

PC RESOLUTION NO. 24-020

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA APPROVING DEVELOPMENT PLAN REVIEW (DPR 00462-2024) FOR THE DEVELOPMENT OF A THREE-STORY, RESIDENTIAL DEVELOPMENT CONSISTING OF 36 UNIT RESIDENTIAL DEVELOPMENT, INCLUDING 7 UNITS RESERVED FOR MODERATE INCOME HOUSEHOLDS, AS WELL AS ASSOCIATED ON-SITE AND OFF-SITE IMPROVEMENTS ON AN APPROXIMATELY 1.46 ACRE SITE LOCATED AT 675 E. MISSION BOULEVARD (APN NOS. 8335-014-908, 909, 911, 912, 913, 914, 917).

WHEREAS, the applicant, Mission and Linden, LLC, has filed an application for Development Plan Review (DPR) for the development of a three-story, residential development consisting of 36 unit residential development, including 7 units reserved for moderate income households, as well as associated on-site and off-site improvements on an approximately 1.46 acre site located at 675 E. Mission Boulevard (APN Nos. 8335-014-908, 909, 911, 912, 913, 914, 917);

WHEREAS, the subject site is currently zoned within the Pomona Corridors Specific Plan (PCSP) “Midtown Segment” and designated “Transit Oriented District: Neighborhood” as well as “T5 Typical” by the City’s General Plan;

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

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law held a public hearing on September 25, 2024, concerning the requested Development Plan Review (DPR 00462-2024);

WHEREAS, the Planning Commission 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 Planning Commission of the City of Pomona, California:

SECTION 1. In compliance with the California Environmental Quality Act (CEQA) guidelines, staff has determined that the proposed project meets the criteria for a Class 32 Categorical Exemption pursuant to Section 15332, (In-Fill Development Projects) of CEQA. The proposed project is consistent with the City's General Plan and Zoning Ordinance; the proposed project site is less than five (5) acres; the project site has no value as habitat for endangered, rare or threatened species; the proposed project will not have any significant effects upon the environment; and the site can adequately be served by all required utilities and public services. Therefore, no further environmental review is required.

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, findings must be made in order to approve Development Plan Review (DPR 00462-2024). 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 as follows:

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

The granting of the Development Plan Review to allow the project as conditioned is consistent with the Pomona General Plan and all applicable requirements of the Pomona City Code. The project site has a General Plan Place Type designation of Transit Oriented District: Neighborhood which is, among other things, intended for “the City’s widest range of contemporary housing types, and a wide mixture of uses that are compatible with the district’s housing, all concentrated within walking distance of the Downtown Core’s theater, shops, restaurants, cafes, nightlife, and amenities.” The project is consistent with the intended concept of this designation as the project will provide a moderately dense residential development at the project site.

The project is consistent with Goal 6D.G1 of the Pomona General Plan which is intended to improve the physical character, economic vitality, and mobility function of the City's most visible and well-traveled corridors. The proposed project will improve the physical character and economic vitality of the Mission Boulevard corridor by developing a lot that has been vacant for several years with a residential development that includes units designated for moderate income households and is designed to the standards and guidelines of the PCSP.

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.

2. *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, is not anticipated to 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 zoning.

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

The project is designed with pedestrian access along all streets fronting the project as well as vehicular access from E. Fourth Street only. The vehicular access consists of two drive entries with one-way only access. As conditioned, the project will not adversely affect the Circulation Plan of the Corridors Specific Plan.

4. *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 PCSP and other applicable regulations.

SECTION 4. In accordance with Section 2.0.5.F of the PCSP, a Request for Deviation may be approved 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. This finding is based on the projects' provision of seven (7) affordable housing units which are targeted to moderate income households as well as the high-quality architectural design that meets the standards and intent of the PCSP.

SECTION 5. Based upon the above findings, the Planning Commission hereby approves Development Plan Review (DPR 00462-2024) 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.

DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISON

General Conditions

1. The subject property shall be developed and/or used in a manner consistent with the project plans reviewed and approved by the Planning Commission on September 25, 2024 and as illustrated in the stamped approved plans. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Commission 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 Planning Manager.
2. This approval shall lapse and become void if construction has not commenced under a valid building permit, within one (1) year from the date of this approval (September 25, 2025), in accordance with PCSP Section 2.0.5.A(6). The Planning Division may extend this period for a maximum of two (2), 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. 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. 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. 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 Planning Commission or by October 15, 2024.
6. The applicant shall include all conditions of approval from Development Plan Review (DPR 00462-2024) on the title sheet of construction plans prior to plan check submittal. Plans shall be consistent with all required development standards in the PCSP Section 2.1.11.A - Midtown Segment and Pomona Zoning Ordinance (PZO) as applicable.
7. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and electric transformers. Utility meters shall be screened from view from public right-of-ways. 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.
8. The site plan shall clearly mark all compact spaces as "Compact cars only".
9. The installation of fences will require the submittal of a "Fence and Wall Permit" application for review and approval by the Planning Division. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Planning Division. Double walls shall be avoided to the greatest extent feasible. The applicant shall coordinate with the adjacent property owner(s) and make reasonable attempts to construct one common property line wall. If coordination with the adjacent property owner(s) cannot be accomplished, the applicant shall construct up to a six (6) foot high decorative wall located entirely within the subject property. Prior to construction of any new walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private property and construction of a new common wall shall include approval by the adjacent property owner(s). The plans shall identify materials, seep holes, and drainage.
10. The installation of signage shall require the submittal of a "Sign Permit" application for review and approval by the Planning Division. Any proposed signs shall be consistent with PCSP Section 2.9.

11. Prior to the issuance of any building permits, the following must be completed:

- a. A Landscape Plan Check in substantial conformance to the conceptual landscaping plan submitted as part of the Development Plan Review process. Plan should further conform to the State Model Water Efficient Landscape Ordinance, landscape requirements in the PCSP, and applicable portions of Section .503-J of the PZO. A landscaping maintenance bond shall be required and held for a period of one year to ensure the project's compliance with the approved landscaping, at an amount to be determined by the Development Services Director.
- b. A Photometric plan demonstrating a minimum one foot-candle of illumination of parking, driveway, walkways, and common areas. Plan shall identify locations of ground-mounted and building-mounted light fixtures, design and photometric information on fixtures, and shielding to orient light away from adjacent properties and buildings.
- c. The applicant shall work with Planning staff to select the type and location of pavement treatment in the driveway area to the satisfaction of the Planning Manager.

12. The applicant shall conform to Section .5809-24 of the PZO pertaining to public art requirements for private development by complying with one of the following two options:

- a. Placement of an approved Public Art on the Project site.
 - i. The Applicant may decide to 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 Project site shall be approved by the Cultural Arts Commission before issuance of a building permit for the Project.
 - iii. The Public Art shall be installed on the Project site before 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 before 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 Development Services Director. 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. Payment of an In-lieu Contribution.

- i. Rather than place an approved Public Art on the Project site, 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 before issuance of any building permit for the Project.
- ii. Use of In-lieu Contributions shall comply with the following:
 1. 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.
 2. 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.
- iii. 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.

Site Development & Maintenance

13. 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.
14. 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.

15. The construction area shall be kept clean at all times prior to, during, and after construction.
16. 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 Development Services Manager.
17. 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.
18. The private balcony areas shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.
19. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Development Plan Review (DPR 00462-2024).
20. The property owner shall comply with all applicable standards in accordance with Pomona Zoning Ordinance Section .5809-17. - Multi-family residential property standards.
21. Within 30 days of approval of this Development Plan Review (DPR 00462-2024), the property owner shall execute a trespass authorization letter with the City to allow the Police Department to enforce trespassing on the subject property.
22. 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 Development Plan Review (DPR 00462-2024)

DEVELOPMENT SERVICES DEPARTMENT – BUILDING & SAFETY DIVISION

23. 2019 California Codes will be required for plans submitted to the Building Department for plan check after January 1, 2020.
24. The undergrounding of utility facilities is required. (PMC 62-31) An application for an exemption may be submitted as specified on PMC 62-31, section (c).

25. This project falls under section .5809-24 of the Zoning Code “Public Art requirement for private development – Public Art Allocations”. (Ordinance No. 4151)
26. 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)
27. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2016 California Building Codes.
28. All grading shall conform to the 2016 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.
29. 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.
30. All proposed work shall comply with the 2016 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
31. Proposed project shall comply with the 2016 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
32. Proposed project shall be sprinkled and comply with all other relevant laws, ordinances and resolutions governing residential sprinklers as adopted by the City of Pomona.
33. Park and Recreation Improvement Fee shall be \$675 per dwelling unit for new construction. (Ordinance 3506)
34. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
35. Fence and wall plan required.

LOS ANGELES COUNTY FIRE DEPARTMENT

Access Requirements

36. Verification for compliance will be performed during the architectural plan review prior to building permit issuance.
37. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
38. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1
39. Gates: An approved key box, listed in accordance with UL 1037 shall be provided as required by Fire Code 506. The location of each key box shall be determined by the Fire Inspector. All locking devices shall comply with the County of Los Angeles Fire Department Regulation 5, Compliance for Installation of Emergency Access Devices.

Water System Requirements

40. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the 2017 County of Los Angeles Fire Code, Table B105.1
41. The required fire flow for the public fire hydrants for this project is 3,500 gpm at 20 psi residual pressure for 2 hours. Two public fire hydrant(s) flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1
42. Install one new public fire hydrant. Location: at the intersection of East Mission Blvd. and Linden Street.
43. Submit the completed original copy of the Fire Flow Availability Form (Form 196) for the new required public fire hydrant at the intersection of East Mission Blvd. And Linden Street.
44. All required public fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

WATER RESOURCES DEPARTMENT

Water

45. The site is within the City of Pomona's water service area, in Hydraulic Zone 5.
46. The following City-owned water mains are located within the vicinity of the subject property:
 - a. 16-inch steel water main located within E 4th St (City Drawing No. CO-1653).
 - b. 8-inch ductile iron water main located within the northern portion of E 4th St (City Drawing No. CO-8171).
 - c. 6-inch ductile iron water main located within the western portion of S Eleanor St (City Drawing No. CO-8167).
 - d. 8-inch ductile iron water main located within the northern portion of E Mission Blvd (City Drawing No. CO-3170).
47. Existing water services to the subject property shall be abandoned in accordance with City requirements.
48. Static water pressure at the site is approximately 50 psi at an elevation of 860 feet. A fire hydrant flow test may be requested to verify water pressure.
49. The following fire hydrants are located near the subject property:
 - a. Southwest corner of E 4th St and Linden St to the north of the property (Hydrant No. F-05086).
 - b. Northeast corner of E 4th St and S Eleanor St adjacent to the property (Hydrant No. F-04706).
 - c. Southeast corner of E Mission Blvd and S Eleanor St adjacent to the property (Hydrant No. F-04686).
 - d. Southwest corner of E Mission Blvd and Linden St adjacent to the property (Hydrant No. F-03182).
50. A civil plan for the proposed water system improvements will be required and 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 connection(s) to the existing water main.
51. A hydraulic analysis shall be conducted to verify the projected water demand for the proposed improvements can be accommodated by the City's existing water infrastructure. At a minimum, analysis shall include water calculations for domestic, irrigation, and fire flow demands. Analysis, methodology, and calculations shall be included in a Water Report and shall be submitted to WRD for review.

52. The site shall be served via above-ground master domestic water meter(s) located within a security cage per City Standard Drawings 13A through 13C. Separate services shall be installed for commercial and residential uses.
53. Water meters up to two inches (2") in size shall be installed by the City and shall be located in the public right-of-way. Water meters three inches (3") and larger shall be installed by the Contractor and shall be located at the property line on private property. Contact WRD for information regarding water service and meter installation fees.
54. Contact Los Angeles County Fire Department (LACoFD) to determine fire flow demand for the property, location and number of fire hydrants, and fire sprinkler system requirements. A copy of Fire Department conditions and requirements shall be provided to WRD.
55. 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.
56. Backflow devices are required as follows:
 - a. Domestic water services shall be equipped with a reduced pressure principle backflow assembly (RP) downstream of the meter.
 - b. Irrigation water services shall be equipped with an RP downstream of the meter.
 - c. Fire protection services shall be equipped with a double check detector assembly (DCDA) per City Standard Drawing 14.

Backflow devices shall be low-lead (0.25%), testable, and shall be identified on the "USC List of Approved Backflow Prevention Assemblies". Product information (manufacturer, model, size) shall be supplied to the City prior to installation.

Backflow devices shall be installed on private property as close as practicable to the water meter and/or public right-of-way. Backflow devices may be installed within the building for constrained sites; these conditions will be reviewed on a case-by-case basis.

57. A 15-foot easement will be required for new water main, water services, water meters, fire hydrants, and DCDA backflow devices on private property.
58. 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.

Wastewater

59. The site is within the City of Pomona's wastewater service area.
60. The following City-owned sewer main is located within the vicinity of the subject property:
 - a. 8-inch vitrified clay pipe (VCP) sewer main located within S Eleanor St (City Drawing No. FB-975).
61. 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.
62. A civil plan for the proposed sewer improvements will be required and 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.
63. A sewer study shall be conducted to verify that the projected sewer flows for the proposed improvement can be accommodated by the City's existing wastewater infrastructure. Analysis shall include water discharge calculations based on fixture units and a metered flow monitoring field test (at locations approved by WRD) to determine the available capacity of the existing sewer system. Analysis, methodology, and calculations shall be included in a Sewer Report and shall be submitted to WRD for review.
64. New sewer laterals shall be installed per City Standard Drawings S5 and S6.
65. Sewer main and lateral separation distances from water mains and services shall comply with the requirements of California Code of Regulations (CCR), Title 22.
66. A 15-foot easement will be required for new sewer main, public sewer laterals, public cleanouts, and public manholes on private property.

Stormwater

67. Calculations for stormwater discharge rates to public right-of-way shall be provided for the proposed development.

PUBLIC WORKS DEPARTMENT

Land development requirements

68. Tentative Tract Map TRACTMAP 461-2024, TM 70570, has been submitted concurrently with DPR 00462-2024. The tentative tract map for the proposed development shall be recorded as one final map and developed as one tract. The final map shall be recorded no later than prior to the issuance of the first building permit to reflect the lot lines, easements and Fire Department access.

Improvement Plans Requirements

69. Applicant/Developer shall submit a **grading, drainage and erosion control plans** for review and approval by the Public Works, Planning and Building and Safety Departments.
- a. The plans shall be a minimum of 1" = 10' scale to clearly show all the details; the plans shall be submitted on 24" x 36" sheet size with a standard City title block.
 - b. One-foot topographic contours of the site must extend a minimum of 15 feet beyond the boundary lines.
 - c. The plans shall include sufficient cross sections to show all block wall locations, parkway width and all permanent facilities that might require maintenance and access easements.
 - d. Drainage configurations on the existing adjacent properties shall not be altered, redirected or modified in any way.
70. Prior to issuance of the grading permit the Applicant/Developer shall submit **written notifications to the next adjacent (non-City) property owners** as indicated on the Development Plan Review meeting notification list regarding the direct and indirect impact associated with the proposed construction. The notification shall include a statement confirming that the existing public services (sewer, water, storm drain) to adjacent property owners will not be affected by the proposed development and outline the City approval process (City review, public notification, Development Plan Review approval, plans on record, etc.). The proposed development shall accept the conveyance of the existing offsite drainage.
71. Prior to the issuance of the grading permit, the Applicant/Developer shall provide **non-interference letters** from all applicable utility agencies for all utility easements located within the areas subject to grading activities. All such documents shall be subject to review and approval by the City Engineer.
72. Prior to issuance of the grading permit, the Applicant/Developer shall submit a **soils and geologic report** to address the soil's stability, infiltration rate and geological conditions of the site.

73. Applicant/Developer shall prepare a detailed **hydrology study** based on a 50-year storm event and a hydraulic analysis of the existing and proposed drainage conveyance capacity. The Developer is responsible to comply with the approved hydrology/hydraulic study recommendations necessary to meet minimum Federal, State, County and City requirements. The hydrology/hydraulic study shall be approved prior to the approval of the grading plan.
74. The project involves a New Development that creates 10,000 or more square feet of impervious surface. The project is therefore classified as a Priority Project in accordance with the Los Angeles Region NPDES Permit No. CAS004004, Order No. R4-2021-0105. Prior to issuance of the grading permit Applicant/Developer shall develop and obtain the City approval of the final Standard Urban **Stormwater** Mitigation Plan (SUSMP) for the proposed project. The SUSMP shall be prepared in accordance with the City of Pomona's Low Impact Development (LID) Ordinance, the City of Pomona's Green Streets Policy and the Los Angeles Region NPDES MS4 Permit No. CAS004004, Order No. R4-2021-0105, which includes:
- a. Site Design BMPs;
 - b. Source Control BMPs; and
 - c. Treatment Control BMPs.
75. Applicant/Developer shall utilize the County of Los Angeles Department of Public Works Low Impact Development Standards Manual (Published February 2014) as a guidance document for the design of applicable Best Management Practices (BMPs) proposed for the project and for the elements that are required to be included in the SUSMP. (*Important note: if drywells are proposed as stormwater BMPs, only the circular/bottom area of the wells may be considered in the calculations*).

Post-construction Structural and/or Treatment Control BMPs, shall be designed to mitigate (infiltrate or harvest and use) storm water run-off from the 85th percentile 24-hour rain event or 0.75-inch, 24-hour rain event, whichever is greater. The comparison must be provided in the SUSMP. The site geotechnical investigations shall comply with the Los Angeles County Guidelines GS200.1, 6/30/2021 Revision.

Applicant/Developer shall utilize the County of Los Angeles Department of Public Works' HydroCalc program described in the LID Manual to calculate these design flows and volumes.

The program download can be found at <http://dpw.lacounty.gov/wrd/publication/>.

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.

The project involves soil-disturbing activities in excess of 1 acre therefore the project is subject to the Statewide General Construction Permit CGP/SWPPP.

76. Prior to the approval of the final map, Applicant/Developer shall submit **public street improvement plans** to include the following items and is responsible for the construction thereof:

- a. Two (2) new Fourth Street driveway approaches per City standards and ADA requirements.
- b. New sidewalk, curb and gutter as follows:
 - i. Along Linden Street lot frontage.
 - ii. Along the south side of Fourth Street, between Linden and Eleanor Streets.
 - iii. To replace the existing driveway and alley aprons proposed for removal (three (3) on Mission Boulevard, one (1) on Linden Street and one (1) on Eleanor Street).
 - iv. To replace all damaged cracked and uplifted sections.
- c. Four (4) ADA corner ramps at all four (4) corners of the development.
- d. Street repaving:
 - i. Based on the project related hardscape, wet and/or dry utility pavement cuts along all Fourth Street, Eleanor Street and Mission Boulevard property frontages, Asphalt Rubberized Hot Mix (ARHM) overlay paving shall occur in accordance with the City standard A-26-02.

Mission Boulevard is subject to moratorium repaving requirements until the end of 2028.

- ii. Linden Street full width ARHM overlay paving.

Due to the current poor condition of the Linden Street pavement, a core sample analysis is necessary; based on the results, and if the cold planing process is not supported due to the reduced thickness of the existing Asphalt Concrete layer, full depth repaving may be required.

- e. Street Landscaping and Lighting:
 - i. To address site access safety and required City standard upgrades, a lighting analysis must be prepared and submitted to the PW Department for review and approval. The study area will be along the Linden and Fourth Streets project frontages, to ensure the roadway illumination design

meets the IES RP-8 requirements; the owner is responsible for the compliance (design & installation) with all mitigation measures.

- ii. The parkway landscaped areas along the Mission Boulevard project frontage shall be designed and installed in compliance with the “Midtown Boulevard” requirements of the Pomona Corridors Specific Plan.
- iii. The parkway landscaped areas along the Linden, Fourth and Eleanor Streets project frontages shall be designed and installed in compliance with the “Neighborhood Street” requirements of the Pomona Corridors Specific Plan.
- iv. The parkway landscaped area shall be designed to comply with the City standard A-34-11 (Intersection Sight Distance) and a note to this effect shall be added on the public street improvement plan.
- v. The parkway landscaped area shall be maintained by the property owner, as required by the City’s Municipal Code Section 46-496 and a note to this effect shall be added to the public street improvement plan.
- f. Site runoff shall be intercepted on site and directed to the public storm drain in compliance with the City standards.
- g. Existing and proposed sewer, water and storm drain infrastructure, including laterals and easements.
- h. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries, and a note to this effect shall be added to the public street improvement plan.
- i. Undergrounding of all existing (within the public alley proposed for vacation) and proposed overhead utility lines shall conform with the City of Pomona Municipal Code Section 62-31(b) and a note to this effect shall be added to the public street improvement plan.
- j. It is the owner’s and the contractor’s responsibility to repair all damage to the existing public improvements due to the proposed construction activities and to address all repairs requested by the Public Works Inspector based on the inspector’s review of the current condition of the said public improvements and a note to this effect shall be added to the public street improvement plan.
- k. The property abutting sidewalk, parkway and alley, as applicable, shall be maintained free of weeds, rubbish and refuse by the property owner, as required by the City’s Municipal Code Section 18-261 and a note to this effect shall be added to the public street improvement plan.

1. The demolition or relocation of all public improvements (street lights, signs, trees, vaults, catch basins, hydrants, etc.) due to the proposed project construction must be coordinated and agreed upon by the appropriate City departments, shall be designed per City standards and applicable ADA requirements, and must be reviewed and approved by the Engineering Division of the Public Works Department.
77. Prior to the approval of the final map, Applicant/Developer shall submit a **public street striping plan** to include the following items and is responsible for the construction thereof:
- m. Mission Boulevard between Linden and Eleanor Streets - remove the existing left turn lanes and install a two-way left turn lane.
 - n. Linden and Fourth Streets parking spaces striping along the lot frontages – parallel parking along Linden Street and angle parking along Fourth Street.
78. Applicant/Developer shall identify the existence of all City utilities that may be in conflict with the development and submit protection measures to the City Engineer for those City utilities.
79. If future placement of permanent structures conflicts with 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 shall be removed or modified as part of the onsite demolition plan approved by the Building and Safety Department.
80. **Traffic:** Red curb markings shall be provided along the Fourth Street property frontage as follows: 18 feet west and 76 feet east of the westerly driveway approach.
81. Prior to the issuance of the building permits or the approval of the public water and public sewer plans, whichever occurs first, Applicant/Developer is responsible for the payment of any/all applicable City **water and sewer connection fees** and shall make proof of payment of the **Los Angeles County Sanitation District fees** associated with the proposed development.
82. Prior to issuance of the building permits, Applicant/Developer is responsible for paying the project's **impact fees** for traffic signals and control devices, road and highway improvements, public safety improvements and parks.
83. Prior to issuance of the building permits, Applicant/Developer is responsible for paying the project's **development tax fee**.
84. Owner is responsible for the compliance with the special annual levy assessment derived from the current inclusion of the project site into the **City's Street Lighting District**

and Landscaping Maintenance District. The Developer shall disclose to any future buyers that the property is within the City of Pomona Lighting and Landscaping District and is subject to annual special taxes.

85. The plans shall be submitted 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 the public right-of-way areas with dimensions.
86. The final improvement plans, as shown on the Mylar, shall be provided to the City in both hard copy and electronic in AutoCAD v. 2010. Following construction and prior to acceptance of the improvements by the City, the project engineer shall provide hand drafted "AS BUILT" corrections on the original approved Mylars of the final constructed improvements to the satisfaction of the City Engineer. A corrected, "AS BUILT" plan shall also be provided to the City on disk in AutoCAD v. 2010 and .pdf formats.
87. 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; related information is available at <https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/residential-delivery.htm>

Public Works Improvements Permit

All work in the public right-of-way and City easements is subject to review, approval, and permitting requirements of Public Works Department.

- 88. Prior to the approval of the final map, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: water, sewer, storm drains, street paving and striping, driveway approaches, curb and gutter, sidewalk, corner ramps, parkway landscaping and street lighting.**
89. Permittee shall procure and maintain throughout the period of the Permit the following policies of insurance:
 - a. Commercial General Liability;
 - b. Automobile Liability;
 - c. Worker's Compensation as required by the State of California;

Note: The Commercial General Liability and the Automobile Liability policies shall include the City of Pomona as additional insured.

90. Permittee shall pay fees associated with and possess the City of Pomona Business License.
91. 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 DEPARTMENT – SOLID WASTE DIVISION

92. Each owner and/or each occupant of a commercial, multi-family, industrial, or institutional establishment shall be responsible for the disposal and/or diversion, where appropriate or solid waste through the contractual services of a franchised solid waste enterprise that has been granted such by action of the city council. (PCC 62-701, Ord 3884)
93. Mandatory Commercial Recycling pursuant to Public Resources Code #42649 the purpose of mandatory commercial recycling is to preserve local landfill space and to reduce greenhouse gas emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services in Pomona. (PCC 62-785, Ord 4153).
94. Every person occupying, leasing, owning, managing, or in possession of any multifamily, commercial, industrial or institutional establishment or premises within the city shall provide sufficient portable containers or trash bins for solid waste to accommodate the amount of solid waste generated by that particular establishment (PCC 62-811, Ord 3884).
95. Stored in a fully enclosed structure, constructed of masonry block or concrete and designed to be architecturally compatible with the buildings on the site (PCC 62-812, Ord 4098).
96. Assembly Bill 341 - the State mandates recycling for business producing four or more cubic yards of solid waste and multi-family dwellings of five or more units.
97. Assembly Bill 1826 - the State mandates organic waste recycling for qualifying businesses and multi-family dwellings of five units or more. January 1, 2019 - All generators of 4 or more cubic yards of municipal solid waste per week.

SECTION 5. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

PASSED AND APPROVED THIS 25TH DAY OF September, 2024

ALFREDO CAMACHO
PLANNING COMMISSION CHAIRPERSON

ATTEST:

GEOFFERY STARNS, AICP, AIA, LEED AP
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

MARCO A. MARTINEZ
DEPUTY CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF POMONA)

AYES:
NOES:
ABSTAIN:
ABSENT:

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.