

DRAFT ZA RESOLUTION NO. 26-003

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF POMONA, CALIFORNIA, APPROVING DEVELOPMENT PLAN REVIEW (DPR-000151-2025) FOR A HOUSING DEVELOPMENT PROJECT TO CONVERT AN EXISTING HOTEL INTO A RESIDENTIAL APARTMENT BUILDING CONSISTING OF 51 RENTAL UNITS WITH ASSOCIATED ON-SITE AND OFF-SITE IMPROVEMENTS ON A 0.9-ACRE SITE LOCATED AT 1421 S. GAREY AVENUE WITHIN THE POMONA CORRIDORS SPECIFIC PLAN, MIDTOWN SEGMENT (APN: 8343-002-016, 8343-002-012)

WHEREAS, the applicant, Supertex Hospitality Investments LLC, has filed an application for Development Plan Review (DPR) for a Housing Development Project to convert an existing hotel into a residential apartment building consisting of 51 for-rent units with associated on-site and off-site improvements on a 0.92 acre property located at 1421 S. Garey Avenue (APN: 8343-002-016, 8343-002-012)

WHEREAS, the subject property is located within the Pomona Corridors Specific Plan (PCSP), Midtown Segment;

WHEREAS, the subject property has General Plan Place Type designations of Urban Neighborhood;

WHEREAS, the subject property has a General Plan Transect Zone designation of “T4-A” allowing up to 70 dwelling units per acre;

WHEREAS, in accordance with Section 2.0.5.C of the PCSP a Development Plan Review (DPR) is required for any new development projects located within the plan area;

WHEREAS, the proposed project is subject to the provisions of the City’s Inclusionary Housing Program (Ordinance No. 4295);

WHEREAS, the Zoning Administrator of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on March 18, 2026 concerning the requested Development Plan Review (DPR-000151-2025);

WHEREAS, the proposed project is requesting relief from particular development standards as a Density Bonus project, which proposes to set aside seven units for low-income tenants, qualifying the project for one (1) concession/incentive and waivers/reductions;

WHEREAS, the Zoning Administrator has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Zoning Administrator of the City of Pomona, California:

SECTION 1. Based upon the facts and information contained in the application, together with all written and oral reports included for the environmental assessment for the application, the Zoning Administrator finds that the proposed project is exempt from further environmental review pursuant to State CEQA Guidelines, Section 15182 based on the following findings of fact:

- A. In March 2014, the City Council certified and approved the EIR for the General Plan Update and Pomona Corridors Specific Plan.
- B. The proposed project is a housing development project consisting of 51 units and is undertaken pursuant to and in conformity with the Pomona Corridors Specific Plan. The proposed residential units were contemplated in the EIR and were evaluated as part of that environmental analysis.
- C. None of the conditions in State CEQA Guidelines, Section 15182 are present. Specifically,
 1. Substantial changes are not proposed in the project that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

The density, design, and infrastructure plan of the proposed development are consistent with the adopted Specific Plan in that the level and intensity of the proposed development are consistent with the PCSP as well as the General Plan. Therefore, this event is not applicable to the proposed project.

2. Substantial changes with respect to the circumstances under which the project is undertaken that would require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects have not occurred; and

Staff has no evidence of new significant environmental effects, or a substantial increase in the severity of previously identified significant effects, for all environmental impact categories identified in the Certified Final EIR. There are no known nearby properties that have been developed since 2014 along the Mission Boulevard corridor that have significantly deviated from the PCSP and General Plan, which could have necessitated a study of new significant environmental impacts, nor any General Plan or Specific Plan Amendments adopted since 2014 in the project area that have increased the potential of new significant environmental impacts or previously identified significant effects, this event is not applicable to the proposed project.

3. New information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified or adopted, as applicable, showing any of the following, has not come to light: (i) that the project would have one or more significant effects not discussed in the earlier environmental documentation; (ii) that significant effects previously examined would be substantially more severe than shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the

applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those previously analyzed would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

At the time of adoption of the Certified Final EIR, traffic impacts were analyzed using a Level of Service (LOS) model that studied roadway capacity on Mission Boulevard for potential traffic and transportation impacts. Since that time, traffic impacts for CEQA purposes are now analyzed using a Vehicle Miles Traveled (VMT) model. Thus, the City Council subsequently adopted VMT thresholds in May of 2020. In addition, the City prepared a VMT Substantial Evidence Memo in May of 2021 to support the City's screening criteria. Pursuant to the findings of the VMT Substantial Evidence Memo, multi-family residential projects of 200 units or less are considered to not exceed the assumed to have a less than significant impact on regional VMT. Therefore, because the project contains 46 units, there is no evidence of any significant traffic-related CEQA impacts not previously studied in the Certified Final EIR. There is also no evidence that the project would result in different or more severe impacts not previously studied in the Certified Final EIR, and therefore this event is not applicable to the proposed project.

- D. Based on these findings and all evidence in the record, the Zoning Administrator finds that the project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15182 and no additional environmental review is required in connection with the City's consideration of Development Plan Review, DPR-000151-2025 for the proposed 51-unit housing development project.

SECTION 2. If any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

SECTION 3. In accordance with Section 2.0.5.A.(4) of the PCSP, the Zoning Administrator must make findings to approve Development Plan Review, DPR-000151-2025. Based on consideration of the whole record before it, including but not limited to, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Zoning Administrator hereby finds as follows:

- A. *The project is consistent with the City's General Plan and all applicable requirements of the Pomona City Code; and*

The project is consistent with the site's designated Urban Neighborhood General Plan Place Types as the project promotes the following goals and policies of its place type designation:

Goal 6E.G1: Preserve stable neighborhoods by focusing new intensity and activity in clusters at major crossroads and areas of existing intensity throughout the City.

Goal 6E.G3: Establish areas that can successfully transition into mixed-use neighborhoods with a strong residential character by supporting high quality, multi-family housing.

Policy 6E.P1: Permit a range of multi-family residential and residentially compatible development types in clusters at major crossroads throughout the City.

The proposed project is consistent with the goals of the General Plan in that the project is located within a primary corridor along South Garey Avenue and very near to the major street intersection of Garey Avenue and Phillips Boulevard. According to General Plan Goal 6E.G1 “Preserve stable neighborhoods by focusing new intensity and activity in clusters at major crossroads and areas of existing intensity throughout the City.” The proposed development continues focusing the intensity of relatively denser residential development along the primary corridor of South Garey Avenue, and is near to a major crossroads. The project meets Goal 6E.G3 “Establish areas that can successfully transition into mixed-use neighborhoods with a strong residential character by supporting high quality, multi-family housing” by supporting high-quality, multi-family housing in the existing mixed use neighborhood. The integrity and quality of the existing structure, a designated landmark on the National Register of Historic Places, will be maintained and improved. The project establishes an additional high-quality multi-family residential structure by adaptively re-using an existing commercial hotel, further meeting Policy 6E.P1 “Permit a range of multi-family residential and residentially compatible development types in clusters at major crossroads throughout the City.”

Furthermore, the project will meet all applicable City Codes and standards, with the approval of a Development Plan Review and will have appropriate conditions of approval to ensure that the development will not be detrimental to the health, safety or general welfare of the community. The project will have development characteristics that are compatible with and not detrimental to either existing or proposed surrounding development.

- B. The project will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood; and*

The project will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood as the development will comply with all development and design standards of the Midtown Segment of the PCSP. The project, as conditioned, will not generate noise, traffic, lighting, and privacy impacts detrimental to residents, occupants, and properties within the surrounding area and is consistent with the subject property’s applicable development standards. The proposed project will adaptively reuse an existing hotel to convert into a residential housing development on a primary corridor of the City.

- C. The project will not adversely affect the Circulation Plan of the Corridors Specific Plan; and*

The existing site is developed with vehicular access from both South Garey and West Fernleaf Avenues. The proposed project is designed with three (3) separate pedestrian entrances from the public right-of-way, two from S. Garey Avenue and one from W. Fernleaf Avenue. These dedicated pedestrian access points will be provided leading directly from the public right of

way to the structure, entirely separated from vehicular traffic. Adequate parking is provided on site with at least one parking space for each unit. Sufficient long-term bicycle storage will be provided in each building, with at least one bicycle storage space for each unit. As conditioned, the project does not adversely affect the Circulation Plan of the Corridors Specific Plan.

D. The project complies with the applicable provisions of the Pomona Corridors Specific Plan and other applicable regulations.

The project has been thoroughly reviewed and meets all applicable provisions of the Pomona Corridors Specific Plan and other applicable regulations, including all applicable development standards of the Pomona Zoning & Development Code. The applicant is providing seven (7) units available to low-income qualifying tenants and therefore is eligible to receive one concession and waivers or reductions in development standards through CA Density Bonus Law.

SECTION 4. The applicant is seeking relief and waivers/reductions as identified below. The project is eligible for one (1) incentive/concession per Government Code (GC) Sec. 65915(b)(1)(G) and unlimited waivers/reductions per GC 65915(e). The housing development project is utilizing one (1) eligible incentive/concession and two (2) waivers/reductions. The City has granted the requested relief and waivers/reductions in compliance with GC Sections 65915-65918.

A. Concessions per Government Code (GC) Sec. 65915(b)(1)(G):

1. To provide relief from PCSP Section 2.6.1. Provision of Public Open Space.

B. Waivers/Reductions

1. To provide relief from PCSP 2.2.3 Minimum Residential Unit Size
2. To provide relief from PCSP 2.6.3 Private Open Space

C. Parking relief per GC Sec. 65915(p)(1):

1. Upon the developer's request, the city or county shall not require a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceed the following ratios: zero to one bedroom: one onsite parking space, two to three bedrooms: one and one-half onsite parking spaces, four and more bedrooms: two and one-half parking spaces.

SECTION 5. In accordance with Section 2.0.5.F of the PCSP, the approving body may approve the Request for Deviation in whole or in part upon determining that the project is consistent with the intent of the Specific Plan and otherwise meets the required findings of a Development Plan Review. Based on consideration of the whole record before it, including but not limited to, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Planning Commission hereby finds that significantly greater benefits from the project can be provided than would occur if all the minimum requirements were met, is consistent with the intent of the Specific Plan, and meets required findings of a Development Plan Review as established in Section 3 above granting the following deviation:

1. Section 610.C.3.5(i) – Parking Space Dimensions.
An 11% deviation (1') from the required parking stall width of 9' to 8' for four (4) new compact parking spaces.

The proposed development will provide ample open space amenities including a community swimming pool, tot lot, and passive open space that could not have otherwise been achieved without relief from various development standards. The benefit of additional open space outweighs those of strict adherence to these standards.

SECTION 6. Based upon the above findings, the Zoning Administrator hereby approves Development Plan Review (DPR-000151-2024) subject to compliance with all applicable laws and ordinances of the City as well as the addition of the following conditions, violations of which (or failure to complete any of which) shall constitute grounds for revocation of the Development Plan Review or any portion thereof:

PLANNING DIVISION

1. Approved Plans and Modifications. The subject property shall be developed and/or used in a manner consistent with the project plans reviewed and approved by the Zoning Administrator on March 18, 2026, and as illustrated in the stamped approved plans dated March 18, 2026. Any major modifications to the approved project plans shall be reviewed and approved by the Zoning Administrator as part of a modification to the approved plans. Any minor modifications that do not affect the overall intent of the approved project, may be reviewed and approved by the Development Services Director or their designee.
2. Approval Period and Time Extension. This approval shall lapse and become void if construction has not commenced under a valid building permit, within twelve (12) months from the date of this approval (March 18, 2027), in accordance with PCSP Section 2.0.5(A)(6). The Planning Division may extend this period for a maximum of two, one (1) year extensions upon receipt of an application for a Time Extension request submitted by the applicant at least thirty (30) days before the expiration date of this approval, consistent with PCSP Section 2.0.5(A)(6).
3. Indemnification. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the

Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The City shall promptly notify the applicant of any Action brought and the City shall cooperate with applicant in the defense of the Action.

4. Violation of Conditions. In case of violation of any of the conditions of approval or City law, the property owner and tenant will be issued a Notice of Correction. If said violation is not remedied within a reasonable period of time and/or subsequent violations of the conditions of approval and/or City law occurs within ninety (90) days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all staff time directly attributable to enforcement of the conditions of approval and/or City law, including, but not limited to, revocation of the herein Development Plan Review.
5. Appeals. The project is subject to a twenty (20) calendar day appeal period. Written appeals may be filed with the City Clerk within twenty (20) calendar days by one or more City Council members or the applicant. The appeal shall be filed with the City Clerk within twenty (20) calendar days from the date of action by the Zoning Administrator.
6. Within thirty (30) days of approval of this Development Plan Review, the property owner shall execute a trespass authorization letter with the City to allow the Police Department to enforce trespassing on the subject property.
7. Prior to, during, and until construction is completed, the subject property shall be maintained clean and free of debris, trash and clutter at all times, and monitored on a regular basis to ensure compliance with this condition and report any unauthorized trespassing onto the property to the property owner and Police Department. Failure to comply with this condition shall be grounds for revocation of this DPR.

Plan Check

8. Conditions of Approvals on Plans. Prior to plan check submittal, the applicant shall include all conditions of approval from Zoning Administrator Resolution No. 26-003 on the title sheet of the construction documents.
9. Utility and Mechanical Equipment on Plans. Prior to plan check submittal, the applicant shall ensure the site plan identifies all utility apparatus, such as but not limited to, backflow devices and electric transformers. Utility meters shall be screened from view from public rights-of-way. Backflow prevention devices shall not be located in the front yard setback and shall be screened from public view. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, utilities and/or equipment must be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas, and comply

with required setbacks.

10. All required external mechanical equipment shall be adequately screened to the extent feasible, subject to the review of the Planning Manager.
11. Photometric Plan. Prior to building permit issuance the applicant shall submit a photometric plan demonstrating a minimum of one (1) foot-candle for any pedestrian walkways and drive aisles. Any lighting fixtures shall be shielded, as applicable, to prohibit any light spilling unto any neighboring property.
12. Resident Parking. The applicant shall assign at least one (1) parking stall to each unit, to the extent feasible.
13. Fence and Wall Permit. The installation of any walls and/or fences will require the submittal of a Fence and Wall Permit application for review and approval by the Planning Division. The plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) shall be in substantial conformance with the grading plan and any other applicable plans submitted as part of the Development Plan Review. The plans shall identify materials, seep holes, and drainage.
14. Fence and Wall Material. All perimeter new walls proposed in the Fence and Wall plan shall utilize split-face decorative block with decorative caps.
15. Sign Permit. The installation of any signage shall require the submittal of a Sign Permit application for review and approval by the Planning Division.
16. Certificate of Appropriateness. Any exterior work on the façade of the original component of the structure (former Hughe's Winery) shall require a Certificate of Appropriateness.
17. All signage relating to the previous hotel use shall be removed.
18. Exterior facades of existing structures must be repaired (if applicable) and painted.
19. All outstanding Transient Occupancy Tax payments due to the City must be paid prior to the issuance of any building permit.
20. Landscape Plan Check. Prior to issuance of a building permit, the applicant shall submit a Landscape Plan Check application for review and approval by the Planning Division. The plans shall be in substantial conformance with the conceptual landscaping plan and other applicable plans submitted as part of the Development Plan Review. The landscape design shall comply the State Model Water Efficient Landscape Ordinance, and applicable landscaping standards.
21. Landscape Maintenance Bond. Prior to issuance of a certificate of occupancy, the applicant shall submit a landscape maintenance bond to the Planning Division to be held

for a period of one year to ensure the project's compliance with the approved landscaping plans, at an amount to be determined by the Zoning Administrator or their designee.

22. Art in Public Places. The applicant shall comply with the Art in Public Places Policy and Guidelines Manual pertaining to public art requirements for private development. The applicant shall meet compliance by choosing one of the following two options:
 - a. Option 1. Placement of approved Public Art on the Project site.
 - i) The Applicant may place an approved Public Art on a private development site. The Public Art, and all eligible expenditures associated with installation of the Public Art (as described in the Manual), shall be in an amount equal to or in excess of the Public Art Allocation.
 - ii) A Final Design Plan of the Public Art to be installed on the Project site shall be approved by the Cultural Arts Commission prior to the issuance of a building permit for the Project.
 - iii) The Public Art shall be installed on the Project site prior to the issuance of a certificate of occupancy, including any temporary certificate of occupancy, for the Project. In cases where the Public Art cannot be installed on the Project site prior to the issuance of a certificate of occupancy, the Applicant may post a cash bond to assure installation of the Public Art. The cash bond shall be in an amount equal to the Public Art Allocation or an amount based on any remaining, unexpended artwork budget as determined by the Zoning Administrator. The bond shall not be released until the Public Art has been completed and installed on the Project site in accordance with the approved Final Design Plan.
 - b. Option 2. Payment of an In-lieu Contribution.
 - i) The Applicant may choose to pay an In-lieu Contribution. The In-lieu Contribution shall be submitted to the City and deposited into the Public Art Fund prior to the issuance of any building or grading permit for the Project.
 - c. Use of In-lieu Contributions.
 - i) In-lieu Contributions shall be used for the acquisition and installation of Public Art on public or private property in the City, except that up to 1/3 of the In-lieu Contribution may be used for maintenance of the proposed Public Art or an existing Public Art that is listed on the City's registry of Public Art.
 - ii) In-lieu Contributions may be aggregated with other funds contained in the Public Art Fund for the purpose of providing a single qualifying Public Art project.
23. Inclusionary Housing Program. The applicant shall comply with City of Pomona Ordinance No. 4295, pertaining to Inclusionary Housing.
24. Housing Agreement. A Housing Agreement in a form approved by the City must be recorded against Affordable Units or the Residential Development in its entirety, as deemed appropriate by the City Manager in consultation with the City Attorney, prior to

the issuance of any building permit for the project. The project must consist of seven (7) units designated for low-income households, as defined in Section 50079.5 of the Health and Safety Code.

25. Rent Stabilization. The applicant shall comply with the requirements of the Rent Stabilization Ordinance, City of Pomona Urgency Ordinance Nos. 4320 and 4329, pertaining to the displacement of the existing tenants on the site.

Site Development & Maintenance

26. Noise During Construction Activity. During demolition, grading, site development, and/or construction, all requirements of the Pomona Zoning Ordinance and Municipal Code, including the noise provisions, shall be adhered to. All activities including truck deliveries associated with construction and grading will be limited to Monday through Saturday, between 7:00 a.m. and 8:00 p.m., and provided the noise level created by such activities do not exceed the noise standard of 65 dB(A) plus the limits specified in section 18-311(b) as measured on residential property and any vibration created does not endanger the public health, welfare, and safety.
27. Noise and Vibration, General. There shall be no activity conducted on the subject site that exceeds the noise and vibration parameters of Pomona City Code Section 18-301, et seq., and City Council Ordinance No. 3939 at any time, or such other ordinance enacted related to noise and vibration.
28. Maintenance During Construction. The property, including all construction areas, shall be kept clean at all times prior to, during, and after construction.
29. Maintenance During Operations. The property owner shall provide regular maintenance and cleaning of all exterior walkways, patios, canopies, sidewalks, and landscaped parkways in compliance with Pomona City Code 62-351.
30. Maintenance of Private Balconies. The private balcony areas shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.
31. Maintenance of Landscaping. All landscaping shall be maintained in a neat and clean manner, and in conformance with the stamped approved plans associated with this project.
32. Removal of Graffiti. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti shall substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Zoning Administrator or their designee.
33. Outdoor Amenities. Prior to building permit issuance, all proposed outdoor amenities and equipment intended for communal use shall be incorporated into the building plan check

submittal, subject to review and approval by the Zoning Administrator or designee.

34. Air Quality Conditions.

- a. Demolition, Grading, and Construction Activities: Compliance with Provisions of SCAQMD Rule 403. The project shall comply with all applicable standards of the Southern California Air Quality Management District (SCAQMD), including the following provisions of Rule 403:
 - i) All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD Rule 403. Wetting could reduce fugitive dust by as much as 61 percent.
 - ii) The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - iii) All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), in order to prevent excessive amounts of dust.
 - iv) All dirt/soil shall be secured by trimming, watering, or other appropriate means to prevent spillage and dust.
 - v) All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
 - vi) General contractors shall maintain and operate construction equipment to minimize exhaust emissions.
 - vii) Trucks having no current hauling activity shall not idle but be turned off.
- b. Odors: Compliance with Provisions of SCAQMD Rule 402. The project shall comply with the following provision of SCAQMD Rule 402. A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
- c. Architectural Coatings: Compliance with SCAQMD Rule 1113. The project shall comply with SCAQMD Rule 1113 limiting the volatile organic compound (VOC) content of architectural coatings, through use of low VOC coatings as issued by the contractor.
- d. Engine Idling. In accordance with Section 2485 of Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
- e. Emission Standards. In accordance with Section 93115 of Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.
- f. Air Filters. In accordance with the 2025 California Energy Code Subchapter 7, Section 150(m), the installation of MERV 13 air filters in the building ventilation systems shall be required for all new sensitive use structures.

BUILDING & SAFETY DIVISION

35. This project must comply with the 2025 California Building Codes.
36. Undergrounding of utility facilities is required. (PMC 62-31).
37. The design must be reviewed and stamped by an architect or engineer licensed in the State of California – (Business and Professions code Sections 5537, 5538 and 6737.1).
38. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2025 California Building Codes.
39. All grading shall conform to the 2025 California Building Code, and all other relevant laws, ordinances and resolutions governing grading as adopted by the City of Pomona. The applicant shall obtain a grading permit from the Building & Safety Division prior to commencing any grading or site excavation.
40. Geotechnical and/or soils reports required in order to obtain a grading permit shall be submitted to the Building Official for review and approval prior to issuance of a grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by the City of Pomona.
41. All proposed work shall comply with the 2025 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
42. The proposed project shall comply with the 2025 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
43. The project must comply with **EV Charging** requirements as designated on the California Green Building Standards. Section 4.106.4 and Section 5.106.5.3.
44. Project must comply with **Grading and Paving** requirements designated on the California Green Building Standards. Section 4.106.3 for residential and Section 5.106.10 for non-residential projects. These include the following:
 - a. Swales
 - b. Water collection and disposal systems.
 - c. French drains.
 - d. Water retention gardens.
 - e. Other measures which keep surface water away from other buildings and aid in ground water recharge.
 - f. **Exception:** Additions and alternations not altering the drainage path.
45. Proposed project shall be sprinklered and comply with all other relevant laws, ordinances and resolutions governing residential sprinklers as adopted by the City of Pomona.

46. Demolition permits will be issued upon completion of the following conditions;
 - a. AQMD testing and abatement of asbestos containing material must be completed prior to the issuance of demolition permit. Proof required.
 - b. Erosion control plan must be prepared by a licensed professional and must be submitted for plan review approval prior to any work.
47. Development Impact Fees shall be according to Ordinance #4309 and Resolution #'s 2021-57 & 2021-89. For more information contact The Department of Planning (909) 620-2191.
48. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
49. Fence and wall plans shall be required.

PUBLIC WORKS DEPARTMENT

The following conditions and public improvements, as well as all applicable plan check fees, permit fees, and bond deposits shall be complied with, completed, and paid for by the Applicant/Developer in accordance with City Standards, fee schedules, and applicable laws.

50. **Licensed Professionals:** All required plans, studies, and calculations shall be performed by a registered civil engineer or other registered/licensed professional as required, and submitted for review and approval by the Engineering Division of the Public Works Department.
51. **Grant of Easements:** Property Owner shall dedicate to the City of Pomona the necessary Grant of Easements indicated below. Easement applications shall be submitted to the Engineering Division of the Public Works Department for review and approval and shall be recorded prior to issuance of the Certificate of Occupancy.
 - a. ADA: An easement around the Fernleaf Avenue driveway approach and around the existing streetlight to the east, for ADA path-of-travel purposes.
 - b. Water: An easement, minimum 15' wide by 10' deep, along the applicable property frontage, for public water improvements purposes, as required by the Water Resources Department.
52. **Public Street Improvement Plans:** Applicant/Developer shall submit public street improvement plans to include the following items and is responsible for the construction thereof:
 - a. Install ADA-compliant truncated dome detectable warning surfaces at the southwest corner ramp of the S. Garey Avenue and W. Fernleaf Avenue intersection
 - b. Install new sidewalk path-of-travel per ADA and City Standards around the Fernleaf Avenue driveway approach, and around the existing streetlight to the east. Corresponding path-of-travel easements shall be granted to the City, and the existing

- gate shall be set back accordingly
- c. Reconstruct driveway approach on Garey Avenue per Planning Division requirement and City Standards
 - d. Ensure visibility at project access points per City Standard A-34-11
 - e. Parkway landscaping along the Garey Avenue lot frontage shall conform to the “Parkway” configuration requirements of the Pomona Corridors Specific Plan (CSP). Install trees in empty tree wells and replace any dead trees. Plant species must be in conformity with the CSP
 - f. Install new sidewalk to replace all damaged, cracked, or uplifted sections along Garey Avenue lot frontage
 - g. **Stormwater Mitigation:** Applicant/Developer shall implement Good Housekeeping Best Management Practices (BMPs) for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.
 - h. **Demolition and Relocation of Public Infrastructure Elements:** The demolition or relocation of any existing public improvements (streetlights, signs, trees, vaults, catch basins, hydrants, etc.) due to the proposed project:
 - i) Must be coordinated and agreed upon by the appropriate City departments
 - ii) Shall be designed per City Standards and applicable ADA requirements
 - iii) Must be reviewed and approved by the Engineering Division of the Public Works Department.
 - i. **Existing Public Utilities:**
 - i) Applicant/Developer shall identify all existing City utilities that may conflict with the proposed development and submit utility protection measures to the City Engineer for approval.
 - ii) If future placement of permanent structures conflicts with the location of existing public utilities (water, sewer, and storm drain), then improvement plans proposing the relocation or abandonment of identified utilities must be submitted, reviewed, and accepted by the Public Works Department. No public utility infrastructure may be removed or altered as part of any onsite demolition plan.
 - j. **Traffic:**
 - i) Re-stripe Garey Avenue from 200 feet north to 200 feet south of Fernleaf Avenue to include four lanes with a two-way left turn center lane between the existing raised median openings.
53. **Fees and Taxes:** Prior to the issuance of the Certificate of Occupancy, Applicant/Developer is responsible for the payment of:
- a. Connection fees for water, sewer, and storm drain connections, and shall submit proof of payment of the Los Angeles County Sanitation District fees.
 - b. Impact fees for traffic signals and control devices, road and highway improvements, public safety improvements, and parks.
 - c. Development tax.
54. **Plan Submittals:** Plans shall be submitted in electronic PDF format on 24” x 36” sheet

size with a standard City title block, and must correctly identify the property owner, address, legal description, property lines, street centerline, curb-lines, existing and proposed utilities (water, sewer, and storm drain), utility easements, and public right-of-way areas with dimensions.

55. **USPS:** Prior to the issuance of the Certificate of Occupancy, Applicant/Developer is responsible for the project's compliance with the USPS Delivery Growth Management Program. Additional information is available at <https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/residential-delivery.htm>
56. **Work in Public Right-of-Way:** All work in the public right-of-way and City easements is subject to review, approval, and permitting requirements of Public Works Department.
57. **Bonds:** Prior to the issuance of the building permits or the approval of public improvement plans, whichever occurs first, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to the construction of sidewalk and curb ramp.
58. **Insurance:** Permittee shall procure and maintain throughout the period of the Permit the following policies of insurance:
 - a. Commercial General Liability, with City of Pomona as additional insured.
 - b. Automobile Liability, with City of Pomona as additional insured.
 - c. Worker's Compensation as required by the State of California.
59. **Business License Fees:** Permittee shall pay fees associated with and possess the City of Pomona Business License.
60. **Changes to Scope of Work:** Changes and additions to the proposed work, including but not limited to detail plans for street improvement work, water plans, and/or other work associated with this project and due to Developer's or City's request shall require additional conditions to be completed by the Applicant/Developer.

PUBLIC WORKS – SOLID WASTE DIVISION

61. Solid waste, recycling and green waste services are to be provided by the City's approved commercial franchise hauler.
62. Each of the trash room/enclosure shall contain at least:
 - a. Trash: Two 4-yard containers (to be serviced at least 2x a week)
 - b. Recycle: One 4-yard container (to be serviced at least 2x a week)
 - c. Organic: One 2-yard container (to be serviced at least 1x a week)

WATER RESOURCES DEPARTMENT

63. A full set of separate water, sewer, stormwater, and grading plans shall be submitted to

the Public Works Department for this project where public improvements are proposed. These plans shall be distinct from the building plans submitted to the Building Division.

WATER

64. The site is within the City of Pomona's water service area.
65. There is an existing 12-inch City DIP water main located on the west side of South Garey Avenue.
66. There is an existing 8-inch City DIP water main located on the north side of Fernleaf Avenue.
67. The property currently has an existing water service, fire service, and meter. Submit a preliminary utility plan showing all existing services and clarify whether these services will be utilized for the proposed project. Backflow prevention devices are required to protect existing services. The locations of all backflow devices must be clearly shown on the site plan or a preliminary utility plan.
68. A separate service line and meter is required for irrigating landscape and/or open space areas.
69. Static water pressure at the site is approximated at 67 psi at an elevation of 820 feet. A fire hydrant flow test may be requested via the Public Works Department to verify water pressure.
70. There is an existing fire hydrant within 16 feet from the northeast corner of the property.
71. To ensure the City's existing water infrastructure can meet the projected water demand of the proposed improvements, a hydraulic analysis is required. This analysis must include calculations for domestic, irrigation, and fire flow demands, which shall be submitted to WRD for review. If the existing water services will be utilized for this project, provide an analysis demonstrating that they are adequately sized to accommodate the projected water flows from the proposed development. All existing backflow devices and meters shall be installed above-ground, meters two inches (2") and smaller in size may remain underground per current City Standards.
72. Water meters up to two inches (2") in size shall be installed on public property by the City. Water meters three inches (3") and larger shall be installed on private property by the Contractor. Contact WRD at 909-620-2283 or wrd.engineering@pomonaca.gov for information regarding water service and meter installation fees.
73. Contact Los Angeles County Fire Department (LACoFD) to determine fire flow demand for the proposed improvements and fire hydrant, water main looping, and sprinkler system requirements. A copy of LACoFD conditions shall be provided to WRD.
74. As required by LACoFD, new public fire hydrants shall be installed per City Standard Drawing 2 and 2A and shall be located at least 5 feet (5') from new or existing driveways

and parking stalls.

75. Backflow devices shall be testable, low-lead ($\leq 0.25\%$), and identified on the “USC List of Approved Backflow Prevention Assemblies.” Product information (manufacturer, model, size) shall be supplied to WRD prior to installation. Backflow devices are required as follows.
 - a. Domestic water services shall be equipped with a reduced pressure principal backflow assembly (RPBA) downstream of the meter.
 - b. Irrigation water services shall be equipped with an RPBA downstream of the meter.
 - c. Fire protection services shall be equipped with a double check detector assembly (DCDA) per City Standard Drawing 14.
76. A civil plan for the proposed public water system improvements, if required, must be prepared by a Professional Engineer registered in the State of California. The water plan shall include water main extensions, new services, meters, and backflow devices, with details for proposed connections(s) to the existing water main.
77. All newly installed water lines shall be disinfected per the *City of Pomona Water Division Standard Specifications for Water Facility Construction* (January 2006) before connection to the existing water main.

STORMWATER

78. There is no City of Pomona public stormwater infrastructure within the immediate vicinity of the site.
79. There is an existing 57' LACFCD storm drain on the east side of S. Garey Avenue.
80. Calculations for stormwater discharge rates to public infrastructure / right-of-way shall be provided for the proposed development

WASTEWATER

81. The site is within the City of Pomona’s wastewater service area.
82. An existing 8-inch City VCP wastewater main is located on the west side of S. Garey Avenue (City Drawing No. SEW266) and on the east side of S. Garey Avenue (City Drawing No. SEW267). The preliminary site plan indicates no change to the existing service.
83. Any existing sewer laterals serving the property that are not to be reused shall be cut and capped as close to the sewer main as practicable and no more than five feet (5’) from the main.
84. A civil plan for the proposed sewer improvements if required must be prepared by a Professional Engineer registered in the State of California. The sewer plan shall include plan and profile for proposed public sewer main(s) and lateral(s) with details for

proposed connection(s) to the existing sewer main.

85. A sewer study is required to verify that the City's existing wastewater infrastructure can handle the projected sewer flows from the proposed improvements. This study must include water discharge calculations based on fixture units and a metered flow monitoring field test (at locations approved by WRD) to determine the existing sewer system's available capacity. The analysis, methodology, and calculations shall be detailed in a Sewer Report to be submitted to WRD for review. Any additional wastewater infrastructure upgrades identified by the sewer study as necessary to adequately serve the proposed development must be included in the sewer improvement plan.
86. New sewer laterals shall be installed per City Standard Drawings S5 and S6.
87. Sewer main and lateral separation distances from water mains and services shall comply with the requirements of California Code of Regulations (CCR), Title 22.
88. A 15-foot easement will be required for new public sewer main, public sewer laterals, public cleanouts, and public manholes on private property.

COUNTY OF LOS ANGELES FIRE DEPARTMENT, FIRE PREVENTION DIVISION

89. Review and approval by the County of Los Angeles Fire Department, Fire Prevention Engineering Section Building Plan Check Unit is required for this project prior to building permit issuance. Contact the Fire Prevention Engineering Unit at (909) 569-0758 for additional Fire Department requirements and EPICLA submittal instructions.

SECTION 7. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

PASSED AND APPROVED THIS 18TH DAY OF MARCH, 2026

BETTY DONAVANIK
ZONING ADMINISTRATOR

Pursuant to Resolution No. 76-258 of the City of Pomona, the time in which judicial review of this action must be sought is governed by California Code of Civil Procedure Section 1094.6.