

DRAFT ZA RESOLUTION NO. 25-008

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF POMONA, CALIFORNIA, APPROVING DEVELOPMENT PLAN REVIEW (DPR-000238-2024) FOR DEVELOPMENT OF A MIXED-USE, 61-UNIT, FIVE-STORY HOUSING DEVELOPMENT PROJECT WITH ASSOCIATED ON-SITE AND OFF-SITE IMPROVEMENTS ON A 0.64-ACRE SITE LOCATED AT 416 N. GAREY AVENUE WITHIN THE POMONA CORRIDORS SPECIFIC PLAN, DOWNTOWN GATEWAY SEGMENT (APNS: 8336021027, 8336021030)

WHEREAS, the applicant, Harold Azalte, has filed an application for Development Plan Review for the development of a new mixed-use 61-unit, five-story housing development project with associated on-site and off-site improvements on a 0.64-acre site located at 416 N. Garey Avenue;

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

WHEREAS, the subject property has a General Plan Place Type designation of "TOD: Core";

WHEREAS, the subject property has a General Plan Transect Zone designation of "T6-B" allowing up to 100 dwelling units per acre;

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

WHEREAS, the proposed project is subject to the provisions of Housing Crisis Act of 2019 also known as Senate Bill 330 (SB 330);

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 November 19, 2025, concerning the requested Development Plan Review, DPR-000238-2024;

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 61 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 15162 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 Garey Avenue 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 Garey Avenue 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 61 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-000238-2024 for the proposed 61-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 in order to approve Development Plan Review, DPR-000238-2024. 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 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 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 TOD: Core, which is intended for development types of greater intensity than surrounding areas.

The project is consistent with Goal 6.B.G2 of the Pomona General Plan, which is to locate higher intensity transit-oriented development around existing and future Metrolink, Metro Gold Line, High Speed Rail, BRT, and other transit stations. The proposed project will focus new intensity along Garey Avenue within one-half mile of the Pomona Transit Center.

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 Downtown Gateway 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 applicable development standards.

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

The project is designed with pedestrian access along Garey Avenue and vehicular access from Center Street. As conditioned, the project will 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 PCSP and other applicable regulations.

SECTION 4. In accordance with Section 2.0.5.F of the PCSP, the Zoning Administrator 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 Zoning Administrator 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 deviations:

- A. A decrease in Minimum Front Yard Setback on Garey Avenue and Center Street (PCSP Sec. 2.4.3) of not more than 20 percent;*

- B. A decrease in Minimum Side Yard Setback (PCSP Sec. 2.4.4) of not more than 20 percent.

This finding is based on the project's proposed number of affordable housing units and high-quality architectural design that meets the standards and intent of the PCSP.

SECTION 5. The applicant is seeking a density bonus as well as relief, incentives/concessions, and waivers/reductions as identified below. The project is eligible for one (1) incentives/concessions 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) of the one (1) eligible incentives/concessions and five (5) waivers/reductions. The City has granted the requested density bonus, relief, incentives/concessions, and waivers/reductions in compliance with GC Sections 65915-65918.

- A. Parking relief per GC Sec. 65915(p)(3)(a) and AB 2097

1. This provision precludes the imposition of vehicular parking standards if the project is located within one-half mile of a major transit stop. In this case the project is located within one-half mile of the Pomona Transit Center.

- B. Incentives/Concessions

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

- C. Waivers/Reductions.

1. To provide relief from PCSP 2.3.2(A) Special Building Height Limits – Along Garey Avenue.
2. To provide relief from PCSP 2.3.2(C) Special Building Height Limits – Adjacent to Housing.
3. To provide relief from PCSP 2.6.4 Public Open Space Type.
4. To provide relief from PCSP 2.6.5(A) Open Space Regulations – Courtyard.
5. Section 2.6.6(B) Setback Area Landscaping Types – Moderate Screening.

SECTION 6. Based upon the above findings, the Zoning Administrator hereby approves Development Plan Review (DPR-000238-2024) 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

General Conditions

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 November 19, 2025, and as illustrated in the stamped approved plans dated November 19, 2025. Plans shall be consistent with all required development standards in the PCSP and PZDC as applicable. 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 Zoning Administrator 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 (November 19, 2026), 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 (November 19, 2026), consistent with PCSP Section 2.0.5(A)(6). If the applicant has not obtained grading or building permits or diligently pursued necessary permits for construction approved under the Development Plan Review within the approved or extended time period, the Development Plan Review shall be terminated.
3. Trespass Authorization Letter. 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.
4. 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.
5. 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.

6. 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.

Plan Check

7. Conditions of Approvals on Plans. Prior to plan check submittal, the applicant shall include all conditions of approval from Zoning Administrator Resolution No. 25-008 on the title sheet of the construction documents.
8. 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 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. All equipment shall be adequately screened and not impede on private open space area, subject to the review of the Planning Division and the Building & Safety Division.
9. 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. Double walls shall be avoided to the extent feasible. The applicant shall coordinate with the adjacent property owner(s) and make reasonable attempts to construction one common property line wall.
10. Fence and Wall Material. All perimeter walls proposed in the Fence and Wall plan shall utilize split-face decorative block with decorative caps.
11. Sign Permit. The installation of any signage shall require the submittal of a Sign Permit application for review and approval by the Planning Division.
12. 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.

13. 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.
14. Recessed Windows. All windows shall be recessed a minimum of 3 inches.
15. 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.
16. Parking Garage Security. The proposed parking garage shall conform to the following and be incorporated into the building plan check submittal:
 - a. Parking garage lighting shall illuminate directly between parking stalls as well as in the center of parking aisles.
 - b. The interior of parking structures shall be painted light colors such as white to reflect light to interior the of the structure.
 - c. Surveillance cameras shall be installed and placed at entrances and exits as well as interior areas and at elevator waiting areas and stairwells. Cameras should record 24 hours a day and 7 days a week with clear signs indicating their operation.
17. Driveways. Prior to building permit issuance, 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. Driveways should utilize pavement treatments that help motorists and pedestrians identify the driveway.
18. 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.
19. Inclusionary Housing Program. The applicant shall comply with City of Pomona Ordinance No. 4295, pertaining to Inclusionary Housing.
20. Affordable Housing Agreement. An Affordable Housing Agreement in a form approved by the City must be recorded against Inclusionary 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 will consist of 9 units that shall be reserved for low-income households with rents not to exceed 80% of Area Median Income, as those rents are determined by the California Tax Credit Allocation Commission.

Site Development & Maintenance

21. 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.

22. 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.
23. Maintenance During Construction. The property, including all construction areas, shall be kept clean at all times prior to, during, and after construction.
24. 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.
25. 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.
26. 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.
27. Corner Store Retail. Future tenants cannot expand existing commercial units to be larger than 2,500 square feet per use. Total commercial clusters cannot exceed the maximum size of 5,000 square feet per cluster.
28. Ground Floor Commercial. Retail and service uses will be required to orient interior to have displays and access directly from the public sidewalks. Building entrance shall be unlocked during regular business hours. A minimum of three-foot zone behind the window glazing that provides an unobstructed view of the establishment's goods and services, either via display oriented to the sidewalk or via a direct view into the store.
29. 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.

BUILDING & SAFETY DIVISION

30. This project must comply with 2022 California Building Codes.
31. 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)
32. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2022 California Building Codes.
33. All grading shall conform to the 2022 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.

34. 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.
35. All proposed work shall comply with the 2022 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
36. Proposed project shall comply with the 2022 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
37. Project must comply with Bicycle Parking requirements as designated on the California Green Building Standards, as applicable.
38. Project must comply with EV Charging requirements as designated on the California Green Building Standards. Section 5.106.5.3
39. Project must comply with Grading and Paving requirements designated on the California Green Building Standards. Section 5.106.10. 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 alterations not altering the drainage path.
40. 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.
41. Demolition permits will be issued upon completion of the following conditions;
 - i. AQMD testing and abatement of asbestos containing material must be completed prior to the issuance of demolition permit. Proof required.
 - ii. Erosion control plan must be prepared by a licensed professional and must be submitted for plan review approval prior to any work.
42. 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.

43. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
44. Fence and wall plan shall be required.

PUBLIC WORKS DEPARTMENT

45. Regulation and Fees: The Applicant/Developer shall comply with all conditions of approval, complete required public improvements, and pay all related fees in accordance with City Standards, the City's current fee schedules, and all applicable laws and regulations. Applicable codes include but are not limited to: California Subdivision Map Act, all applicable City of Pomona ordinances and resolutions, City of Pomona Water Code, City of Pomona Standard Drawings and Fee Schedule, Construction Standard Specifications for Public Works Construction, Los Angeles County Department of Public Health requirements, California Code of Regulations, Title 22, and the California Department of Transportation Highway Design Manual.
46. 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. Land development requirements

Land Development Requirements

47. Property Owner shall submit a **Lot Merger** application for the consolidation of eight (8) legal lots (APNs 8336-021-027 & -030) into one lot; the application shall be submitted to the Public Works Department, for review and approval and shall be recorded prior to the issuance of the building permits.
 - a. The referenced APNs are currently owned by different parties. Updated grant deeds showing common ownership shall be submitted to the Public Works Department as part of the Lot Merger application.
48. Property Owner shall dedicate to the City of Pomona the necessary **Grant of Easement**, if applicable, at the northeast corner of Garey Avenue and Center Street, for a minimum 4' wide ADA pedestrian path of travel around the corner ramp. The easement application shall be submitted to the Public Works Department for review and approval and shall be recorded prior to the issuance of the building permits.
49. Property Owner shall dedicate to the City of Pomona all necessary **Grant of Easements**, 15' wide by 10' deep, along the applicable property frontage(s), for public water improvements purposes. The water easement applications shall be submitted to the Public Works Department for review and approval and shall be recorded prior to the issuance of building permits.

Improvement Plans Requirements

50. Applicant/Developer shall submit the **grading, drainage and erosion control plans** for review and approval by the Public Works, Planning and Building & 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.
51. Prior to issuance of the grading permit the Applicant/Developer shall submit **written notifications to the neighboring (non-City) property owners** as indicated on the Development Plan Review [DPR] 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, Planning Commission approval, plans on record, etc.). The proposed development shall accept the conveyance of the existing offsite drainage.
52. 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.
53. 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.
54. 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.
55. The project involves a Significant Redevelopment that adds or replaces 5,000 or more square feet of impervious surface on an existing site with 10,000 square feet or more 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.

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.

56. Concurrent with the submittal of the grading/building plans, Applicant/Developer shall submit **public street improvement plans** to include the following items and is responsible for the construction thereof:
- a. Center Street:
 - i. One (1) new curb extension (bulb-out) shall be constructed at the northeast corner of the Garey Avenue/Center Street intersection, extending into Center Street. The curb extension shall include a directional curb ramp oriented toward the south and compliant with ADA and City Standards. Existing drainage patterns shall be maintained to the greatest extent feasible. Any

impacts to drainage resulting from the curb extension shall be mitigated through appropriate design measures.

- ii. New sidewalk, curb and gutter per City standards, to replace the existing driveway approaches proposed for removal, total of three (3) and any/all damaged, cracked, and uplifted sections along the lot frontage.
 - iii. One (1) new driveway approach, per City standards and ADA requirements.
 - 1. Unobstructed visibility shall be ensured at the intersection of Center Street and the proposed driveway and along the project boundaries.
 - 2. *No obstructions taller than 30 inches are allowed within the visibility triangles and within the sight distance restricted areas.*
 - iv. Based on the project related hardscape, wet and/or dry utility pavement cuts, Asphalt Rubberized Hot Mix (ARHM) overlay paving shall occur in accordance with the City standard A-26-02 (at the minimum, from gutter line to the centerline of Center Street, along the lot frontage). Note: Moratorium repaving may be required in conjunction with the City's upcoming Capital Improvement Plan paving project along Garey Avenue.
- b. Garey Avenue:
- v. New sidewalk, curb and gutter per City standards, to replace any/all damaged, cracked, and uplifted sections along the lot frontage.
 - vi. Based on the project related hardscape, wet and/or dry utility pavement cuts, Asphalt Rubberized Hot Mix (ARHM) overlay paving shall occur in accordance with the City standard A-26-02.
- c. Streetlights: 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 areas will be along Garey Avenue, between Center Street and Holt Avenue, and along Center Street, between Garey Avenue and Gibbs Street, to ensure the roadway illumination design meets the IES RP-8 requirements for vehicles and pedestrians. Owner is responsible for compliance (design and installation) with all mitigation measures along property boundaries.
- vii. The existing double mast arm shall be replaced by a single mast arm for the streetlight located on Center Street.
- d. Street Landscaping:
- viii. The parkway landscaped areas along the Garey Avenue and Center Street project frontages shall be designed, installed, and maintained in accordance with the City's Urban Forestry Manual as well as the Pomona Corridors Specific Plan's "Downtown Boulevard Improvements" and "Neighborhood Streets" respectively.
 - ix. 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

- x. 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.
 - e. Site runoff shall be intercepted on site and directed to the public storm drain in compliance with City standards.
 - xi. The proposed connection to the LA County Flood Control District (LACFCD) catch basin located on the northeast corner of Garey Avenue and Center Street requires plan review and approval by the LACFCD.
 - f. Existing and proposed sewer, water and storm drain infrastructure, including laterals and easements.
 - g. 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.
 - h. 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.
 - i. 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.
57. 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.
58. Applicant/Developer shall identify the existence of all City utilities that may conflict with the development and submit protection measures to the City Engineer for those City utilities.
59. 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.

60. **Traffic:**

a. Install red curbs:

- i. Along the entire Garey Avenue property frontage
- ii. On Center Street from BCR of curb ramp to 15 feet east of the existing fire hydrant
- iii. Along Center Street lot frontage as needed, to meet sight distance requirements per City Standard A-34-11.

b. Install curb extension along Center Street at the northeast corner of Garey Avenue and Center Street

c. Install one radar feedback speed limit sign on Garey Avenue along the property frontage.

d. Proposed loading zone on Center Street shall be positioned as close as possible to the proposed driveway while meeting sight distance requirements. Install appropriate curb markings and signage.

61. Prior to the issuance of the first Certificate of Occupancy, Applicant/Developer is responsible for the payment of:

a. Any/all applicable City **water, sewer and storm drain connection fees** and shall provide proof of payment of the **Los Angeles County Sanitation District** fees associated with the proposed development.

b. The project's **impact fees** for traffic signals and control devices, road and highway improvements, public safety improvements and parks.

c. The project's **development tax fee**.

62. 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.

63. 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.

64. Final Approved Plans: The final improvement plans shall be provided to the City in electronic PDF format. Following construction and prior to acceptance of the improvements by the City, the project engineer shall provide "AS-BUILT" corrections

on the City-approved PDF of the final constructed improvements to the satisfaction of the City Engineer. A corrected, "AS-BUILT" plan shall also be provided to the City in PDF format.

- a. Plans must be properly oriented (Most PDF plans should be landscape, and the title block can be read without rotating the plan).
 - b. The signature block must be located in the exact same location on each sheet.
 - c. Use standard, true-type fonts that are easy to read. Avoid any italics, unfilled outlines, or fonts that replicate handwriting.
 - d. Plans must be saved at full size and "to-scale".
 - e. Do NOT submit "password-protected" or "locked" documents.
 - f. Flatten and purge the drawing layers in CAD before creating the PDF.
 - g. Combine all sheets into one file.
65. Prior to the issuance of the first 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-aredoing/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.

66. **Prior to the issuance of the building permits or the approval of the public improvements plans, whichever occurs first, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: water, sewer, storm drains, street paving and striping, alley repaving, curb and gutter, sidewalk, corner ramp, parkway landscaping, street lighting, traffic improvements and overhead lines undergrounding.**
67. 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.

68. Permittee shall pay fees associated with and possess the City of Pomona Business License.
69. 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

70. Solid waste, recycling, and green waste services are to be provided by the City's approved franchise hauler.

WATER RESOURCES DEPARTMENT

Water

71. The site is within the City of Pomona's water service area, in Hydraulic Zone 5.
72. The following water mains are in the immediate vicinity of the project:
 - a. There currently exists a 10-inch (10") CIP water main located on the east side of N Garey Avenue (City Plan No. CO-3168).
 - b. There currently exists an 8-inch (8") DIP water main located on the north side of E Center Street (City Plan No. 2989).
73. There are three existing water services consisting of one 1" copper service with a 5/8" meter for irrigation and two 3/4" copper services. **Revise the preliminary grading plan to show all existing and proposed domestic and irrigation services for project site.** The existing water services may be used to serve the new development, provided it has adequate backflow prevention. Contact WRD Quality at 909-620-2248 regarding backflow requirements. Separate services shall be installed for irrigation, domestic, and fire services. For information regarding water service and connection fees contact WRD Engineering at 909-620-2283 or by email wrd.engineering@pomonaca.gov.
74. Static water pressure at the site is approximated at 42 psi at an elevation of 879 feet. A fire hydrant flow test may be requested via the Public Works Department to verify water pressure.
75. There is an existing fire hydrant less than 10 feet from the southwest corner of the property.
76. There is an existing fire hydrant 33 feet from the southeast corner of the property.
77. 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. Any water infrastructure upgrades identified by the hydraulic analysis to adequately serve the proposed development shall be included in the water improvement plan.

78. 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@pomona.gov for information regarding water service and meter installation fees.
79. If the site needs to be served via above-ground master domestic water meter(s), it shall be located within a security cage per City Standard Drawings 13A through 13C on private property.
80. 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.
81. 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.
82. Backflow devices shall be low-lead (0.25%) and identified on the "USC List of Approved Backflow Prevention Assemblies". Backflow devices are required as follows.
83. Domestic water services shall be equipped with a reduced pressure principle backflow assembly (RPBA) downstream of the meter.
84. Fire protection services shall be equipped with a double check detector assembly (DCDA) per City Standard Drawing 14.
85. Backflow devices shall be installed on private property as close as practicable to the water meter, water connection, and/or public right-of-way. This shall also be shown on the Water Development plan.
86. For DCDA backflow assemblies and water meters 3 inches in diameter or larger located on private property, a 15-foot wide easement with a 10-foot depth or minimum distance required by Geotechnical report. Prior to project approval, a preliminary utility plan detailing all proposed water connections, including the fire connection, must be provided. The site plan and preliminary grading plan shall be revised as necessary to accurately depict the proposed locations of the water meters and backflow assemblies in accordance with this easement requirement.
87. The required horizontal separation from the proposed building foundation edge shall be determined based on geotechnical resultant building force calculations. These

calculations shall be wet or electronically stamped and signed by a licensed State of California civil engineer. Soils data shall at a minimum include the class, type, bearing capacity, for the development area. These calculations are required to document the structural forces and their associated geotechnical resultant active earth pressure that may detrimentally affect the structural integrity of the existing main. These calculations must be submitted to the WRD as an attachment to the building plan structural calculations. The site plan shall be revised to show the required horizontal separation from all proposed building foundations.

88. Concurrent with the submittal of grading and/or building plans, the Applicant/Developer shall submit public water improvement plans that incorporate the aforementioned items. The Applicant/Developer is responsible for the design and construction of these improvements. The water improvement plan must be prepared and stamped by a Professional Civil Engineer registered in the State of California and shall include, but not be limited to, water main extensions, new service connections, meter installations, and backflow prevention devices. Detailed connection points to the existing water main(s) must be clearly shown. The water improvement plan shall be submitted for review in conjunction with the hydraulic analysis. Details for any proposed private water lines on the property should also be included for context.
89. Prior to the issuance of any building permits or the approval of the water improvement plan, whichever occurs first, the Applicant/Developer shall post surety bonds guaranteeing the completion of all public water improvements

Wastewater

90. The site is within the City of Pomona's wastewater service area.
91. There is an existing 8-inch (8") VCP sewer main located on the east side of N Garey Avenue (City Plan No. FB-161). There is an existing 8-inch (8") VCP sewer main located on the north side of E Center Street (City Plan No. AD-16). The existing wastewater infrastructure within the adjacent to the project site shall be shown on the Sewer Development plan. Revise the preliminary grading plan to show all existing wastewater infrastructure to the proposed project site.
92. 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.
93. 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.

94. 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.
95. A 15-foot easement will be required for new public sewer main, public sewer laterals, public cleanouts, and public manholes on private property.
96. Concurrent with the submittal of the grading/building plans, Applicant/Developer shall submit public and private sewer improvement plans to include the above items and is responsible for the construction thereof. 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. Details for any proposed private sewer lines on the property should also be included for context. The sewer improvement plan shall be submitted for review in conjunction with the sewer flow study.
97. Prior to the issuance of building permits or the approval of the sewer improvement plan, whichever occurs first, Applicant/Developer shall post surety bonds for all required public sewer improvements

Stormwater

98. There is a forty-eight-inch (48") RCP stormwater main along N Garey Avenue owned and maintained by Los Angeles County Flood Control District (LACFCD). Any proposed connections shall be submitted to LACFCD for review and approval.
99. A 15-foot easement will be required for new public storm drain main, public storm drain laterals, public cleanouts, and public manholes on private property. Revise the submitted preliminary grading plan, clarifying where the proposed roof drains are draining to.
100. Concurrent with the submittal of the grading/building plans, the Applicant/Developer shall submit public and private storm drain improvement plans, including the following items, and is responsible for their construction. A civil plan for the proposed storm drain improvements will be required and must be prepared by a Professional Engineer registered in the State of California. The storm drain plan must include a plan and profile for proposed public storm drain main(s) and lateral(s) with details for proposed connection(s) to the existing storm drain system. Details for any proposed private storm drain lines on the property should also be included for context. The storm drain improvement plan shall be submitted for review in conjunction with the storm drain study.
101. Calculations for stormwater discharge rates to public right-of-way shall be provided for the proposed development.

COUNTY OF LOS ANGELES FIRE DEPARTMENT, FIRE PREVENTION DIVISION

102. 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.

APPROVED AND PASSED THIS 19TH DAY OF NOVEMBER, 2025.

BETTY DONAVANIK
ZONING ADMINISTRATOR

ATTEST:

GEOFFREY STARNES, AICP, AIA, LEED AP
ZONING ADMINISTRATOR HEARING SECRETARY