the City or any of the Indemnitees in relation to such action. The City shall have the right to select counsel of its choice that the Applicant reasonably approves. The parties hereby agree to cooperate in defending such action. The City will not voluntarily assist in any such third-party challenge or take any position adverse to the Applicant in connection with such third-party challenge.

8. If the Development Services Director finds evidence that conditions of approval have not been fulfilled or the use has resulted in a substantial adverse effect on the health and/or general welfare of uses of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Development Services Director may refer Conditional Use Permit No. 19-11, Site Plan No. 19-08, and Design Review No. 19-14 back to the Planning Commission for review. If, upon review of the matter the Planning Commission finds that any of the results above have occurred, the Planning Commission may modify or revoke Conditional Use Permit No. 19-11, Site Plan No. 19-08, and Design Review No. 19-14.

9. The applicant shall pay off all existing deficit deposit accounts associated with processing this permit. The applicant shall provide a receipt to the Planning Division, which shows that all discretionary deposit accounts have been paid. No Certificate of Occupancy or Final Planning Division Inspection can be issued/completed if there are deficit deposit accounts.

10. It shall be the responsibility of the property owner and management to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to the establishment of the use.

11. All construction and operational activities on the property shall comply with the City of Upland Noise Regulations as set forth in Chapter 9.40 of the Upland Municipal Code at all times.

12. Order board speakers or intercom systems shall be installed and maintained in a manner which diminishes and/or directs noise away from adjacent uses and public rights-of-way.

13. Prior to issuance of a building permit, the Applicant shall submit a Lighting Plan showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture for review and approval of the Planning Division, Building Division and Police Department.

14. The Lighting Plan shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The fixtures will be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The location, height, style and design shall be reviewed and approved by the Planning and Building

Divisions. Lighting shall be incompliance with Section 8.2.9 of The Colonies at San Antonio Specific Plan.

15. Prior to the issuance of a grading permits, the Applicant shall prepare a detailed landscape plan for the project area which shall be reviewed and approved by the Planning Division. The plan shall be certified by a licensed landscape architect or a licensed landscape contractor, as required, as taking into account the approved preliminary landscape plan.

16. Landscaping shall be installed to screen the drive-through aisle from primary circulation routes (E. 20th Street) and shall be used to minimize the visual impact of order boards and directional signs.

17. Prior to the issuance of certificates of use and occupancy, the Applicant shall install said landscaping and irrigation system and shall have a licensed landscape architect or licensed landscape contractor, certify in writing that it was installed in accordance with the approved plan. Said written certification shall be submitted to the Planning Division.

18. All irrigation systems shall function properly and landscaping shall be maintained in a healthy and thriving condition. The maintenance of landscaping and the irrigation system shall be permanently provided for all areas of the project site, as well as walkways and the portion of public rights-of-way abutting the project site. Furthermore, the plans shall identify responsibility for the continued maintenance.

19. To prevent pollution generated from site specific activities, the Applicant shall implement Best Management Practices (BMPs) for eating and drinking establishments, including but not limited to, the use and maintenance of grease interceptors and the use of a dedicated cleaning area with a drain which is plumbed to the sanitary sewer system. All equipment, including floor mats, grease filters, grills, garbage cans, etc., shall be cleaned in a wash area that is plumbed to the sanitary sewer system (i.e. mop sink or wash water containment basin). Wash water from the cleaning of outdoor eating areas, "drive-thru" areas, sidewalks, parking lots and dumpster storage areas must be contained and disposed of properly and shall not be allowed to enter the storm drain system including the gutter and storm-drain inlets.

20. Restaurant tenants with cooking facilities shall be equipped at all times with filtering devices to minimize odors and fumes. Details of said devices shall be shown on the tenant improvement plans submitted for issuance of building permits and shall be subject to review and approval by the Building Official prior to issuance of building permits for the tenant improvements.

21. No signs of any type are approved as a part of this action. Any signs must receive a sign permit approved by Planning Division prior to installation. Signs shall be consistent with the regulations of Section 7.7 of the Colonies at San Antonio Specific Plan.

22. All proposed mechanical units, air conditioning equipment, blowers, make-up air units, ducts, etc. shall be shown on the building permit plans. The project developer shall effectively screen from view all ducts, blowers, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the building. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Development Services Director. All required screening shall be provided prior to occupancy. The construction plans shall include appropriate elevations and cross-section drawings demonstrating how such equipment is to be screened from view (include dimensions, materials, colors, etc.).

23. All ground mounted utility structures such as transformers and back flow prevention valves shall be located out of view from a public street or adequately screened through the use of landscaping and/or masonry walls.

24. Prior to the release of a Certificate of Occupancy by the City, the Applicant shall submit to the City for review by the City Engineer and the Development Services Director a shared access agreement. The City Engineer and the Development Services Director shall review and approve the appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage will be commonly shared and maintained.

25. All driveways shall be provided with an enhanced pavement treatment. Generally, the enhanced pavement treatment shall extend from the property line (back of the approach apron), into the site, to the first intersecting drive aisle or parking space.

26. Bumper guard or wheel stops shall be provided, where necessary, to protect a structure or parked vehicle. In lieu of wheel stops, 2 feet of additional area may be added to sidewalks or landscape areas to serve as an automobile overhang.

27. The owner/developer shall arrange for a final inspection by representatives of the Planning Division, Building Division, Public Works Department, Police Department and San Bernardino County Fire Department prior to the release

of occupancy. Any discrepancy between the approved plans and the field conditions shall be remedied prior to occupancy such that the field condition is consistent with the approved plans.

28. No alcohol use of any type is approved as a part of this action. A separate alcohol use request must receive a Conditional Use Permit approved by the Planning Commission and the California Department of Alcohol Beverage Control prior to inauguration of the use.

29. The Applicant shall submit a design for the onsite trash enclosure for review and approval by the Planning Division and the City's Solid Waste Service Provider during building plan check review. The applicant shall work with staff to incorporate the trash enclosure within the building's design. The design will be reviewed for aesthetic value and use of quality materials. All outside trash and garbage collection areas shall be paved and enclosed on at least three (3) vertical sides by solid five (5) foot high wall and on the fourth side by a view obscuring gate to screen the containers from view. The trash enclosure shall be of a size sufficient to contain all trash containers maintained outside the building. The finish and color of the trash enclosure shall be designed to match a primary element from the site building style as well as incorporate a decorative cover per the approval of the Planning Division. The trash enclosure bins shall be kept inside the enclosure except when being unloaded.

30. Pedestrian paths shall be maintained in such manner to allow the safe and convenient passage of persons across drive aisles. Pedestrian pathways shall be clearly marked with paint and/or enhanced paving materials and designated with adequate and appropriate signage. Pedestrian pathways adjacent to drive aisles shall be separated by a raised curb, planter, berm, or other device to ensure a safe and adequate separation between pedestrians and motor vehicles.

31. Prior to issuance of a grading permit the Applicant/Property Owner shall submit for review and approval to the Development Services Department a Lot Line Adjustment to adjust the common property line between Assessor's Parcel Numbers 1044-111-49 and 1044-111-50 to ensure that future development does not encroach onto the property line between the adjoining parcels or into the adjacent property. The final approved lot line adjustment is required to be recorded with the San Bernardino County Assessor-Recorder-County Clerk's Office prior to the issuance of a grading permit.

<u>BUILDING DIVISION</u>

32. The Project shall comply with the adopted California Model Code (California Code of Regulations, Title 24).

33. Prior to the issuance of any permit a soils report is required to be submitted to the Building Division for review and approval.

34. The Project shall provide ADA compliance accessibility to public right-of-way.

35. The Project shall provide ADA compliance throughout the site.

SAN BERNARDINO COUNTY FIRE DEPARTMENT

36. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred (300) feet from any portion of a structure.

37. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 1500 GPM for a 2 hour duration at 20 psi residual operating pressure. Fire Flow is based on an 8,825 square foot structure.

38. This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.

39. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions, including width, vertical clearance and turnouts.

40. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing

PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.

41. An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.

42. Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".

43. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.

44. An automatic hood and duct fire extinguishing system is required. A Fire Department approved designer/installer shall submit detailed plans with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

45. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.

46. A flow test report is required to be submitted to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.

47. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

48. An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm

contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

49. Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.

50. Building plans shall be submitted to the Fire Department for review and approval.

51. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

52. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

53. The referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the Fire Department.

POLICE DEPARTMENT

54. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Upland Police Department, and City Planning.

55. A 6-month review/inspection shall be conducted to ensure permittee's compliance with all operating conditions.

56. Graffiti abatement by the business owner/licensee shall be immediate and ongoing on the licensed premises, but in no event shall graffiti be allowed unabated on the premises for more than 48 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee shall notify the City within 24 hours of any graffiti elsewhere on the property not under the business owner/licensee's control so that it may be abated by the property owner.

57. The Developer, builder, contractors, sub-contractors, and any other persons associated with this project shall adhere to the Upland Municipal Code (UMC) dealing with unnecessary noises under section 9.40.100. Furthermore, prior to the beginning of construction, a sign shall be posted at the entrance of the property educating everyone entering as to the authorized construction times and failure to comply with such requirements will result in an immediate citation for violating the aforementioned UMC section.

58. Units with front and rear drive access shall affix or paint address numbering/lettering in a conspicuous location, free from plant obstruction, and readily visible to emergency services personnel on both front and rear accesses.

59. Each building that has a flat roof shall be required to have the address numbering painted on the roof, as close to the center of the roof as possible, and at least 15 feet (or as far as possible if less than 15 feet) from roof mounted equipment or exhaust stacks, to assist helicopter patrols in quick location of the building. Numbering must be at least 12 inches wide, 48 inches tall, and be painted in contrast to the background on which it is affixed.

60. Draft stops shall be required between all tenant subdivisions in the same unit or building so that persons may not access a tenant unit from an adjacent tenant unit via entry down through the roof or up through the drop ceiling.

61. Prior to occupancy all private streets, parking areas, parking lots, and driveways shall be dedicated for off-road traffic, fire lane, soliciting, handicap, and loitering enforcement. The applicant must submit a written request to the City Clerk asking that a resolution from the City Council allow Police Enforcement of the above violations on the property. Once the resolution has been obtained, a sign shall be erected/posted at all access points stating the above listed locations and violations have been dedicated for enforcement by the Upland Police Department.

62. Prior to occupancy, the Police Department will conduct an on-site inspection of the property, checking proper lighting has been installed throughout the property, proper locks on exterior doors and doors leading to the interior are in place and functioning properly. In addition, the Police Department will check that proper addressing/lettering has been installed.

63. Hinges for outwardly swinging doors or hatchway covers shall be equipped with non-removable hinge pins or a mechanical interlock system to prevent removal of the door from the exterior by removal of the hinge pins.

64. All hatchways shall be secured from the interior of the building with a sliding bolt or bar mechanism.

65. If the hatchway cover is of a wooden material, it shall be reinforced with at least 16-gauge U.S. sheet steel, or its equivalent, on the interior face of the cover and shall be attached with screws no more than six inches apart around the entire perimeter of the interior face cover.

66. Building design and window placement shall facilitate high visibility to the public and police patrol vehicles as well as enabling employees to make periodic visual inspections of the premises.

67. The applicant shall submit for review by the Police Department the design and specifications for all proposed lighting fixtures proposed for the buildings, drive aisles, parkways, parking areas, pathways, and surrounding areas within the development. The fixtures shall be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The number, location, height, style and design shall be reviewed and approved by the Police Department prior to issuance of building permits.

68. All exterior doors shall be equipped with a lighting device capable of providing a minimum of two foot-candle of light at ground level.

69. All exterior lighting lower than 12 feet from the ground level shall be enclosed in vandal-resistant covers.

70. Lighting shall be required in all area of public access.

71. All exterior lighting shall be oriented inward onto the project so as not to interfere with adjacent residential areas or vehicular traffic on adjacent public streets.

72. Public parking areas and access thereto shall be provided with a maintained minimum of 2 foot candle power of light on the parking surface, from dusk to dawn, or as modified by the Chief of Police, based on documented proof that meeting the 2 foot candle power standard is impractical. Lighting shall be provided through the use of photo cells; use of low pressure sodium fixtures and bulbs is prohibited.

73. Signs prohibiting loitering shall be installed to the satisfaction of the Chief of Police. They shall be mounted between six and ten feet above ground. The following must be printed on the sign in letters at least two inches tall: "PC647(h), UMC10.72.010." and "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES." The signs shall be posted on the front, rear, and sides of the building, and shall be clearly visible to patrons of the licensee.

74. Signs shall comply with all City of Upland sign requirements (UMC 17.15 et seq.). No more than 50% of the total window area and clear doors shall bear

advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the public sidewalk or entrance to the premises (this applies to all windows of this location).

75. A digital video surveillance system is required at the premises. It is recommended to have a surveillance video/visual media that shall be maintained for a minimum of sixty (60) days and upon request, shall be accessible to law enforcement personnel for viewing, copying and collection purposes during regular business hours. The system shall be able to make license plates discernable. The video system shall cover all ingress and egress points of the businesses parking lots, the building itself, and the rear perimeter of the building.

76. Provide UPD with contact information of person responsible for maintaining video equipment/system and who has access to retrieve and copy surveillance video. The surveillance video/visual media system shall be remotely accessible to the Upland Police Department.

77. Applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment.

78. All landscaping must adhere to the 2’ 6’ rule (all ground cover landscaping must be maintained no higher than 2’ from ground level and all lower tree canopy must be maintained no lower than 6’ in height from the ground level).

79. Any vehicles not parked legally may be cited and/or towed if it is in violation of the California Vehicle Code and/or Upland Municipal Code.

80. Violation of any of the aforementioned conditions, may result in revocation of the CUP.

<u>PUBLIC WORKS DEPARTMENT LAND DEVELOPMENT AND TRANSPORTATION DIVISION</u>

EASEMENTS

Easements/Agreements

81. Final approval of this project is subject to, and contingent upon, the execution and recordation of a reciprocal access agreement.

82. A lot line adjustment shall be recorded before issuance of grading permit.

83. Prior to recordation, the Owner/Developer shall submit two copies of the "before and after" legal descriptions for each affected parcel/lot for plan check by the Public Works Department.

84. Concurrently with the recordation of the Lot Line Adjustment, the Owner/Developer shall record a Grant Deed transferring ownership and describing each new parcel/lot(s) in conformance with State law.

Monuments

85. The Owner/Developer shall comply with Assembly Bill 1414, which was enacted into law and effective January 1, 1995. This bill amended Section 8771 of the Business and Professions Code (of the Land Surveyors Act). The County Surveyor requires that two corner records be filed; they are when:

    a. Monuments exist that controls the location of subdivisions or tracts, streets or highways; or provides survey control. The monuments are located and referenced by a licensed Land Surveyor before any streets or highways are reconstructed or relocated. The corner record(s) of the references are filed with the County Surveyor.

    b. Monuments are reset in the surface of the new construction and a corner record is filed with the County Surveyor before recording of a Certificate (Notice) of Completion for the project.

STREET IMPROVEMENTS

86. All deficient public improvements shall be upgraded to current City Standards and to the satisfaction of the Public Works Director.

87. Asphalt paving and other improvements damaged during construction shall be replaced to the City’s satisfaction.

88. All onsite and offsite improvements (pavement areas, drainage facilities, landscaped areas, etc.) shown on the plans and/or approved exhibit shall be constructed to City Standards.

89. In accordance with California Building Code, Title 24 and the requirements of the Americans with Disabilities Act (ADA), handicap facilities shall be constructed and existing facilities shall be reconstructed within the project limits, as necessary, in locations specified by the Director of Public Works/City Engineer and the Development Services Director.

III UTILITY (WATER – SEWER – ENVIRONMENTAL)

Utility General

90. All utility companies (for non-City owned utilities) shall be contacted to establish appropriate easements to provide services to each parcel.

91. All parcels shall be served by utilities, allowing each parcel/lot to function separately and independent from one another.

92. The Owner is responsible for research of private and public utility lines (Gas, Power, Telephone, Cable, Irrigation, etc.) to ensure there are no conflicts with the site.

93. All existing on-site utility lines, if any, that conflict with this project shall be relocated or removed to the satisfaction of the Public Works Director.

94. Composite Utility Plans shall be submitted before the issuance of a Grading Permit. Any easements will be dedicated to the appropriate Utility Company as required to accommodate the location and maintenance of each facility.

Undergrounding

95. All developments within the City shall be served by underground utilities. All utility plans (Edison, Telephone, and Cable TV, among others) shall be submitted to the Public Works Department for review and approval prior to the issuance of any permits for utility work within public right-of-way or public easements.

Environmental-WQMP

96. This project is subject to the General Construction Permit for Storm Water Discharges. The Owner/Developer is required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for construction activities. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and be available at the job site at all times.

97. This project is required to submit a Project Specific Water Quality Management Plan (WQMP) (reference the County of San Bernardino "Guidelines for New Development and Redevelopment") for review and approval by the City Of Upland, Public Works Department, and Environmental Division. WQMP is required to be bounded. Standard paper size for exhibits is 24" x 36".The subject WQMP shall be approved prior to the issuance of grading permit.

98. All projects that are required to prepare a SWPPP must file a letter with the SWRCB stating that the construction activity is complete. A copy of this letter must be on file with the City of Upland before occupancy is granted.

99. In developing the WQMP, the applicant shall infiltrate or treat projected runoff for the new development by an amount equal to or greater than the volume of runoff produced from a storm event through incorporation of design elements that address one or more of the goals set forth in the subdivisions below. The design elements utilized by an applicant may, but are not required to, include those provided on the list (A-L).

One or more of the following design elements listed below may be used to achieve water quality goals:

A. Maximize permeable areas to allow more percolation of runoff into the ground through such means as:

a. Biofilters;
b. Green strips;
c. Swales.

The use of permeable materials in lieu of or to replace hardscapes will increase the amount of runoff seepage into the ground

B. Maximize the amount of runoff directed to permeable areas and/or maximize stormwater storage for reuse or infiltration by such means as:

a. Orienting roof runoff towards permeable surfaces, drywells, French drains, or other structural BMPs rather than directly to driveways or non-permeable surfaces so that runoff will penetrate into the ground instead of flowing off-site.
b. Grading the site to divert flow to permeable areas.
c. Using cisterns, retention structures or green rooftops to store precipitation or runoff for reuse.
d. Removing or designing curbs, berms or the like so as to avoid isolation of permeable or landscaped areas.

C. Remove pollutants through installation of treatment control BMPs.

D. The WQMP must also include the applicant's plan for the maintenance of all BMP’s requiring ongoing maintenance.

E. The WQMP must include the applicant's signed statement accepting responsibility for all structural and/or treatment control BMP maintenance.

The transfer of property subject to Water Quality Management Plan must include as a written condition to the transfer that the transferee assumes full responsibility for maintenance of any structural, and/or source or treatment control BMPs.

F. The applicant shall provide a trash and recycling enclosure for the development. No other area shall drain to the enclosed area. The trash enclosures are to be designed to accommodate any City-mandated recycling facilities, subject to review and approval of Public Works Director.

The area where a trash receptacle or receptacles are located for use as a repository for solid wastes must meet the following Structural or Treatment Control BMP requirements:

a. Drainage from adjoining roofs and pavement must be diverted away from the trash storage areas.
b. The trash enclosure area must be covered with a solid roof; to prevent rain from entering the area, sewer or storm drain conveyance system; screened or walled to prevent off-site transport of trash.
c. Trash bins must have solid covers and be covered at all times except while being emptied.

G. The Developer shall comply with the City's SWPPP in accordance with the NPDES MS4 permit requirement issued by the Regional Water Quality Control Board (RWQCB).

H. The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented.

Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.

I. The project plans shall include storm water measures for the operation and maintenance of the project for the review and approval of the Public Works Director. The project plans shall Identify Best Management Practices (BMPs) appropriate to the uses conducted on site that effectively prohibit the entry of pollutants into storm water runoff.

J. All on-site storm drains are to be cleaned prior to occupancy and be cleaned each year immediately before the beginning of the rainy season (October 15).

K. Sidewalks, parking lots, and other paved areas must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged to the storm drain.

L. Landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution.

M. The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented.

Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.

N. A structural control, such as an oil/water separator, sand filter, or other approved equal, is to be installed on site to intercept spills and pre-treat storm water prior to discharge to the public storm drain. The design, location, maintenance schedule and maintenance responsibility are subject to Public Works Director's approval.

100. A trash bin for organic waste is required and must be provided by this project.

101. A Waste Management Plan (WMP) is necessary to demonstrate compliance with the Municipal Code 13.28.620 that requires projects to salvage, reuse or recycle at least 50% of construction and demolition debris generated by the project. This code was adopted to assist the City of Upland in meeting the State mandated diversion requirement of 50% of all waste generated. The WMP Form "A" shall be provided by the Land Development Department prior to issuance of a Building Permit. The WMP Form "B" shall be completed and approved by the Land Development Department prior to issuance of a Certificate of Occupancy.

102. The Owner/Developer shall obtain approval from the Public Works Department for a non-domestic waste wastewater discharge permit in accordance with Section 13.32.200 of the Upland Municipal Code. The Owner/Developer shall also:

a. Provide an appropriate pretreatment facility that meets the Standards of the City of Upland including sewer inspection manholes.
b. Construct a grease/oil and/or sand interceptors to the satisfaction of the Public Works Director
c. Provide exterior plumbing to allow for the addition of a grease/sand and oil interceptor at a future date

Sewer

103. Proposed on-site sewer laterals, water services and drainage facilities shall be maintained by Owner/Developer.
104. City staff will inspect all newly installed sewer mains with the TV camera before acceptance of the line for public improvements.

105. Extend any sanitary sewer and water line facilities as necessary to serve the entire development, including the payment of any sewer and water connection fees as determined by the Public Works Director.

106. Sanitary sewer connections are subject to review, approval, and conditions of the Public Works Director.

107. All sewer facilities shall be installed outside any driveways and drive approaches, and shall be in accordance with the Public Works Department Standards.

Water

108. On-site protection hydrant(s) and water systems shall be installed in accordance with the Upland Fire and Public Works Department Standards.

109. Approved Backflow Device(s) shall be installed and inspected, in accordance with the Public Works Department Standards.

110. All water facilities shall be installed outside any driveways and drive approaches, and shall be in accordance with the Public Works Department Standards.

111. All new and upgraded developments shall meet the requirements of Chapter 13.08 "Municipal Water System", Article VII, of the Upland Municipal Code. This Code pertains to water system connection fees, water additive fees, and the transfer of water stock to the City of Upland.

GRADING - STORM DRAIN - EROSION CONTROL

112. A hydrology/hydraulics analysis is required to the satisfaction of the Public Works Director. Any offsite drainage, which may impact this development, or additional drainage created by this development, shall be addressed in accordance with the mitigation measures required in the hydrology report before issuance of any permits.

113. All drainage shall be directed on-site to the points so indicated upon the subject plan.

114. Temporary drainage controls may be required during construction phases as directed by the Public Works Director.

115. All catch basins and Storm Drain Inlet Facilities shall be stenciled with the appropriate "No Dumping" message.

116. A Geotechnical Report (no older than one year) shall be submitted for review before the issuance of a grading permit. Reports older than one year are not accepted.

117. Grading plan shall be prepared and shall conform to the requirements of California Building Code (CBC), latest edition. Said grading plan shall propose all applicable recommendations contained in the project's geotechnical report.

118. An erosion control plan shall be required as directed by the Public Works Director.

119. No permanent building construction shall commence until rough grading is certified and a building permit issued by the Building Division.

120. Owner is required to prepare Water Conservation Plan for its grading and construction operations in compliance to water conservation mandate by the State of California. Use of reclaimed water is highly encouraged.

121. Dust Control operations shall be performed by the Contractor at the time, location and in the amount required and as often as necessary to prevent the excavation or fill work, demolition operation, or other activities from producing dust in amounts harmful to people or causing a nuisance to persons living nearby or occupying buildings in the vicinity of the work. The Contractor is responsible for compliance with Fugitive Dust Regulations issued by the Air Quality Management District (AQMD).

122. Control of dust shall be by sprinkling of water, use of approved dust preventives, modifications of operations or any other means acceptable to the Engineer, City of Upland, the Regional Water Quality Control Board (RWQCB), the AQMD, and any Health or Environmental Control Agency having jurisdiction over the facility. The Engineer shall have the authority to suspend all construction operations if, in their opinion, the Contractor fails to adequately provide for dust control.

LANDSCAPING

123. All landscaping works proposed for this development shall comply with the City of Upland Municipal code Ch. 17.12.

124. Any landscaping proposed within a City utility easement is subject to approval by the Public Works Director and Development Services Director.

125. Landscaping and irrigation plans shall be submitted for City review and approval.

126. All landscape and irrigation systems, located in the public parkways, shall be connected to a water supply system that is metered to the property owner.

127. All developments require a tree-planting scheme. Plant trees a minimum of five feet from other utilities, a minimum of ten feet from driveways, water meters, water lines, sewer lines, traffic and directional signs, and fire hydrants, a minimum of fifteen feet from street lights, and a minimum of thirty feet from street corners.

128. The project frontage shall be fully landscaped, including an automatic irrigation system in accordance with a plan subject to review and approval by the Development Services Director and the Public Works Director. Drought tolerant and water efficient irrigation system shall be required. Parkway landscaping shall be maintained by the Owner/Developer.

GENERAL ENGINEERING

129. In the future, based on traffic conditions, if determined by the Public Works Director, a Warrant Study will be prepared and considered by the City Council for the intersection of Campus Ave and 20th Street, to determine if or when a traffic signal or other mitigating measures may be needed. A Study may be required and will include an analysis based upon projected traffic volumes, derived from existing traffic volumes collected at the 20th Street and Campus Ave intersection and surrounding areas, with the addition of projected increases in the site generated traffic resulting from development along 20th Street.

130. Owner is required to arrange for a PRE-CONSTRUCTION MEETING with the Public Works Department 72 hours in advance before any permitted work can commence.

131. Public improvement plans and grading plans shall be submitted for plan check to the Public Works Department as a complete package. A complete package includes sewer, water, grading, drainage, and any appropriate reports and back up documents. Incomplete submittals shall be rejected.

132. All plans (including Landscaping Plans) depicting any work to be plan checked by Public Works shall be prepared on 24”x36” on City Standard title block. This includes street, sewer, water grading, storm drain, grading, erosion control, private street design, and landscape plans.

133. As-built plans (including sewer, water, and storm drain and grading plans) shall be submitted. Electronic drawing files on compact disc (CD's) shall be submitted to the City for file in the format acceptable by the City.

134. All Ordinances, Policy Resolutions, and Standards of the City in effect at the time this project is approved shall be complied with as a condition of approval.

135. No certificate of occupancy, or any other final clearance needed prior to occupancy, shall be given until all other conditions are met.

END OF CONDITIONS

Section 7. Inconsistency: If any section, division, sentence, clause, phrase or portion of this resolution or the document in the record in support of this resolution is determined by a court of competent jurisdiction to be invalid, unenforceable, unconstitutional or otherwise void, that determination shall not affect the validity of the remaining sections, divisions, sentences, clauses, phrases of this resolution.

Section 8. Certification: The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 23rd day of September, 2020.

_____
Robin Aspinall, CHAIR

ATTEST:

_____
Robert D. Dalquest, SECRETARY

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a regular adjourned meeting thereof held on the 23rd day of September, 2020, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

_____
Robert D. Dalquest, SECRETARY

Exhibit B – Project Plans

LEGAL DESCRIPTION

THE SUBJECT PROPERTY IS PARCEL 3 OF PARCELS MAP NO. 19562, IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER PLAT RECORDED IN BOOK 246, PAGES 33 & 34 INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

SITE PLAN & PARKING SUMMARY

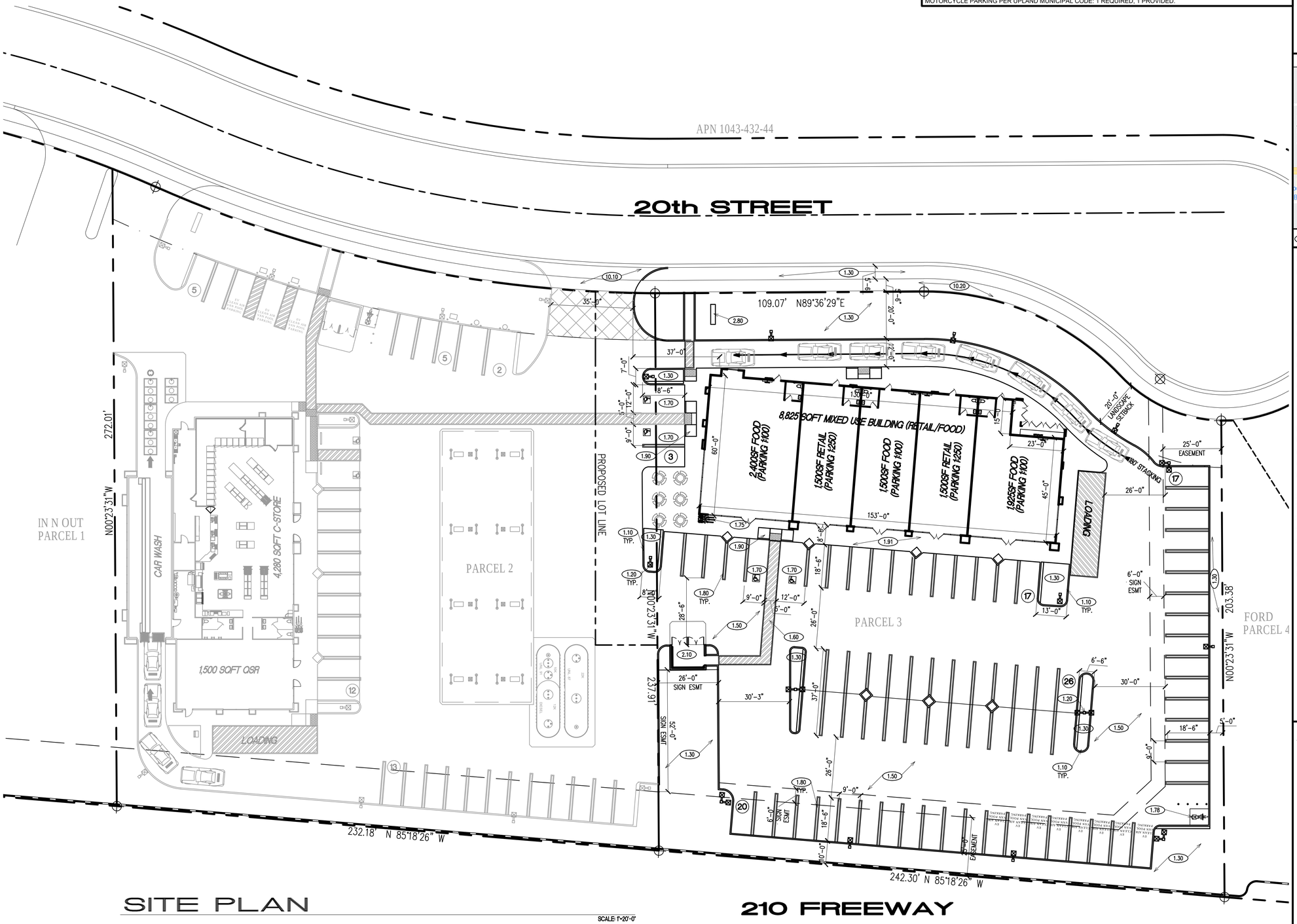
BUILDING NO.	SIZE	USE	PARKING EQUATION	REQ. NO. SPACES	PROVIDED
MIXED USED RETAIL	3,000 S.F.	RETAIL	1/250	12	12
MIXED USED FOOD	5,825 S.F.	FOOD	1/100	58.25	71
TOTAL BUILDING S.F.	8,825 S.F.			71	83

TOTAL PARKING PROVIDED: 83 PARKING SPACES

HANDICAPPED PARKING SPACES REQUIRED: 83 SPACES- 4 REQUIRED PER CODE. PROVIDED 4 SPACES

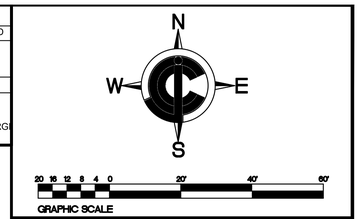
CLEAN AIR VEHICLE PARKING REQUIRED PER CA GREEN BLDG CODE: 2 REQUIRED, 8 PROVIDED (2 REQ TO BE EV CHARG

MOTORCYCLE PARKING PER UPLAND MUNICIPAL CODE: 1 REQUIRED, 1 PROVIDED.

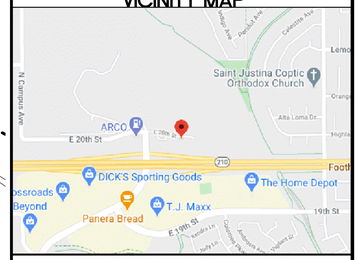


SITE PLAN

SCALE: 1"-20'-0"



VICINITY MAP



CONSTRUCTION NOTES

1.10 6" CONCRETE CURB

1.20 20'H LED AREA LIGHT WITH PHOTO-CELL AND TIME CLOCK SWITCHING PER "CALGREEN" AND TITLE 24 REQUIREMENTS. HOOD AND ARRANGE SO AS NOT TO CAUSE A NUISANCE TO ADJACENT STREET TRAFFIC OR TO LIVING ENVIRONMENT. THE AMOUNT OF LIGHT THAT SHALL BE PROVIDED DSHALL BE PER THE PUBLIC WORKS STANDARDS AND CALGREEN

1.30 LANDSCAPING WITH AUTOMATIC IRRIGATION

1.40 6" CONCRETE DRIVE SLAB WITH #3 BARS @ 18" O.C. OR AS SPECIFIED IN SOILS REPORT IF AVAILABLE.

1.45 COLORED CONCRETE WITH 8X8 SCORE LINES

1.50 6" OVER 4" A.B. ASPHALT PAVING OR AS SPECIFIED IN SOILS REPORT IF AVAILABLE.

1.60 HANDICAP PATH OF TRAVEL (MIN. 48" WIDE AND SLOPE NOT TO EXCEED 2% EACH WAY)

1.70 HANDICAP PARKING SPACE WITH ALL RELATED SIGNAGE (SLOPE NOT TO EXCEED 2% E.W.)

1.75 BICYCLE PARKING (MIN. 6) PER CAL GREEN CODE

1.78 7'Wx8'L MOTORCYCLE PARKING (MIN. 56SF)

1.80 9'X18'-6" STANDARD PARKING SPACES

1.90 CONCRETE HANDICAP RAMP (SLOPE 8.33%)

1.91 CONCRETE SIDEWALK (MIN. 48" WIDE WITH 2% CROSS SLOPE WHERE HANDICAP PATH OF TRAVEL OCCURS)

2.10 TRASH ENCLOSURE PUBLIC WORKS STANDARD

2.20 6" CONCRETE FILLED STEEL GUARD POSTS

2.35 ELECTRIC CHARGING STATION INFRASTRUCTURE

2.80 ID SIGNAGE

2.90 ELECTRICAL PANELS

3.10 ADA PARKING LOT ENTY SIGN PER CHAPTER 11B OF CBC

10.10 CONCRETE DRIVEWAY PER CITY OF UPLAND PUBLIC WORKS STANDARD

10.20 CONCRETE SIDEWALK PER CITY OF UPLAND PUBLIC WORKS STANDARD

BUILDING INFORMATION / ANALYSIS

MIXED USE BUILDING

RETAIL TENANTS:	3,000.0sf (M)
FOOD TENANTS:	5,825.0sf (M)
ALLOWABLE AREA:	36,000.0sf
ALLOWABLE HEIGHT:	55'-0"
FIRE SPRINKLERED:	YES
OCCUPANCY TYPE:	M & A
CONSTRUCTION TYPE:	V-B
OCCUPANT LOAD:	TBD BASED ON TENANCY

REVISIONS

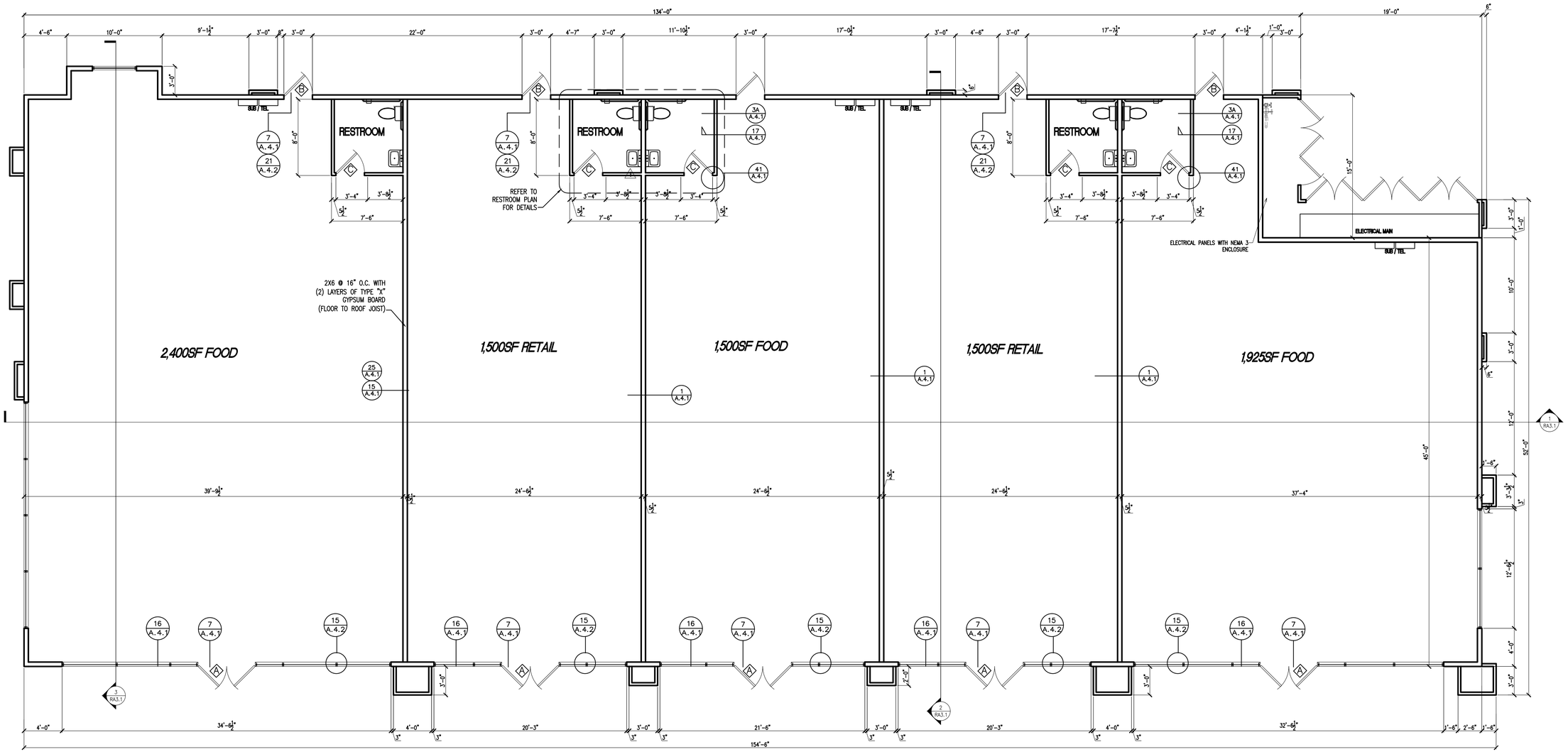
NO.:	DATE:	DESCRIPTION:
3	01/15/20	REVISED PER CLIENT
4	03/11/20	REVISED PER PHAE I
5	04/30/20	REVISED PER COLONIES COMMENTS
6	05/12/20	REVISED PER COLONIES COMMENTS
6	06/04/20	REVISED PER PLANNING COMMENTS

CJC Design, Inc.
Design Planning Permitting
22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
Tel: (714) 970-9663
Fax: (714) 970-9553
www.cjccorp.com

Colonies Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
MIXED USE SITE PLAN

DATE ISSUED: 2/28/19	
SCALE:	
DRAWN BY: F. COHEN	CHECKED BY:
PROJECT NUMBER: 19004	
STORE NUMBER: UPLAND	
SHEET: C.1.1-B	



DOOR SCHEDULE

A

DESCRIPTION	: 1 PR. 3'X 7' ALUMINUM DOOR W/ WEATHER-STRIPPING & 10" KICK PLATE
HANGING DEVICES	: (6) McKINNEY TH2314/MPB91
SECURING DEVICES	: (1) ADAMS RITE MS1850S DEADBOLT (INACTIVE LEAF) (1) ADAMS RITE MS1880 TWO-POINT FLUSHBOLT (2) FALCON LOCK C607 7-PIN CORE COMBINATED "A" KEY (1) FALCON LOCK KB609-2 CUT CONTROL KEY "A" KEYWAY (9) FALCON LOCK KB632-2 CUT USER KEY "A" KEYWAY (2) FALCON LOCK C987 7-PIN MORTISE CYLINDER HOUSING w/AR CAM (2) FALCON LOCK A08794-003 ADJUSTABLE RING, MORTISE CYLINDER 5/16 3/32
OPERATING TRIM	: (2) ROCKWOOD 108 DOOR PULL HANDLE
OPERATING TRIM	: (2) ROCKWOOD 48 PUSH BAR X 31
CLOSING DEVICES	: (1) DORMA 8916 DOOR CLOSER 8916 AF89P
PROTECTIVE TRIM	: (1) ROCKWOOD K1050 B4E KICK PLATE 10"X34"
STOPS & HOLDERS	: (1) ROCKWOOD 473 DOOR STOP WITH HOOK
ACCESSORIES	: (1) NATIONAL GUARD C607A DOOR SWEEP 36"
THRESHOLD	: (1) 325 HALF SADDLE THRESHOLD

B

DESCRIPTION	: (1) 3'X 7' HOLLOW CORE METAL DOOR
HANGING DEVICES	: (3) McKINNEY TH2314/MPB91
SECURING DEVICES	: (1) FALCON LOCK C607 7-PIN CORE COMBINATED "A" KEYWAY (1) SUR-LOCK I/O 2000L-031C AUTO LOCKING DOOR ALARM IC: NO CTR INCLUDES MORTISE CYLINDER
CLOSING DEVICES	: (1) DORMA 8916 DOOR CLOSER 8916 AF89P
PROTECTIVE TRIM	: (1) ROCKWOOD K1050 B4E KICK PLATE 10"X34"
ACCESSORIES	: (1) NATIONAL GUARD 137NA WEATHER STRIP 17"X36"X84"
ACCESSORIES	: (1) NATIONAL GUARD C607A DOOR SWEEP 36"
MISCELLANEOUS	: (1) SECURITY PRODUCTS DS-6 DOOR SPY
STOPS & HOLDERS	: (1) ROCKWOOD 473 DOOR STOP WITH HOOK
THRESHOLD	: (1) 325 HALF SADDLE THRESHOLD

C

DESCRIPTION	: 3'X 7' WOOD TIMING DOOR
HINGES	: 1 1/2 PR. 4 1/2 x 4 1/2 BUTT HINGES
HARDWARE	: SCHLAGE OLYMPIAD D50 PD-26D (LEVEL HANDLES)
DOOR CLOSER	: INTERNATIONAL 854 ALUMINUM

DOOR SCHEDULE NOTES

1. Door handles, pulls, latches, locks and other operating devices shall be installed between 34 inches and 44 inches above finish floor and shall not require tight grasping, tight pinching or twisting of the wrist to operate. 2016 CFC, Sections 1010.1.9.1, 1010.1.9.2

2. The unlatching of any door or leaf shall not require more than one operation. 2016 CFC, Section 1010.1.9.5

STOREFRONT NOTES

1. STOREFRONT: AL. FRAME AS MANUFACTURED BY VISTAWALL OR EQ., SERIES PER GLAZING REQMTS., 2" X 4 1/2", FRONT LOADED GLAZING, w/ CLEAR ANODIZED ALUMINUM FINISH, ALTERNATE AND EQUIVALENT STOREFRONT FRAME AS MANUFACTURED BY U.S. ALUMINUM OR OTHER AS APPROVED BY CHEVRON REPRESENTATIVE.
2. STANDARD STOREFRONT GLAZING SHALL BE 1/4" CLEAR TEMPERED GLASS. (TYP.)
3. VERIFY ALL WINDOW SIZES IN FIELD PRIOR TO FABRICATION.
4. GLAZING AND STOREFRONTS SHALL CONFORM TO LOCAL WIND LOAD REQUIREMENTS. GLAZING MATERIAL THICKNESS, AND LAMINATION AND/OR MULLION DESIGN IS SUBJECT TO CHANGE.

FLOOR PLAN NOTES

1. WALL DIMENSIONS ARE TO FACE OF STUD, OR CMU. FLOOR SINK DIMENSIONS ARE FROM FACE OF SLAB U.N.O.
2. ACCESSIBILITY DESIGN STANDARD: A.D.A. TITLE 24 CBC 2016
3. ALL SEALANT TO BE PAINTABLE.
4. ALIGN EXTERIOR FACE OF PLYWOOD AND FOUNDATION FACE OF CONCRETE (TYP.).
5. ALIGN DOWEL JOINTS W/ TILE LAYOUT. FOR TILE LAYOUT AND SPECIFICATIONS, SEE SHEET A07.
6. ALL WOOD FRAMING MEMBERS IN CONTACT WITH CONCRETE OR CMU SHALL BE PRESSURE TREATED DOUGLAS FIR U.O.N. TYP.

ROOM FINISH SCHEDULE

INTERIOR FINISHES	SHELL BUILDING INTERIOR
FLOOR	CONCRETE W/CLEAR SEALER
BASE	NONE
WALLS	SMOOTH FINISH 5/8" GYP BOARD
CEILING	OPEN CEILING TO DECK ABOVE RESTROOMS: SMOOTH FINISH 5/8" GYP BOARD
CEILING HEIGHT	OPEN TO DECK ABOVE

NOTES:

1. 3-PART EPOXY BY PPG. PRIMER: APPLY PPG 97-685/686 AQUAPON TWO COMPONENT POLYAMIDE EPOXY BLOCK FILLER AT THE RECOMMENDED WET FILM THICKNESS OF 20-40 MILS (MAXIMUM 24 MILS DFT) PER COAT, UNREDUCED.; INTERMEDIATE FINISH: APPLY PPG 97-130/139 AQUAPON HI-BUILD POLYAMIDE EPOXY AT THE RECOMMENDED WET FILM THICKNESS OF 7-10 MILS (4-6 MILS DFT) PER COAT, UNREDUCED.; FINISH: APPLY PPG PITTHANE 97-850 LOW VOC TWO COMPONENT ALIPHATIC ACRYLIC URETHANE AT THE RECOMMENDED WET FILM THICKNESS OF 4-5 MILS (2 MILS DFT) PER COAT, UNREDUCED.
2. NEW CONCRETE/ MASONRY SUBSTRATES TO RECEIVE 3-PART EPOXY, MUST BE EVALUATED PRIOR TO COATING TO INSURE THE PH AND MOISTURE CONTENT IS WITHIN ACCEPTABLE PARAMETERS (PH BELOW 9.0 AND MOISTURE BELOW 12%).
3. ALTERNATE MATERIAL FOR CARWASH, UPON APPROVAL OF THE CHEVRON REPRESENTATIVE: SPECTRA-GLAZE II 8x8x16 GLAZED CMU BLOCK.

WALL LEGEND

- 2X6 SOUNDWALL W/ STAGGERED 2X4 STUDS @ 16" O.C. W/ 3-1/2" ACOUSTIC BATT INSULATION AND 5/8" GYP. BD. ON EACH FACE.
- 2X4 WALLS W/ 5/8" GYP. BD. ON EACH FACE U.O.N.

REVISIONS

NO.:	DATE:	DESCRIPTION:

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22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
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Colonies Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
MULTI USE FLOOR PLAN

DATE ISSUED: 2/28/19

SCALE:

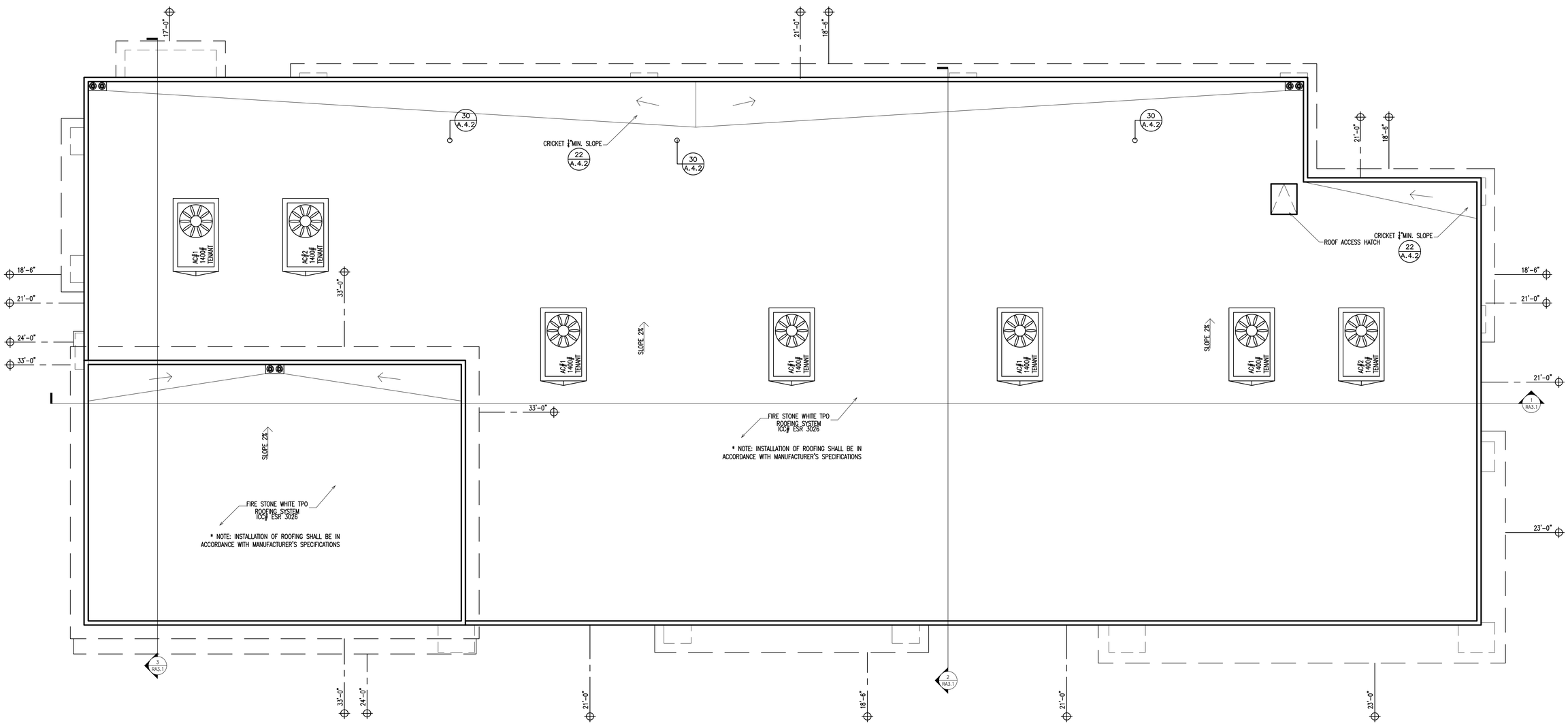
DRAWN BY: F. COHEN

CHECKED BY:

PROJECT NUMBER: 19004

STORE NUMBER: UPLAND

SHEET: RA.1.1



ROOF PLAN

SCALE: 3/16"=1'-0"

REVISIONS

NO.:	DATE:	DESCRIPTION:

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Colonies
Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
ROOF PLAN

DATE ISSUED: 2/28/19

SCALE:

DRAWN BY: F. COHEN

CHECKED BY:

PROJECT NUMBER: 19004

STORE NUMBER: UPLAND

SHEET: RA.1.2

MATERIAL:

1. 7/8" SMOOTH STUCCO
2. 36"H TOP CORNICE SMOOTH FINISH
3. 24"H TOP CORNICE SMOOTH FINISH
4. 6"H SMOOTH FINISH TRIM
5. 10"H SMOOTH FINISH TRIM
6. OVERHEAD WITH GLA□ING ROLLUP DOOR
7. 3□'7" HOLLOW METAL DOOR
8. 3□'7" ANODI□ED ALUMINUM DOOR WITH 1/4" TEMPERED GLASS AND 10" KICK PLATE
9. WINDOWS ANODI□ED ALUMINUM FRAME AND 1/2" TEMPERED CLEAR GLASS
10.
11. SIGNAGE BY OTHERS UNDER SEPARATE PERMIT
12. 12"H ALUMINUM FINISH AWNING OVERHANG
13. STUCCO EXPANSION JOINTS
14. METAL TRELLIS WITH 4X10 BEAMS AND 2X6 RAFTERS
15. METAL TRASH ENCLOSURE GATE
16. PRECAST CONCRETE VENEER (NATURAL COLOR)

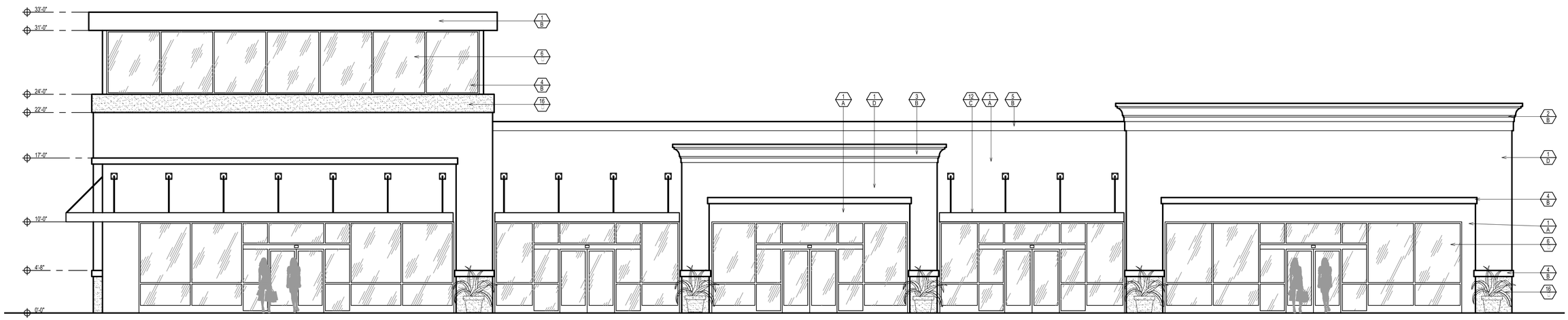
COLOR:

A. SHERWIN WILLIAMS DHURRIE BEIGE #SW7524 (MAIN WALLS)

B. SHERWIN WILLIAMS KESTREL WHITE #SW7516 (TRIM)

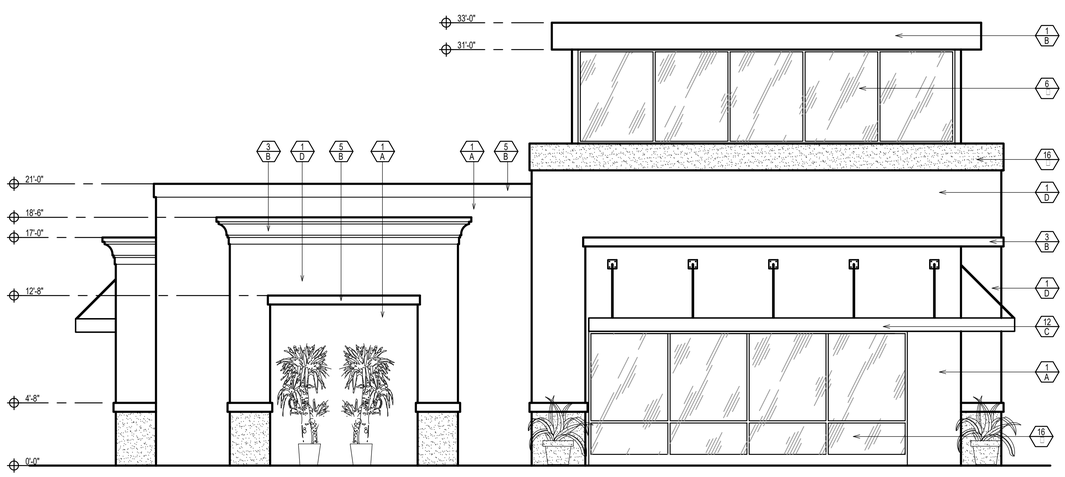
C. SHERWIN WILLIAMS RAINSTORM #SW6230 (AWNNG)

D. SHERWIN WILLIAMS DRY DOCK #SW7502 (TOWER & POP OUTS)



SOUTH ELEVATION

SCALE: 3/16"=1'-0"



WEST ELEVATION

SCALE: 3/16"=1'-0"

REVISIONS

NO.:	DATE:	DESCRIPTION:

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Colonies Campus Center

PROJECT:

S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.

MULTI USE BUILDING ELEVATIONS

DATE ISSUED: 2/28/19	
SCALE:	
DRAWN BY: F. COHEN	CHECKED BY:
PROJECT NUMBER: 19004	
STORE NUMBER: UPLAND	
SHEET: RA.2.1	

MATERIAL:

1. 7/8" SMOOTH STUCCO
2. 36"H TOP CORNICE SMOOTH FINISH
3. 24"H TOP CORNICE SMOOTH FINISH
4. 6"H SMOOTH FINISH TRIM
5. 10"H SMOOTH FINISH TRIM
6. OVERHEAD WITH GLA□ING ROLLUP DOOR
7. 3□'□" HOLLOW METAL DOOR
8. 3□'□" ANODI□ED ALUMINUM DOOR WITH 1/4" TEMPERED GLASS AND 10" KICK PLATE
9. WINDOWS ANODI□ED ALUMINUM FRAME AND 1/2"
10. TEMPERED CLEAR GLASS
11. SIGNAGE BY OTHERS UNDER SEPARATE PERMIT
12. 12"H ALUMINUM FINISH AWNING OVERHANG
13. STUCCO EXPANSION JOINTS
14. METAL TRELLIS WITH 4X10 BEAMS AND 2X6 RAFTERS
15. METAL TRASH ENCLOSURE GATE
16. PRECAST CONCRETE VENEER (NATURAL COLOR)

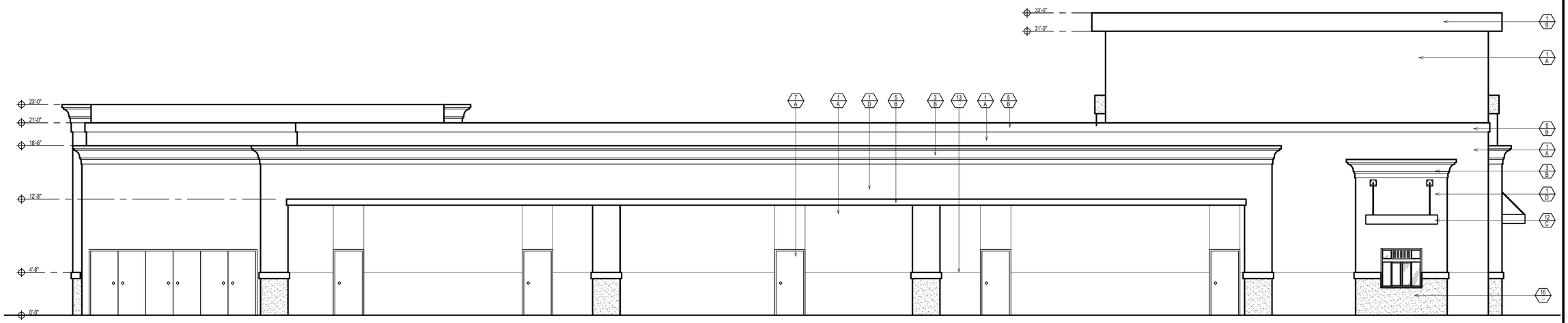
COLOR:

A. SHERWIN WILLIAMS DHURRIE BEIGE #SW7524 (MAIN WALLS)

B. SHERWIN WILLIAMS KESTREL WHITE #SW7516 (TRIM)

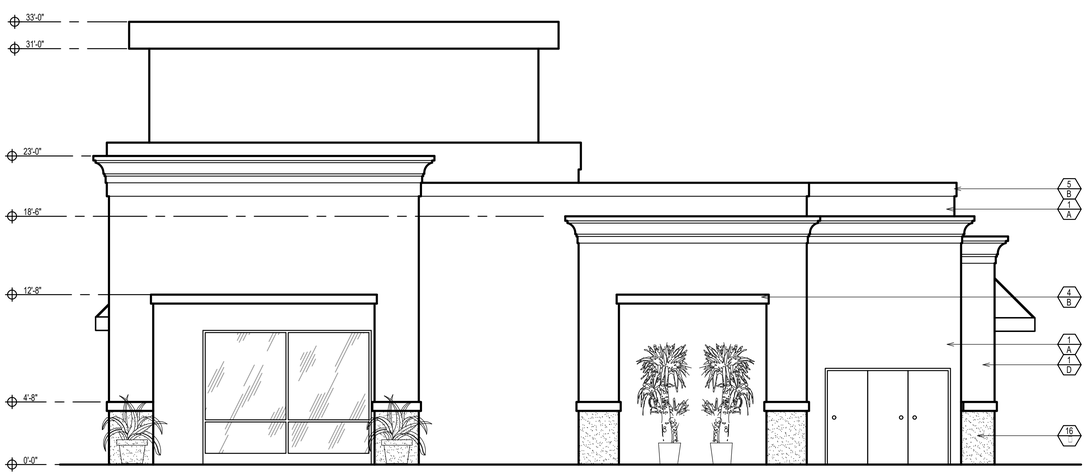
C. SHERWIN WILLIAMS RAINSTORM #SW6230 (AWNNG)

D. SHERWIN WILLIAMS DRY DOCK #SW7502 (TOWER & POP OUTS)



NORTH ELEVATION

SCALE: 3/16"=1'-0"



EAST ELEVATION

SCALE: 3/16"=1'-0"

REVISIONS

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Colonies Campus Center

PROJECT:

S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.

MULTI USE BUILDING ELEVATIONS

DATE ISSUED: 2/28/19	
SCALE:	
DRAWN BY: F. COHEN	CHECKED BY:
PROJECT NUMBER: 19004	
STORE NUMBER: UPLAND	
SHEET: RA.2.2	

SOUTH ELEVATION

WEST ELEVATION

EAST ELEVATION

NORTH ELEVATION

S.E. Corner Campus @ 20th Street, Upland, CA

PLANT LEGEND

KEY	QTY	BOTANICAL NAMES	COMMON NAMES	WULCOS ZONE 4	SIZE	HEIGHT	WIDTH	SPACING
SHRUBS/ACCENTS ——— (••) PLANT SPECIES WITH THIS MARK ARE STORM WATER FRIENDLY								
		CISTUS CRETICUS (SCREENING)	ROCKROSE	LOW	5 GALLON	3–6'	3–6'	5' O.C.
		HESPERALOE PARVIFLORA	RED YUCCA	LOW	5 GALLON	3–4'	3–4'	5' O.C.
••		ANIGOZANTHOS CULTIVARS (A. FLAVIDUS)	KANGAROO RED PAW	LOW	5 GALLON	5'	2–3'	3' O.C.
••		FESTUCA IDAHOENSIS (BOTTOM OF BASIN)	FESCUE	LOW	5 GALLON	14"	10"	3' O.C.
GROUND COVER								
		ACHILLEA MILLEFOLIUM	YARROW	LOW	1 GALLON	6"	18"	3' O.C.
		DROSANTHEMUM FLORIBUNDUM	ROSIE ICEPLANT	LOW	1 GALLON	6"	5'	5' O.C.
		MACFADYENA UNGUIS–CATI 'PROSTRATUS'	CAT'S CLAW	LOW	5 GALLON			10' O.C.

PLANT LEGEND

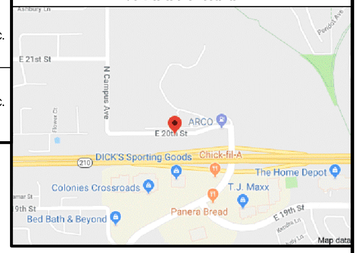
KEY	QTY	BOTANICAL NAMES	COMMON NAMES	WULCOS ZONE 4	SIZE	HEIGHT	WIDTH	SPACING
TREE								
	5	CERCIS OCCIDENTALIS	WESTERN REDBUD	LOW	24" BOX	10–18'	10–18'	20' O.C.
	12	LAURUS NOBILIS "SARATORGA" (SHADE TREE)	SWEET BAY	LOW	24" BOX	12–40'	12–40'	40' O.C.
	3	PARKINSONIA PRAECOX (CERCIDUM PRAECOX)	SONORAN PALO VERDE	LOW	24" BOX	20'	20'	20' O.C.
	12	OLEA EUROPEA 'SWAN HILL'	FRUITLESS OLIVE	LOW	24" BOX	25–30'	25–30'	30' O.C.

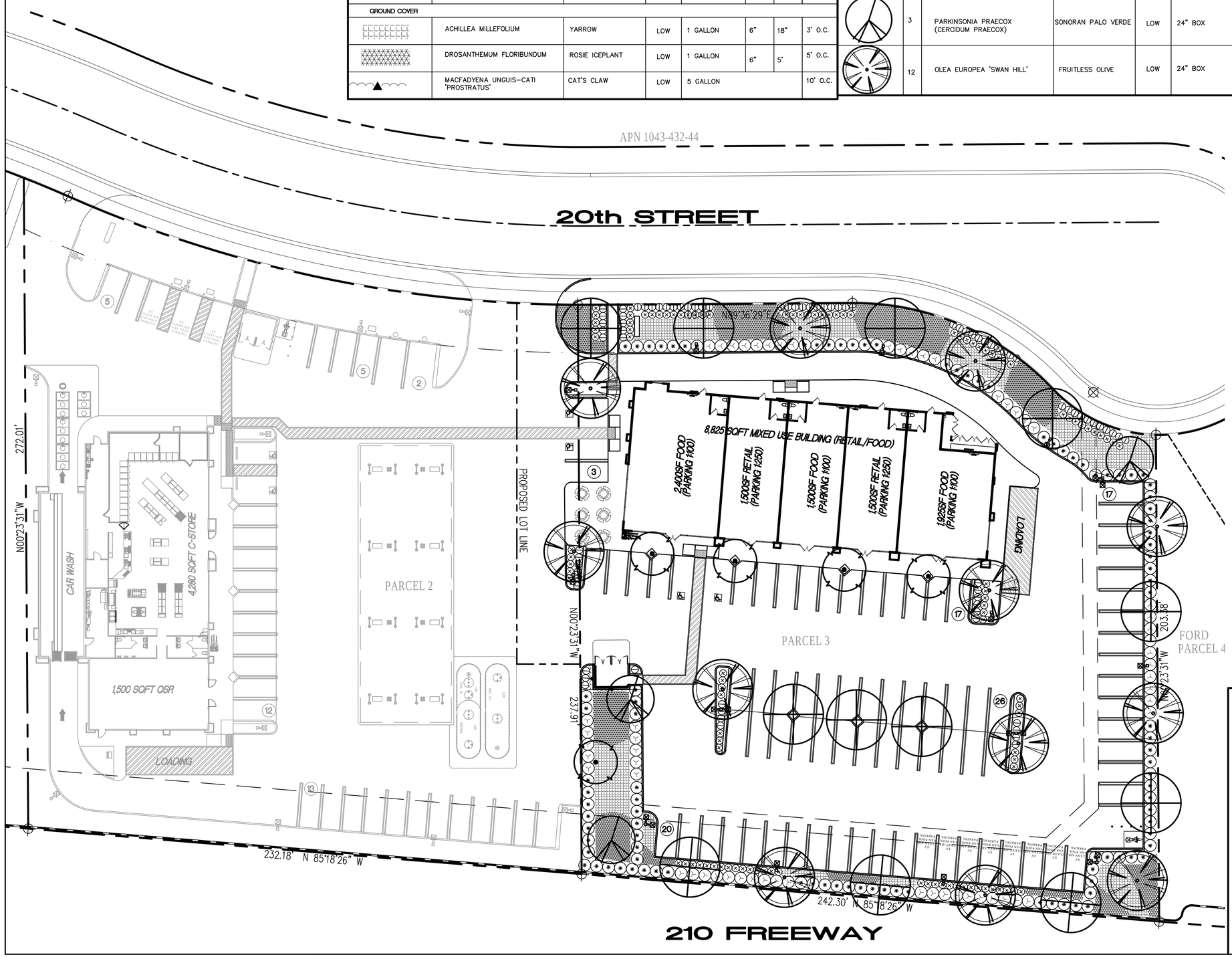
N W E S

20 16 12 8 4 0 20' 40' 60'

GRAPHIC SCALE

VICINITY MAP





PLANTING NOTES

A. PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS, THE WIDTH TWICE THE DIAMETER OF THE ROOTBALL AND 6" DEEPER THAN THE LENGTH OF THE ROOTBALL EACH PLANT PIT SHALL BE BACKFILLED WITH THE FOLLOWING PREPARED SOIL MIX:

2 PARTS NITROLIZED REDWOOD SHAVINGS
1 PART 'NITROHUMUS'
3 PARTS EXCAVATED SOIL
21 GRAM 'AGRIFORM' PLANTING TABLET

PLANTING TABLETS SHALL BE APPLIED AS FOLLOWS:
1 TABLET PER 1 GALLON SIZE PLANT
2 TABLETS PER 5 GALLON SIZE PLANT
3 TABLETS PER 15 GALLON SIZE PLANT

LARGER PLANT MATERIAL WILL BE GIVEN ONE (1) TABLET PER 1/2 " DIAMETER OF TRUNK CALIPER

B. PREPARED SOIL SHALL BE TAMPED FIRMLY AT BOTTOM OF PLANT PIT. FILL PREPARED SOIL AROUND BALL OF PLANT 1/2 WAY AND INSERT PLANT TABLETS. COMPLETE BACKFILLING AND WATER IN THOROUGHLY.

NOTE:

ALL SHRUB AND GROUNDCOVER AREAS TO RECEIVE 3" DEPTH RED COLOR BARK MULCH. SUBMIT SAMPLE TO CITY INSPECTOR FOR APPROVAL PRIOR TO INSTALLATION

CONTRACTOR TO CONDUCT THEIR OWN PLANT MATERIAL QUANTITY TAKEOFFS

CONTRACTOR TO CONDUCT AGRONOMIC SOIL TEST REPORT AND CONVEY RESULTS TO OWNER RESULTS

COMPACTION SHALL NOT BE GREATER THAN 85% IN LANDSCAPE AREA. ALL FINISHED GRADES AT 1 ½" BELOW FINISHED SURFACES. SLOPES TO BE MAXIMUM 3:1

IRRIGATION SHALL PROVIDE SEPARATE SYSTEMS FOR TREE STREAM BUBBLERS WITH PC SCREEN

REVISIONS

NO.:	DATE:	DESCRIPTION:
1	03/11/20	REVISED PER PHAE I
2	06/04/20	REVISED TO ADD BOTH PHASE

CJC Design, Inc.
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22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
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PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
MIXED USE CONCEPTUAL PLANTING

Colonies Campus Center

DATE ISSUED: 2/28/19

SCALE: SCALE: 1"=20'-0"

DRAWN BY: F. COHEN

CHECKED BY:

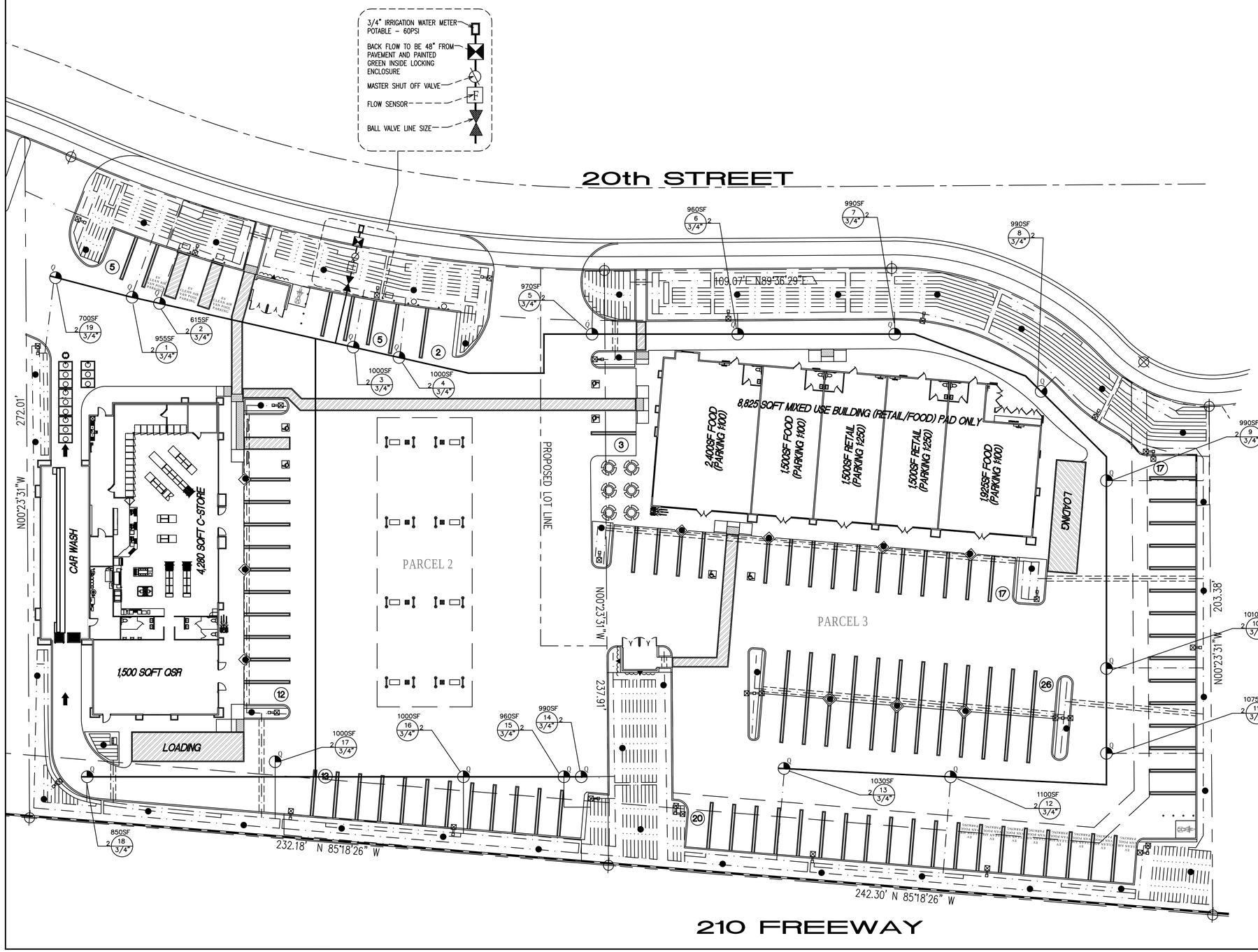
PROJECT NUMBER: 19004

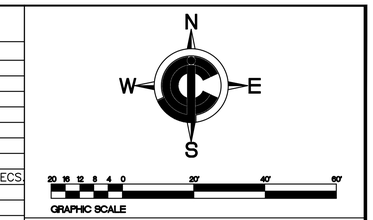
STORE NUMBER: UPLAND

SHEET: L.1.1-B

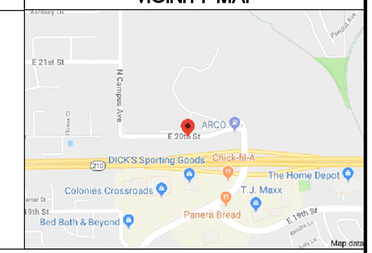
S.E. Corner Campus @ 20th Street, Upland, CA

Symbol	Manufacturer – Model Number	Pattern	Radius	PSI	GPH	Remarks
●	Rainbird 5HB or 5FB	—	—	20	2	2 HEADS PER TREE PER 24" BOX
T	HUNTER ET SENSOR					
Q	Rainbird Quick Coupling Valve – 33DNP or equal					Install in Fiberglass Valve Box
C	HUNTER PRO C–24 STATION or equal					PROVIDE HUNTER ET CONTROLLER AND SENSOR PER MANUF. SPECS.
	Rainbird XCZ–075 Control Zone Kit or equal					Size per plan, Install in Fiberglass Valve Box
	Rainbird PGA Series Remote Control Valve – 1" Master Valve					Install in Fiberglass Valve Box
	FEBCO 825Y–3/4" REDUCED PRESSURE BACKFLOW PREVENTER					
	NIBCO 113T LINE SIZED BALL VALVE					
F	HUNTER HFS/FCT–100					FLOW SENSOR TO BE INSTALLED PER MANUF. SPECS
	Irrigation Mainline – SCH 40 PVC 1"					
	Irrigation Lateral Line – SCH 40 PVC 3/4"					All Lateral Pipe Sizes Minimum 3/4" unless
	Drip line – Netafilm Tekline CV subsurface drip line or equal					otherwise noted on plan.
	Irrigation Pipe Sleeving – PVC Sch. 40 Minimum 2X Diameter Inside Pipe(s)					MINIMUM 30" COVER UNDER VEHICULAR PAVING



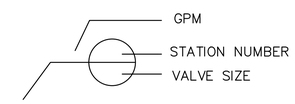


VICINITY MAP



IRRIGATION PRESSURE CALCULATIONS

FURTHEST VALVE FROM WATER METER IS VALVE 11 WITH 2 GPM
WATER PRESSURE AT METER: 40 PSI
LOSS THRU WATER METER: 2 PSI
LOSS THRU BACKFLOW: 10 PSI
LOSS THRU 1" MAINLINE: 300' AT 0.12 PSI LOSS PER 100' = 1 PSI LOSS
LOSS THRU 3/4" VALVE: 5.6 PSI
LOSS THRU LATERAL LINE: 3/4" = 2 PSI
LOSS THRU FITTINGS: 2 PSI
LOSS THRU ELEVATION: 6 FT X .0433 PSI/FT = 2.60 PSI
TOTAL LOSS: 27 PSI
RESIDUAL PRESSURE: 13 PSI



NOTES:
CONTRACTOR TO PROVIDE A NEATLY DRAWN LAMINATED IRRIGATION LAYOUT CHART FOR AUTOMATIC CONTROLLERS. CENTRAL CONTROLLER SHALL INCLUDE A MANUFACTURER SUPPORT PAGE. PEDESTALS SHALL BE LOCATED WITHIN PLANTER AREAS WITH AN 18" PAD OF DG OR MULCH AT FRONT FOR ACCESS

CONTROLLER AND WEATHER SENSOR SHALL BE CONNECTED AND OPERATING PRIOR TO FINAL INSPECTION

TREE IRRIGATION SHALL BE ON SPEARATE VALVE THAN DRIP IRRIGATION, 2 HEADS PER TREE PER 24" BOX SIZE, 3 HEADS PER 36" BOX SIZE

TREE BUBBLERS SHALL BE INSTALLED ON EACH SIDE OF THE ROOTBALL FOR CONSISTENT WETTING, 3' FROM TREE TRUNK. TREE BUBBLERS SHALL NOT OVERSPRAY ONTO PAVING OR SPRAY TREE STAKES

VALVE BOXES SHALL BE NO MORE THAN 2" ABOVE FG IN SHRUB AREAS, 1" IN TURF

DRIP LINE SHALL BE OUTSIDE OF TRUNK FLARE 8' SQUARE OR DIAMETER

IRRIGATION LATERAL LINES SHALL BE SCH 40 PVC AND A MINIMUM $\frac{3}{4}$" SIZE. ALL PRESSURE MAIN LINE SHALL BE SCH 40 PVC FOR SIZES UPTO 1 $\frac{1}{2}$" DIAMETER. CLASS 315 PVC FOR LINES 2" AND LARGER

IRRIGATION MAINLINES UNDER PAVING SHALL HAVE MIN. 24" COVER; LATERALS 18" COVER.

IRRIGATION PIPES UNDER STREETS SHALL BE INSTALLED 36" DEEP, SLEEVED AND IDENTIFIED WITH MARKING TAPE INSTALLED 12" FROM THE SURFACE IDENTIFYING TYPE OF LINE WITH APWA STANDARD "CAUTION WATERLINE BURIED BELOW" IN BLUE OR "CAUTION RECYCLED WATER LINE BURIED BELOW" IN PURPLE

AN IRRIGATION AUDIT REPORT BY A CERTIFIED IRRIGATION AUDITOR SHALL BE PROVIDED PRIOR TO CITY LANDSCAPE INSPECTION. REPORT SHALL INCLUDE
a. CONTROLLER PROGRAM IRRIGATION SCHEDULE TO INCLUDE: START TIMES, PROGRAMS, AND RUN TIMES. SCHEDULE SHALL CONSIDER APPLICATION RATE, SOIL TYPE, PLANT FACTORS, SLOPE AND EXPOSURE.
b. CONTROLLER PROGRAMMING TO ON–SITE WEATHER SENSOR OR CIMIS STATION
c. CONTROLLER PROGRAMMING TO FLOW SENSOR AND MASTER VALVE, OR LEARNED RUN TIMES
d. VERIFICATION OF EFFICIENT WATER USE WITH NO RUN OFF OR OVERSPRAY BY TESTING MIN. 15% OF SITE
e. VERIFICATION OF THE REDUCED SIZE IRRIGATION PLAN, LAMINATED WITH LAYOUT CHART INDICATING VALVE NUMBER AND COLOR–CODED AREA OF SYSTEM LIMITS AND IRRIGATION RUN SCHEDULE

REVISIONS

NO.:	DATE:	DESCRIPTION:

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Design Planning Permitting
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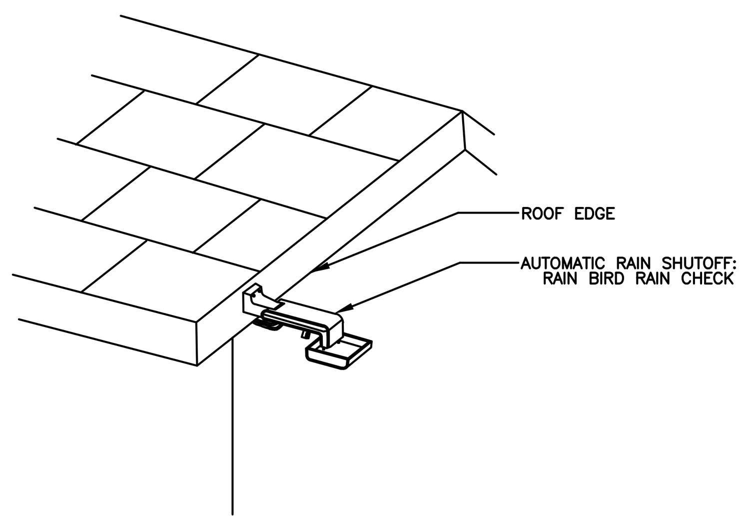
Colonies Campus Center

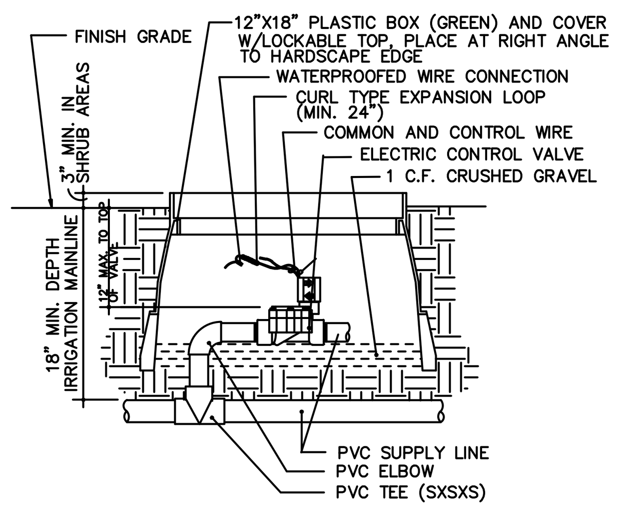
PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
IRRIGATION PLAN

DATE ISSUED: 2/28/19
SCALE: SCALE: 1"=20'-0"
DRAWN BY: F. COHEN
CHECKED BY:
PROJECT NUMBER: 19004
STORE NUMBER: UPLAND
SHEET: L.2.1

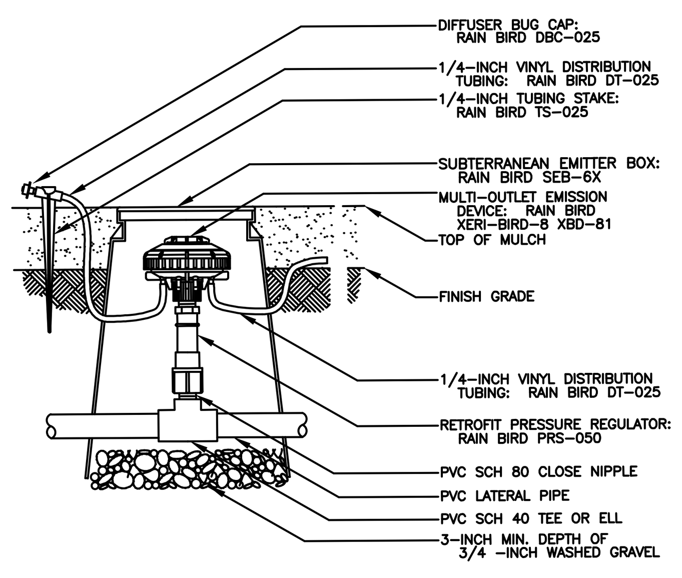


NOTE:
1. FOR COMPLETE INSTALLATION INSTRUCTIONS, SEE INSTRUCTIONS ENCLOSED WITH RAIN CHECK.

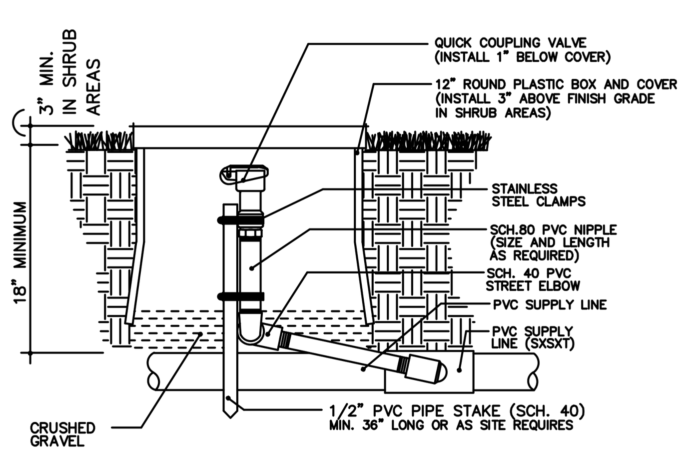
AUTOMATIC RAIN SHUTOFF N.T.S.



ELECTRIC MASTER VALVE N.T.S.

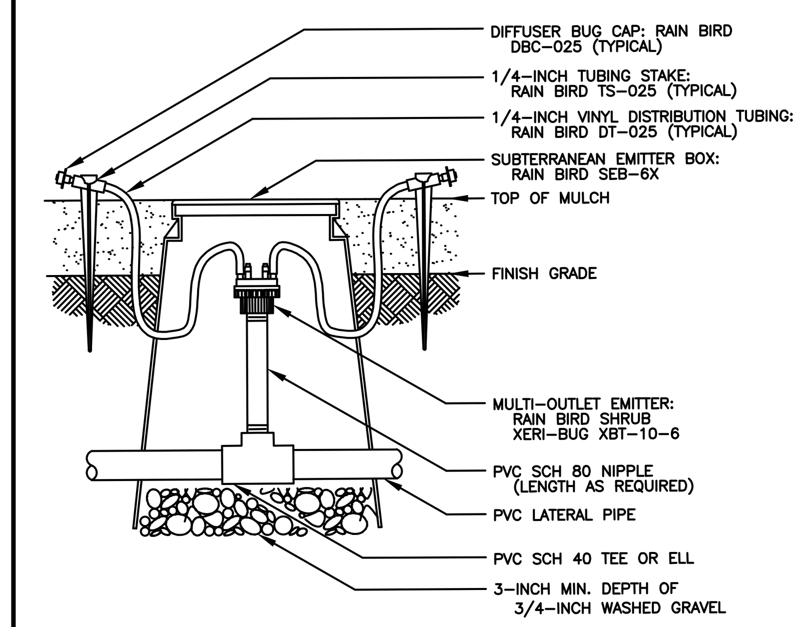


XERI-BIRD-8 N.T.S.

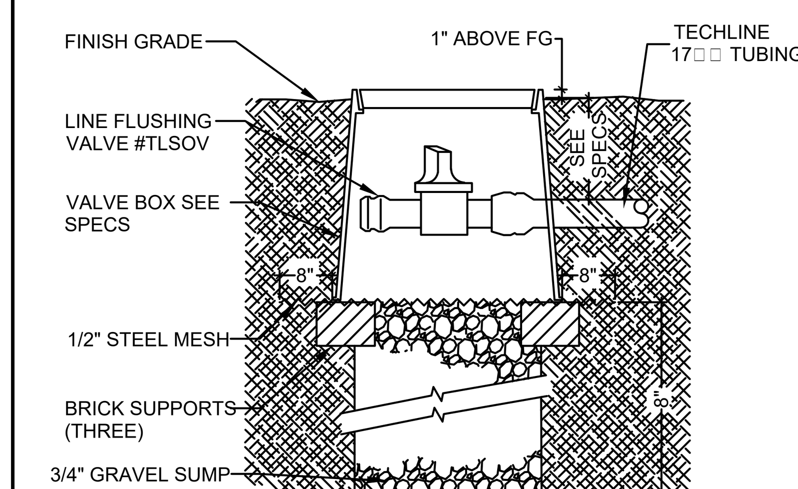


NOTE: ALL LATERAL LINES SHALL BE BURIED A MINIMUM OF 12" DEEP BELOW TOP OF SOIL. (VERIFY HEAD LENGTH FOR MIN. PIPE DEPTH)

QUICK COUPLER N.T.S.



XERI-BIRD-2 N.T.S.



MANUAL FLUSHING VALVE DETAIL N.T.S.

Month	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec
Station	All	All	All	All	All	All	All	All	All	All	All	All
Daily Run Time in Minutes (Each station)	20	20	20	30	30	30	30	30	30	20	20	20
Days per Month	13	12	13	13	13	13	13	14	13	13	13	13
Days per Week	3	3	3	3	3	3	3	3	3	3	3	3

Notes

THIS SCHEDULE IS JUST A RECOMENDATION.
CONTRACTOR IS RESPONSIBLE FOR FINAL SCHEDULE AND HEALTH OF PLANTS.

INITIAL SCHEDULE – 6 MONTH MAINTENANCE PERIOD
FOLLOW SCHEDULE FOR ESTABLISHMENT OF PLANTS FOR A 6 MONTH PERIOD BEGINNING AT END OF PLANTING

SCHEDULE BASED ON MONTHLY ETo FOR UPLAND

WATERING SHALL OCCUR BETWEN 6PM AND 6AM

Irrigation Schedule - Maintenance Period

Month	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec
Station	All	All	All	All	All	All	All	All	All	All	All	All
Daily Run Time in Minutes (Each station)	10	10	10	20	20	20	20	20	20	10	10	10
Days per Month	13	12	13	13	13	13	13	14	13	13	13	13
Days per Week	3	3	3	3	3	3	3	3	3	3	3	3

Notes

THIS SCHEDULE IS JUST A RECOMENDATION.
CONTRACTOR IS RESPONSIBLE FOR FINAL SCHEDULE AND HEALTH OF PLANTS.

ALLOW IRRIGATION CONTROLLER TO ADJUST RUN TIMES BASED ON WEATHER

WATERING SHALL OCCUR BETWEN 6PM AND 6AM

Irrigation Schedule - Established Plants

GENERAL IRRIGATION NOTES:

- 120 VOLT ELECTRICAL POWER OUTLET FOR CONTROLLER TO BE PROVIDE BY OTHERS. THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING THE ELECTRICAL CONNECTION FROM OUTLET TO THE CONTROLLER.
- ALL WIRE FROM CONTROLLER TO ELECTRIC REMOTE CONTROL VALVES TO BE COPPER UF #14 DIRECT BURIAL. USE BLACK FOR PILOT – WHITE FOR COMMON. INSTALL IN COMMON TRENCH WITH IRRIGATION MAINLINE PIPING WHEREVER POSSIBLE PROVIDE A MINIMUM OF 18" COVER.
- PROVIDE MINIMUM 18" COVER OVER ALL PRESSURE MAINLINE PIPE AND 12" OVER ALL NON-PRESSURE LATERAL LINE PIPE. ALL PIPE UNDER VEHICULAR PAVED AREAS TO BE INSTALLED IN SLEEVES W/30" MINIMUM COVER. ALL SLEEVES TO BE PVC 1120 SCH 80 PLASTIC PIPE INSTALLED PRIOR TO HARDSCAPE CONSTRUCTION.
- FINAL LOCATION OF AUTOMATIC CONTROLLER TO BE DETERMINED BY OWNER'S AUTHORIZED REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT.
- THE IRRIGATION DESIGN IS PURELY DIAGRAMMATIC. EQUIPMENT SHOWN IN PAVED AREAS IS FOR DESIGN CLARIFICATION ONLY AND IS TO BE INSTALLED WITHIN PLANTER AREAS WHEREVER POSSIBLE. SCREEN ALL IRRIGATION COMPONENTS WITH SHRUBS.
- THE IRRIGATION CONTRACTOR SHALL FLUSH ALL LINES AND ADJUST ALL SPRINKLER HEADS FOR MAXIMUM PERFORMANCE AND TO PREVENT OVERSPRAY ONTO ADJACENT WALKS, DRIVES, AND BUILDINGS WHENEVER POSSIBLE. THIS SHALL INCLUDE SELECTING THE BEST DEGREE OF ARC AND RADIUS TO FIT EXISTING SITE CONDITIONS.
- THE CONTRACTOR SHALL NOT WILLFULLY INSTALL THE IRRIGATION SYSTEM AS DESIGNED WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS OR GRADE DIFFERENCES EXIST THAT WERE NOT KNOWN DURING THE DESIGN PROCESS. SUCH CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE, OTHERWISE
- THE IRRIGATION CONTRACTOR MUST ASSSUME FULL RESPONSIBILITY FOR ANY AND ALL NECESSARY REVISIONS.
- THE CONSTRACTOR SHALL INSTALL ALL EQUIPMENT AS SHOWN IN THE IRRIGATION DETAIL SHEET.
- IRRIGATION SYSTEM DESIGN IS BASED ON MINIMUM OPERATING PRESSURE SHOWN AT EACH POINT OF CONNECTION AND THE MAXIMUM G.P.M. DEMAND SPECIFIED. THE IRRIGATION CONTRACTOR SHALL VERIFY ALL AVAILABLE STATIC PRESSURES ON THE PROJECT SITE
- PRESSURE REGULATORS SHALL BE INSTALLED ON THE IRRIGATION SYSTEM ENSURING THAT DYNAMIC PRESSURE OF THE SYSTEM IS WITHIN THE MANUFACTURER'S RECOMMENDED PRESSURE RANGE.
- IRRIGATION SCHEDULING SHALL COMPLY WITH FCC SECTION 28-104

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ETo) 52.30

Hydrozone # /Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq, ft,)	ETAF x Area	Estimated Total Water Use (ETWU)[e]
Regular Landscape Areas							
LOW	0.30	DRIP	0.81	0.37	18,185	6,729	218,177
				Totals	(A) 18,185	(B) 6,729	218,177
Special Landscape Areas							
	[redacted]			1			
				1			
				1			
				Totals	(C)	(D)	
						ETWU Total	218,177
						Maximum Allowed Water Allowance (MAWA)[e]	265,374

[a]*Hydrozone #/Planting Description*
E.g
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b]*Irrigation Method*
overhead spray
or drip

[c]*Irrigation Efficiency*
0.75 for spray head
0.81 for drip

[d]*ETWU* **(Annual Gallons Required) =**
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year.

[e]***MAWA (Annual Gallons Allowed) =*** *(Eto) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]*
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

MAWA=(52.3) (0.62) (0.45x18,185)
MAWA=(52.3) (0.62) (8,184)
MAWA=265,374

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	(B)	6,729
Total Area	(A)	18,185
Average ETAF	**B ÷ A**	0.37

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	(B+D)	6,729
Total Area	(A+C)	18,185
Sitewide ETAF	**(B+D) ÷ (A+C)**	0.37

A copy of this form may be obtained from Department of Water Resources website: http://www.water.ca.gov/wateruseefficiency/landscapeordinance/

PLANTING NOTES

A. PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS, THE WIDTH TWICE THE DIAMETER OF THE ROOTBALL AND 6" DEEPER THAN THE LENGTH OF THE ROOTBALL
EACH PLANT PIT SHALL BE BACKFILLED WITH THE FOLLOWING PREPARED SOIL MIX:

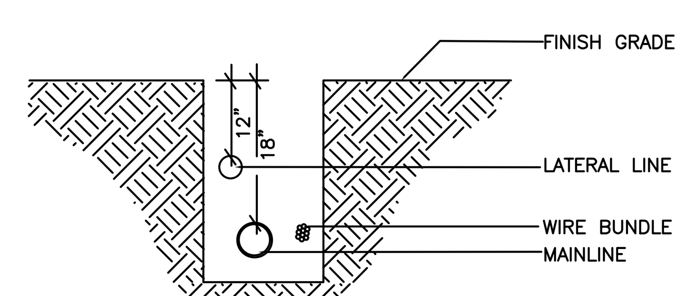
2 PARTS NITROLIZED REDWOOD SHAVINGS
1 PART 'NITROHUMUS'
3 PARTS EXCAVATED SOIL
21 GRAM 'AGRIFORM' PLANTING TABLET
PLANTING TABLETS SHALL BE APPLIED AS FOLLOWS:
1 TABLET PER 1 GALLON SIZE PLANT
2 TABLETS PER 5 GALLON SIZE PLANT
3 TABLETS PER 15 GALLON SIZE PLANT

LARGER PLANT MATERIAL WILL BE GIVEN ONE (1) TABLET PER 1/2 " DIAMETER OF TRUNK CALIPER

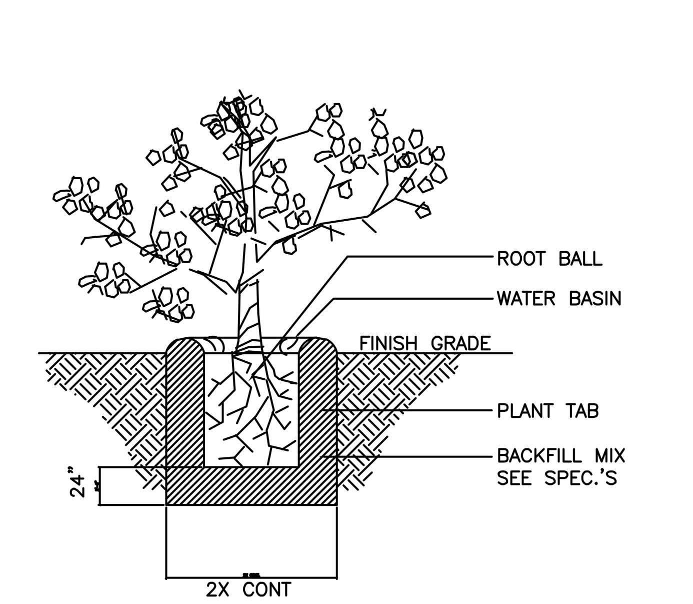
B. PREPARED SOIL SHALL BE TAMPED FIRMLY AT BOTTOM OF PLANT PIT. FILL PREPARED SOIL AROUND BALL OF PLANT 1/2 WAY AND INSERT PLANT TABLETS. COMPLETE BACKFILLING AND WATER IN THOROUGHLY.

GENERAL NOTES:

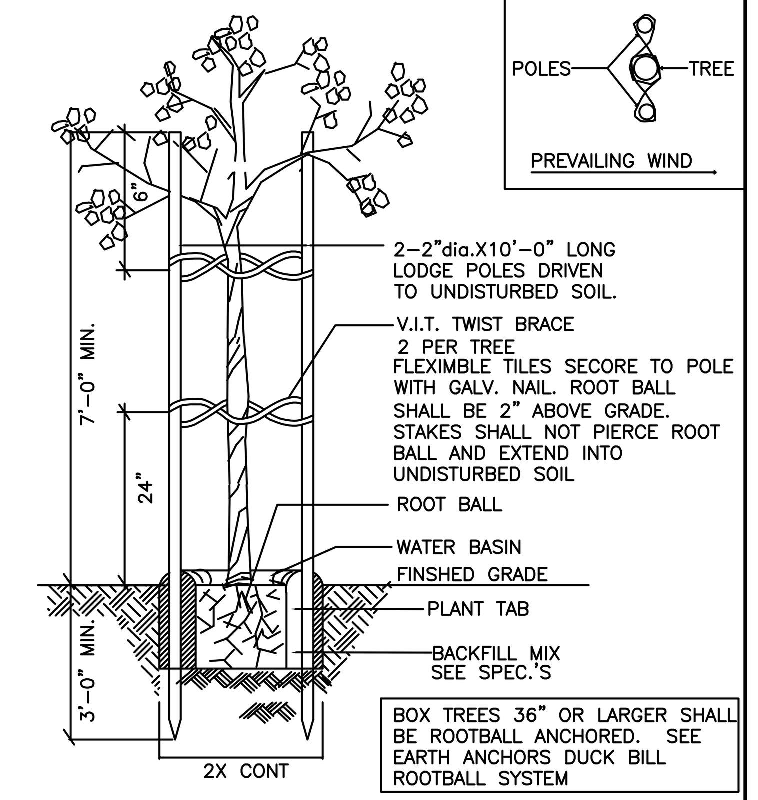
PIPE SHALL REST FIRMLY ON TRENCH BOTTOM.
MAINTAIN MIN 4" SEPARATION BETWEEN LATERAL LINES AND MAIN LINE
SNAKE PIPE FROM SIDE TO SIDE
WIRE IS TO BE 12 GAUAGE
BUNDLE WIRE AT 20' INTERVALS



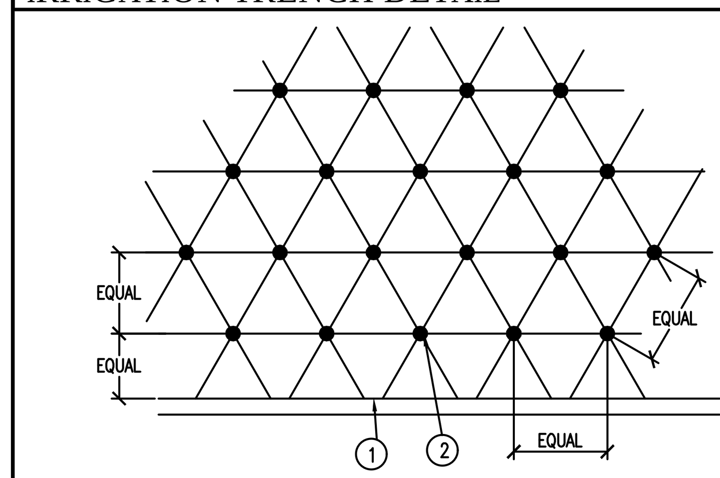
IRRIGATION TRENCH DETAIL N.T.S.



SHRUB PLANTING N.T.S.



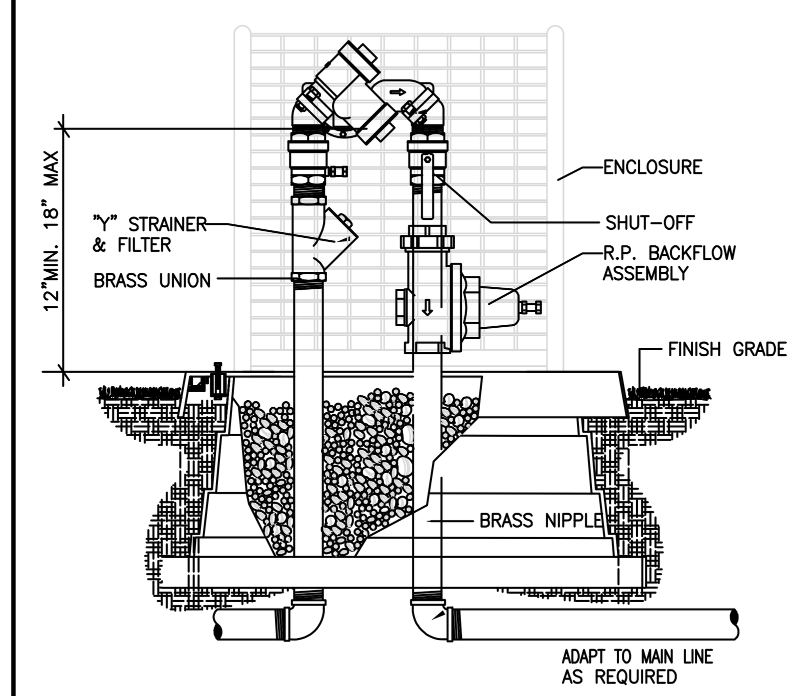
TREE PLANTING N.T.S.



LEGEND
(1) BACK OF CURB OR EDGE OF PAVING
(2) PLANT LOCATION.

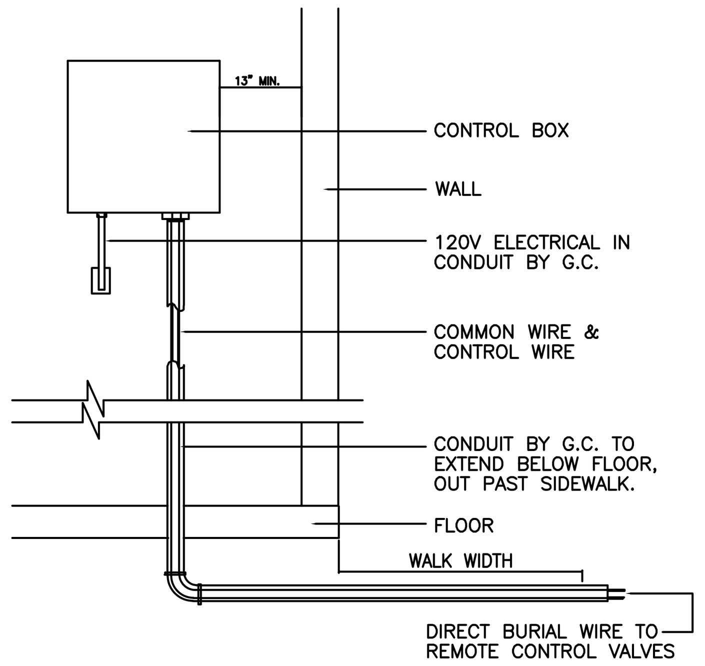
NOTE:
ALL SHRUBS/GROUND COVER TO BE PLANTED AT EQUAL SPACING (TRIANGULAR) UNLESS OTHERWISE INDICATED ON PLANS. SEE LEGEND FOR SPACING REQUIREMENTS

SHRUB/G.C. SPACING N.T.S.



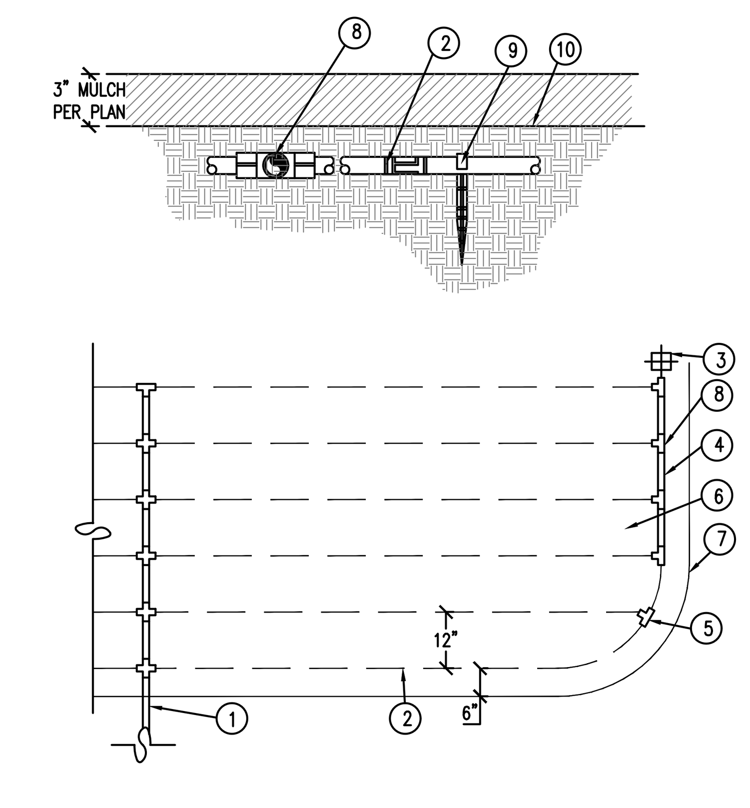
NOTE: INSTALL PER MANUFACTURERS RECOMMENDATIONS. ALL ABOVE GRADE PIPE & FITTINGS TO BE BRASS. ALL CONNECTIONS ON ASSEMBLY TO BE THREADED.

BACKFLOW PREVENTER N.T.S.



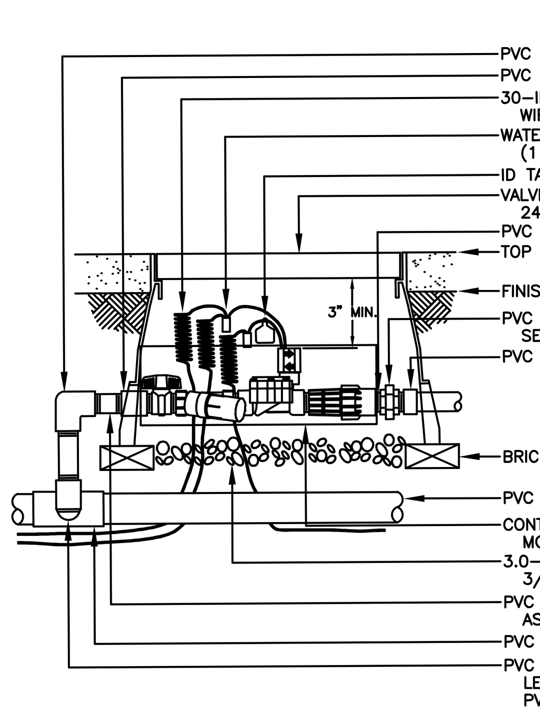
NOTE: SEE MANUAL FOR MOUNTING INSTRUCTIONS. ALL WIRING TO BE INSTALLED PER CODES.

CONTROL BOX N.T.S.



LEGEND
(1) PVC INPUT LATERAL FROM VALVE, SIZE AS NOTED ON IRRIGATION PLAN.
(2) NETAFIM DRIPPERLINE TLCV-,EMITTERS AND SPACING BETWEEN LINES AS PER IRRGATION LEGEND
(3) MANUAL ½" FLUSH VALVE, MODEL AS NOTED ON IRRIGATION PLAN. INSTALL IN PLANTER AREA AT LOW END FARTHEST FROM VALVE. SEE FLUSH VALVE DETAIL FOR INSTALLATION.
(4) PVC EXHAUST HEADER, SIZE AS REQUIRED (¾" MINIMUM). CONNECT TECHLINE TO PVC WITH PVC TEES AND COMPRESSION FITTINGS. GLUE ALL PVC-TO-PVC CONNECTIONS.
(5) PVC COMPRESSION FITTINGS FOR ALL TECHLINE-TO-TECHLINE CONNECTIONS.
(6) PLANTER AREA – SEE PLANS
(7) EDGE OF PLANTER AREA
(8) PVC FITTINGS, TYPE AND SIZE AS REQUIRED. GLUE ALL PVC-TO-PVC CONNECTIONS. USE COMPRESSION FITTINGS FOR ALL PVC-TO-TECHLINE CONNECTIONS.
(9) TIE DOWN STAKE, SPACING AT 2' O.C. MAX.
(10) FINISH GRADE.

DRIPLINE BELOW GRADE N.T.S.



XERIGATION CONTROL VALVE N.T.S.

REVISIONS

NO.:	DATE:	DESCRIPTION:

CJC Design, Inc.
Design Planning Permitting
22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
Tel: (714) 920-9643
Fax: (714) 917-0250
www.cjccorp.com

Colonies
Campus Center

PROJECT:
S.E. CORNER CAMPUS @ 20TH STREET
UPLAND, CA.
LANDCAPE/IRRIGATION DETAILS

DATE ISSUED: 2/28/19
SCALE:
DRAWN BY: F. COHEN
CHECKED BY:
PROJECT NUMBER: 19004
STORE NUMBER: UPLAND
SHEET: L.3.1

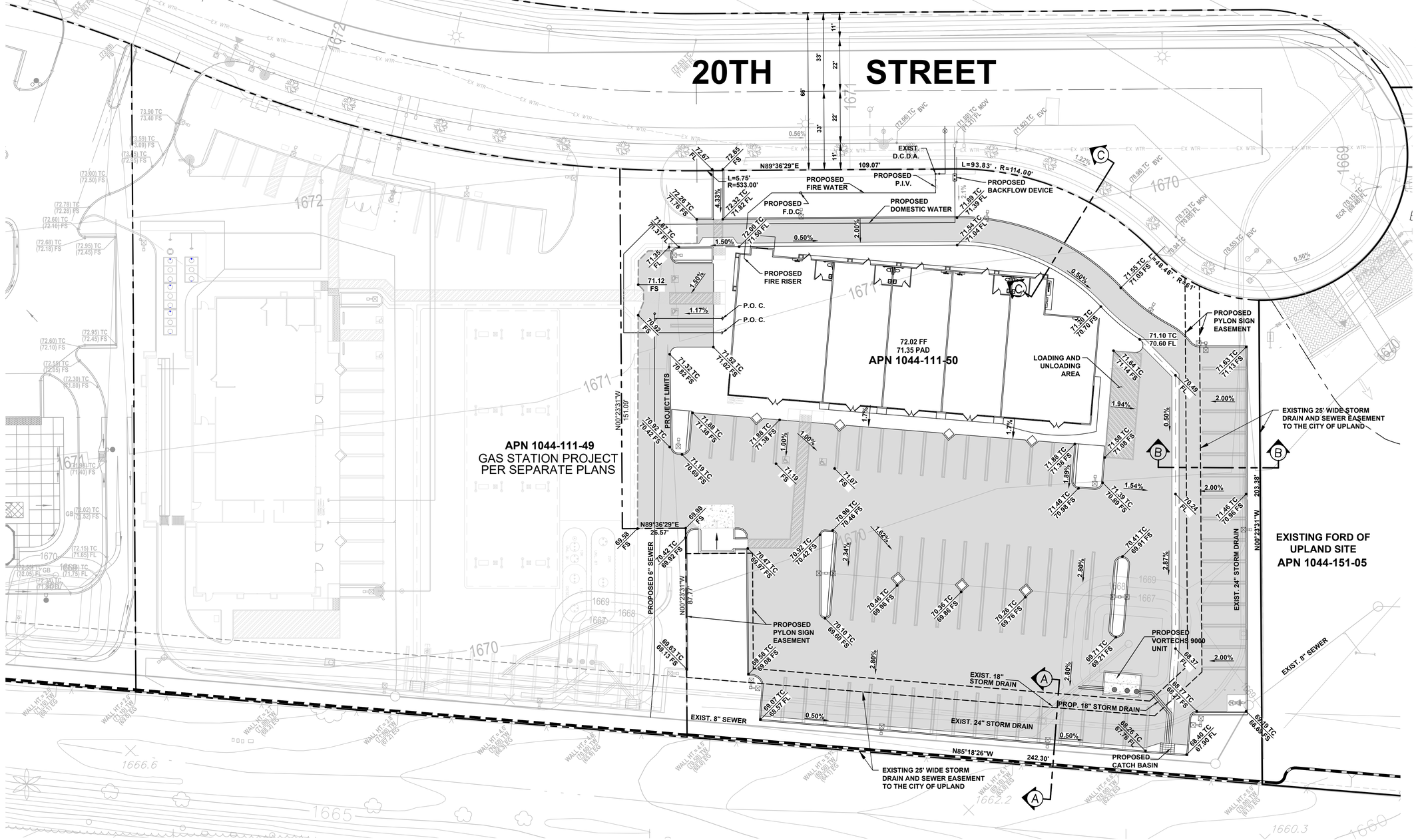
CONCEPTUAL GRADING
TENTATIVE PARCEL MAP 19562

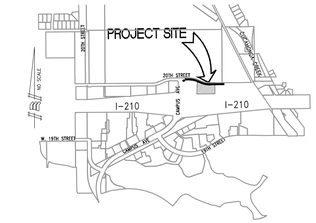
IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

BEING A SUBDIVISION OF PARCEL 3 OF PARCEL MAP NO. 19562, IAS PER PLAT RECORDED IN BOOK 246, PAGES 33 THROUGH 34, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

MADOLE & ASSOCIATES, INC.
RANCHO CUCAMONGA, CALIFORNIA

AUGUST 2020





VICINITY MAP

NTS

OWNER

ADMG, INC.
10995 INDIANA AVENUE
RIVERSIDE, CALIFORNIA 92503
CONTACT: MR. ASH ETEMADIAN

ENGINEER

MADOLE & ASSOCIATES, INC.
9302 PITTSBURGH AVE, SUITE 230
RANCHO CUCAMONGA, CA. 91730
CONTACT: MARK BERTONE
(909)481-6322

UTILITIES

WATER:	CITY OF UPLAND
SEWER	CITY OF UPLAND
TELEPHONE:	FRONTIER
GAS:	THE GAS COMPANY
ELECTRIC:	SOUTHERN CALIFORNIA EDISON CO.
FIRE PROTECTION:	SAN BERNARDINO COUNTY FIRE DEPARTMENT

GENERAL NOTES

1. ANY EXISTING STRUCTURES ON THE SUBJECT PROPERTY SHALL BE REMOVED. UNLESS OTHERWISE NOTED.
2. THIS SITE WILL MEET ALL ENGINEERING AND NPDES REQUIREMENTS.

BASIS OF BEARINGS

THE BEARING OF N89°36'29"EAST ALONG THE CENTERLINE OF 20TH STREET, AS SHOWN ON PARCEL MAP 19562 P.M.B. 246/33-34, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

BENCH MARK

CITY OF UPLAND BENCHMARK NUMBER: 4D-86. ELEVATION = 1217.216 (BASED ON NGVD 1929) EST: 7/01/1987.

2" CITY OF UPLAND BRASS DISC SET IN NORTHEAST CORNER OF PCC BASE FOR STEEL ELECTRICAL TRANSMISSION POLE # 1819200E, 19 FEET +/- WEST OF THE CENTERLINE OF CAMPUS AVENUE & 48 FEET +/- SOUTH OF THE CENTERLINE OF 9TH STREET.

LEGAL DESCRIPTION

THE SUBJECT PROPERTY IS PARCEL 3 OF PARCELS MAP NO. 19562, IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER PLAT RECORDED IN BOOK 246, PAGES 33 & 34 INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

GEOTECHNICAL

RMA GROUP, INC.
12130 SANTA MARGARITA COURT
RANCHO CUCAMONGA, CA. 91730
CONTACT: GARY WALLACE

REFERENCE REPORT:
NO. 15-H80-001
DATED: JANUARY 13, 2016

LEGEND

A.C. PAVEMENT

CONCRETE PAVEMENT

SCALE: 1" = 20'

SCALE: 1"=20'

0 20 40 60 80

REVISIONS	MADE BY	MADE DATE	APPROVED BY	APPROVED DATE

PREPARED FOR:
ADMG, INC.
10995 INDIANA AVENUE
RIVERSIDE, CALIFORNIA 92503

CONCEPTUAL GRADING PLAN

PREPARED BY:
MADOLE & ASSOCIATES, INC.
Engineering Consultants for Life
9302 PITTSBURGH AVE, SUITE 230
RANCHO CUCAMONGA, CA. 91730
PHONE: 909.481.6322
FAX: 909.481.6320

SCALE:	AS SHOWN
J.N.:	986-2824
DATE:	08/12/2020
SHEET	1 OF 2

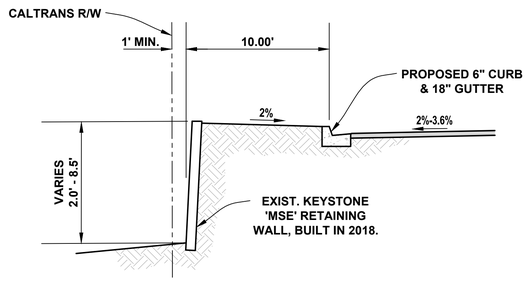
CONCEPTUAL GRADING
TENTATIVE PARCEL MAP 19562

IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

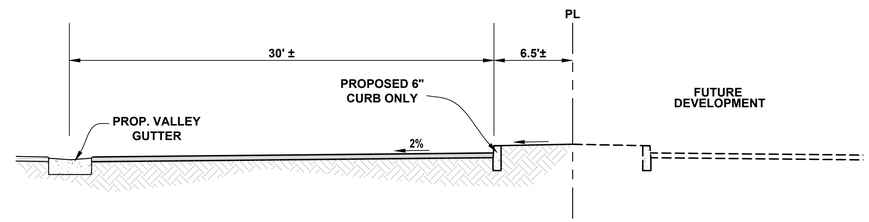
BEING A SUBDIVISION OF PARCEL 3 OF PARCEL MAP NO. 19562, IAS PER PLAT RECORDED IN BOOK 246,
PAGES 33 THROUGH 34, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

MADOLE & ASSOCIATES, INC.
RANCHO CUCAMONGA, CALIFORNIA

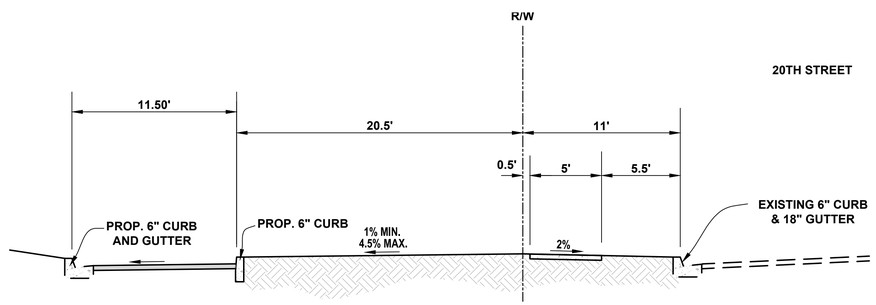
AUGUST 2020



SECTION A-A
SCALE: 1"=5'



SECTION B-B
SCALE: 1"=5'



SECTION C-C
SCALE: 1"=5'

REVISIONS	MADE BY	MADE DATE	APPROVED BY	APPROVED DATE

PREPARED FOR:
ADMG, INC.
10995 INDIANA AVENUE
RIVERSIDE, CALIFORNIA 92503

CONCEPTUAL GRADING PLAN

PREPARED BY:
MADOLE & ASSOCIATES, INC.
ARCHITECTURE CONSTRUCTION MANAGEMENT
9302 PITTSBURGH AVE, SUITE 230
RANCHO CUCAMONGA, CA. 91730
PHONE: 909.481.6320
FAX: 909.481.6322

SCALE: AS SHOWN
J.N.: 986-2824
DATE: 08/12/2020
SHEET 2 OF 2

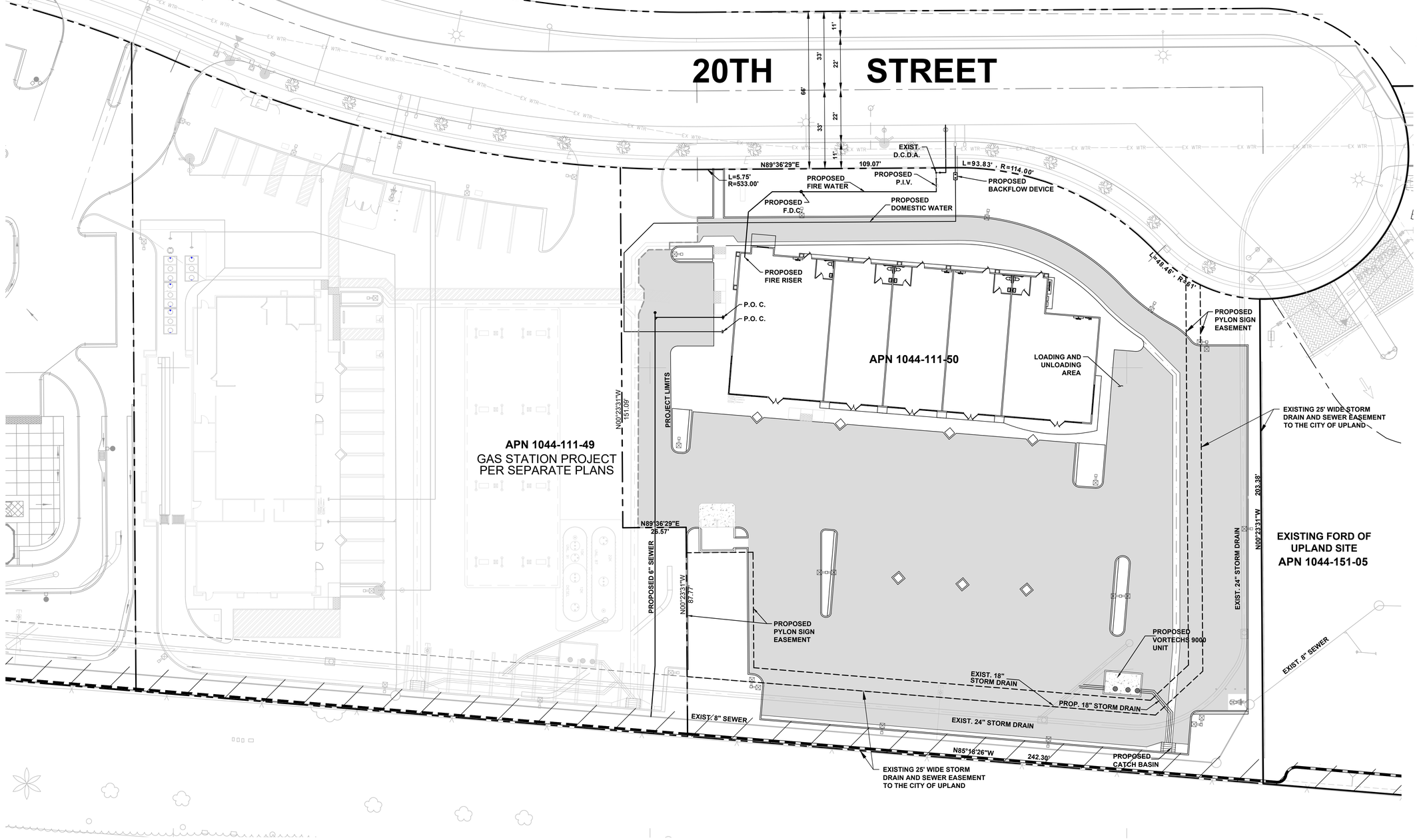
COMPOSITE UTILITY PLAN
TENTATIVE PARCEL MAP 19562

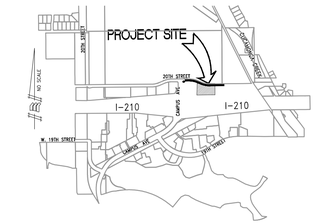
IN THE CITY OF UPLAND, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

BEING A SUBDIVISION OF PARCEL 3 OF PARCEL MAP NO. 19562, IAS PER PLAT RECORDED IN BOOK 246, PAGES 33 THROUGH 34, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

MADOLE & ASSOCIATES, INC.
RANCHO CUCAMONGA, CALIFORNIA

AUGUST 2020





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ENGINEER

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SCALE: 1" = 20'

SCALE: 1"=20'

0 20 40 60 80

REVISIONS	MADE BY	MADE DATE	APPROVED BY	APPROVED DATE

PREPARED FOR:
ADMG, INC.
10995 INDIANA AVENUE
RIVERSIDE, CALIFORNIA 92503

COMPOSITE UTILITY PLAN

PREPARED BY:
MADOLE & ASSOCIATES, INC.
Engineering Consultants for Life
9302 PITTSBURGH AVE, SUITE 230
RANCHO CUCAMONGA, CA. 90730
PHONE: 909.481.6322
FAX: 909.481.6320

SCALE: AS SHOWN
J.N.: 986-2824
DATE: 08/12/2020
SHEET 1 OF 1

S.E. Corner Campus @ 20th Street, Upland, CA