

DRAFT ZA RESOLUTION NO. 25-005

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF POMONA, CALIFORNIA APPROVING DEVELOPMENT PLAN REVIEW (DPR-018805-2022) TO DEVELOP A 0.20 ACRE PROPERTY WITH A RESIDENTIAL HOUSING DEVELOPMENT CONSISTING OF ONE, THREE-STORY STRUCTURE WITH NINE (9) RESIDENTIAL UNITS ON A PROPERTY LOCATED AT 2185 N. TOWNE AVENUE (APN: 8365010014) AND DETERMINING THE PROJECT TO BE EXEMPT FROM CEQA

WHEREAS, the applicant, Tony Chotibhongs, has submitted an application for Development Plan Review (DPR-018805-2022), a request develop a 0.20-acre property with a residential housing development consisting of one, three-story structure with nine residential units.

WHEREAS, the subject property is located within the Neighborhood Edge District 2 (NED2) zoning district;

WHEREAS, the subject property has a General Plan Place Type designation of Neighborhood Edge;

WHEREAS, the subject property has a General Plan Transect Zone designation of “T4-B” allowing up to 30 dwelling units per acre;

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 July 2, 2025, concerning the requested Development Plan Review (DPR-018805-2022); and

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. The Zoning Administrator, exercising their independent judgment, has determined that the proposed project meets the criteria for a Class 32 (In-Fill Development) Categorical Exemption in that the proposed project is consistent with the City's General Plan and Zoning and Development Code; 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. Based on consideration of the whole record before it, including but not limited to, the staff report, 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:

1. *The site can be adequately served by all required utilities and public services.*

The project site is currently designated as Neighborhood Edge District in the T4-B General Plan Transect, which allows for a maximum residential development density of 30 dwelling units per acre. The proposed residential use is permitted under the existing General Plan designation and would propose a density of 45 dwelling units per acre (density permitted via CA Density Bonus Law). Staff's analysis of the project concluded that the proposed development will further the following General Plan Goals & Policies:

Goals & Policies	Consistency
6D. G5: Ensure that new development helps establish an appropriate edge to protect and buffer adjacent stable residential neighborhoods.	Consistent: The proposed project maximizes the development potential of the property as permitted by the site's form module. As such, the project is meeting the intent of providing development capable of acting as a buffer to the existing single-family residential neighborhood located directly west of the site.
6G. G9: Enhance the landscape buffering, streetscape quality, and pedestrian-friendliness of wider arterial streets to make environments more conducive to residential living and more flattering to the City's image.	Consistent: The proposed project maximizes the development potential of the property as permitted by the site's form module. As such, the project is meeting the intent of providing development capable of acting as a buffer to the existing single-family residential neighborhood located directly west of the site.
6D.P14: Encourage development with parking located to the side or rear of buildings, in shared parking facilities, and in parking structures.	Consistent: The project transitioned from on-site parking access from Towne Avenue to providing parking accessible solely from the alley to the rear of the property.
6D.P13: Where street activity is important, locate new development closer to the sidewalk with buildings lining the majority of the property frontage.	Consistent: The project is meeting the site's designated LM2 frontage standards which has an 80% minimum build-to-width coverage requirement and a 10-foot maximum setback from the front property line.

2. *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

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 applicable development and design standards of the Pomona Zoning and Development Code. The project, as designed, 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 site has no value as habitat for endangered, rare or threatened species.*

The project site is comprised of vacant land with no site improvements. The project site is not located within the areas identified in the General Plan as special status for species habitat. In addition, the project site is located within a highly developed residential area surrounded by existing development on all sides; therefore, the site has no value as habitat for endangered, rare or threatened species.

4. *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

a. *Traffic*

Staff analyzed the project in accordance with CEQA Guidelines for evaluating traffic impacts using the VMT methodology. Per the City's VMT Substantial Evidence Memo dated May 4, 2021, screening criteria was established for residential uses that specify that any multifamily projects establishing 200 units or less would have a less than significant transportation impact. Therefore, the proposed project establishing only nine (9) units would have a less than significant transportation impact.

b. *Noise*

Staff analyzed the project in accordance with CEQA Guidelines for evaluating traffic impacts using the VMT methodology. Per the City's VMT Substantial Evidence Memo dated May 4, 2021, screening criteria was established for residential uses that specify that any multifamily projects establishing 200 units or less would have a less than significant transportation impact. Therefore, the proposed project establishing only nine (9) units would have a less than significant transportation impact.

c. Air Quality

Staff can conclude that the maximum emissions would occur during site preparation and grading activities; however, it would last for approximately one month. For construction activities, odors would be temporary in nature and would be subject to SCAQMD Rule 402, Nuisance. Construction activities would be temporary and transitory and associated odors would cease upon construction completion. The project would result in less than significant air quality-related impacts.

d. Water Quality

The proposed project is conditioned by the Public Works Department to comply with 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. With this condition in place, Staff can conclude that the impacts related to water quality would be less than significant.

5. The site can be adequately served by all required utilities and public services.

The project site is in a developed residential area served by existing public utilities and services. A substantial increase in demand for services or utilities would not be anticipated with the addition of nine (9) residential units to the neighborhood. The City of Pomona provides water, sewer, and solid waste collection services to the existing residential buildings and would continue to provide these services to the proposed project. Other services, including gas and electricity, would also continue to be provided for the proposed project by existing service providers.

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 1160.G. Development Plan of the Pomona Zoning and Development Code, a Development Plan must be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Division's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The Zoning Administrator hereby finds as follows:

- a) The proposed development at the proposed location is consistent with the goals, policies, plans, and exhibits of the General Plan;*

The proposed development is compliant with all Form, Frontage, Use and applicable Site Rules of the site's zoning district administered by the Pomona Zoning and Development Code. All applicable zoning district standards were developed to be compliant with the 2014 Pomona General Plan, therefore the proposed development is consistent with the goals, policies, plans, and exhibits of the General Plan.

- b) *The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, and physical constraints identified on the site and the characteristics of the area in which the site is located;*

The proposed development will have noticeable architectural differences compared to the adjacent built-out neighborhood as the proposed development will utilize development standards that were established in 2024; whereas the adjacent properties were developed in compliance with standards first established in 1949.

As required by the applicable standards of the NED2 District, the proposed development places greater emphasis on transparency and activity towards the public right-of-way, which is a stark departure from the orientation of existing adjacent apartment buildings that are heavily oriented towards neighboring properties.

As proposed, privacy will be protected as the majority of transparency is oriented towards the public right-of-way and all required outdoor amenity spaces will have limited direct views into adjacent properties as the spaces will be located within an interior courtyard and a roof-top spaces with limited proximity to building edges that will further limit direct views into adjacent properties.

- c) *The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project;*

The proposed development will improve upon the quality of existing development in the vicinity of the project through the required improvement to the right-of-way required by the Public Works Department. Furthermore, the project has been required to take vehicular access from the alley with no through-lot vehicular access for the purpose of improving pedestrian safety along Towne Avenue.

- d) *The proposed development is consistent with the development standards and design guidelines set forth in the Zoning and Development Code, or applicable specific plan or planned unit development.*

The proposed development has been deemed compliant with all development standards and design guidelines set forth in the Pomona Zoning and Development Code.

SECTION 4. Based upon the above findings, the Zoning Administrator hereby approves Development Plan Review (DPR-018805-2022) subject to compliance with all applicable laws and ordinances of the City of Pomona 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 July 02, 2025, and as illustrated in the stamped approved plans dated June 02, 2025. Any major modifications to the approved project plans shall be reviewed and approved by the Zoning Administrator as part of a modification to the approved plans. Any minor modifications that do not affect the overall intent of the approved project, may be reviewed and approved by the Development Services Director or their designee.
2. **Approval Period and Time Extension.** This approval shall lapse and become void if the privilege authorized is not utilized within two years from the date of this approval or July 02, 2026, in accordance with Pomona Subdivision Ordinance section 29-49, et seq. The Zoning Administrator may extend this period not to exceed an aggregate of three years upon receipt of an application for a Time Extension request submitted by the applicant at least thirty days before the expiration date of this approval.
3. **Appeals.** The project is subject to a twenty (20) calendar day appeal period beginning from the date of action by the approving body. During the appeal period, written appeals may be filed with the City Clerk by one or more city councilmembers, by the applicant, or by any person owning property within four hundred feet of the exterior boundaries of the applicant's 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 the 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. Conditions of Approvals on Plans. Prior to plan check submittal, the applicant shall include all conditions of approval from ZA Resolution No. 25-005 on the title sheet of the construction documents.
7. Trespass Authorization. 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.
8. Site Maintenance. 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 entitlement.

Plan Check

9. Utility and Mechanical Equipment on Plans. 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 rights-of-way. 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 walking paths and comply with required setbacks. All external equipment shall be adequately screened and not impede on designated amenity areas, subject to the review of the Planning Division and the Building & Safety Division.
10. 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.
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 the issuance of any building permits, a Landscape Plan Check (in substantial conformance to the conceptual landscaping plan) shall be submitted to the Planning Division for review as part of the Development Plan Review Process. Said plans shall conform to all applicable landscaping standards of the Pomona Zoning and Development Code, including but not limited to those found in Section 620. of the PZDC. The landscaping plans shall also be complaint with all applicable standards of the City of Pomona Model Water Efficiency Landscape Ordinance (Ordinance No. 4232). 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. The following conditions of approval shall also apply to the landscape plan:
 - a. The use of palm trees shall be strictly prohibited.
 - b. 75% of all proposed plantings shall consist of native plant species.
 - c. The replacement of native plant species with non-native species shall be strictly prohibited.

13. Inclusionary Housing Program. The applicant shall comply with City of Pomona Ordinance No. 4295, pertaining to Inclusionary Housing.
14. Affordable Housing Agreement. As applicable, an Affordable Housing Agreement in a form approved by the City must be recorded against Inclusionary Units, as deemed appropriate by the City Manager in consultation with the City Attorney, prior to the issuance of any building permit for the Residential Development.

Site Development & Maintenance

15. During demolition, grading, site development, and/or construction, all requirements of the Pomona Zoning & Development Code 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.
16. 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.
17. The construction area shall be kept clean at all times prior to, during, and after construction.
18. 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 Planning Manager.
19. 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.
20. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Development Plan Review (DPR 000439-2024) and the approved plans of its required Landscape Plan Check to be submitted prior to or concurrently with the required Plan Check review.

21. The property shall be maintained free of weeds and debris prior, during and after the construction period.

BUILDING & SAFETY DIVISION

22. This project must comply with 2022 California Building Codes.
23. Undergrounding of utility facilities is required. (PMC 62-31)
24. 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)
25. 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.
26. 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.
27. 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.
28. 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.
29. The 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.
30. Project must comply with Bicycle Parking requirements as designated on the California Green Building Standards. Section 5.106.4. This includes Short-term and Long-term bicycle parking
31. Project must comply with EV Charging requirements as designated on the California Green Building Standards. Section 5.106.5.3
32. 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.
33. 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.
34. Development Impact Fees shall be according to Ordinance #4309 and Resolution Nos. 2021-57 & 2021-89. For more information contact The Department of Planning (909) 620-2191.
35. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
36. Fence and wall plan shall be required.

PUBLIC WORKS DEPARTMENT

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

All the 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 of the City Engineer.

Land Development Requirements

37. Property Owner shall dedicate the necessary easement, minimum 15' wide by 10' deep, along Towne Avenue property frontage, to the City of Pomona, for public water improvements purposes (above ground domestic water master meter and fire water Double Check Detector Assembly [DCDA]). The Water Grant of Easement application shall be submitted to the Public Works Department for review and approval and shall be recorded prior to the issuance of building permits.

Improvement Plan Requirements

38. Applicant/Developer shall submit the 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.
 - e. No storm water sheet flow over the driveway approach is allowed.
 - f. No double walls/fencing along the property boundary are allowed.
39. 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] and/or Zoning Administrator 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, Zoning Administrator approval, plans on record, etc.). The proposed development shall accept the conveyance of the existing offsite drainage.
40. 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.
41. Prior to issuance of the grading permit the Applicant/Developer shall submit a soils and geologic report to address the soil's stability and geological conditions of the site.
42. 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.
43. Prior to the issuance of the grading permit, Applicant/Developer shall submit public street improvement plans to include the following items and are responsible for the construction thereof:

- g. New sidewalk, curb and gutter to replace all damaged cracked and uplifted sections along Towne Avenue lot frontage.
- h. In the event that project related hardscape, wet and/or dry utility street pavement cuts are needed along the property frontages, ARHM (Asphalt Rubberized Hot Mix) and/or PCC (Portland Cement Concrete) repaving shall occur in accordance with the City Standard A-26-02.
 - i. Alley paving – Reconstruct the portion of the alley located west of Towne Avenue, between Bangor Street and La Verne Avenue, from Bangor Street to the project southerly property line. Use City Standard A-5-06. A new alley approach at Bangor Street and a center concrete v-gutter shall be installed. *The design shall include the entire alley alignment, from Bangor Street to La Verne Avenue, based on updated survey, to ensure positive flow along the alley centerline for the remaining portion of the alley that will be maintained as-is.*
- 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 Towne Avenue, between La Verne Avenue and Bangor Street, 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, including all upgrades to LED luminaires.
- j. Install sprinklered street landscaping along the Towne Avenue property frontage.
 - i. 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.
- k. Site runoff shall be intercepted on site and directed to the public storm drain via parkway drains, in compliance with the City standards.
- l. Existing and proposed sewer, water and storm drain infrastructure, including laterals.
- m. Undergrounding of all proposed overhead utility lines located along the property frontage 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.
- n. 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.

- o. 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.
- 44. 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.
- 45. 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.
- 46. 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.
- 47. Prior to issuance of the building permits Applicant/Developer is responsible for paying the development tax associated with the proposed project.
- 48. Prior to issuance of the building permit, 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.
- 49. Prior to the issuance of the building permit, Applicant/Developer is responsible for the payment of any/all applicable City water, sewer and storm drain impact fees and shall make proof of payment of the Los Angeles County Sanitation District fees associated with the proposed development.
- 50. Prior to the issuance of the building permits Property Owner is responsible for the compliance with any special annual levy assessment derived from the current inclusion of the project site into the City's Street Lighting and Landscaping Maintenance District. The Applicant/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.
- 51. 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.

52. 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.
53. 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

54. 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: curb, gutter, sidewalk, street/alley paving, alley approach, sewer, water, storm drain, streetlights and undergrounding improvements.
55. 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.
56. Permittee shall pay fees associated with and possess the City of Pomona Business License.
57. 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.

WATER RESOURCES DEPARTMENT

A full set of water, drainage/grading, and sewer development plans shall be submitted to the Public Works and Water Resources Departments for this project. WRD requests that final versions of these plans be sent in both hard copy and electronic (saved as AutoCAD) format. If you have any questions regarding water, sewer, and stormwater requirements or these conditions, please contact the WRD at (909) 620-2239.

Based on the information provided with submittal documents, the following water, sewer, and stormwater improvements will be required to provide water, fire, sewer, and stormwater services to the site. More specific comments from the WRD shall be generated throughout the project development process as required for public utility infrastructure.

Water

58. The site is within the City of Pomona's water service area, in Hydraulic Zone 2.
59. There is an existing 6-inch City-owned AC water main located on the western portion of N Towne Avenue (City Drawing No. CO-1612).
60. There is an existing water service with 5/8-inch water meter currently serving the property that may be reused for an irrigation system. If it is not to be reused, the service shall be cut, capped, and abandoned in accordance with City requirements.
61. Static water pressure at the site is approximated at 75 psi at an elevation of 1010 feet. A fire hydrant flow test may be requested via the Public Works Department to verify water pressure.
62. The following fire hydrants are located near the subject property:
 - Southwest corner of N Towne Ave & Bangor St, approximately 175 feet north of the site.
 - West side of N Towne Ave, approximately 150 feet south of the site.
63. 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. Calculations and reports shall be submitted to WRD for review.
64. 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. Please work with City Planning Department for aesthetic requirements for the security cage.
65. Water meters up to two inches (2") in size shall be installed by the City. Water meters three inches (3") and larger shall be installed by the Contractor. Contact WRD for information regarding water service and meter installation fees.
66. 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.

67. 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.
68. Backflow devices are required as follows.
- Domestic water services shall be equipped with a reduced pressure principle backflow assembly (RP) downstream of the meter.
 - Irrigation water services shall be equipped with an RP downstream of the meter.
 - 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.
69. A 15-foot easement will be required for new water main, water services, water meters, fire hydrants, and DCDA backflow devices on private property.
70. A civil plan for the proposed water system improvements may 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.
71. All newly installed water lines shall be disinfected per the City of *Pomona Water Division Standard Specifications for Water Facility Construction* (January 2006) before connection to the existing water main.

Stormwater

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

Wastewater

73. The site is within the City of Pomona's wastewater service area.
74. There is an existing 8-inch City VCP wastewater main located in Buena Vista Avenue (City Drawing No. FB-192).
75. There is an existing 4-inch VCP sewer lateral serving the property that shall be cut and capped as close to the sewer main as practicable and no more than five feet (5') from the main.

76. 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 flow meter field test (at locations approved by WRD) to determine the available capacity of the existing sewer system. Calculations and reports shall be submitted to WRD for review.
77. New sewer laterals shall be installed per City Standard Drawings S5 and S6.
78. Sewer main and lateral separation distances from water mains and services shall comply with the requirements of California Code of Regulations (CCR), Title 22.
79. 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.

LACFD, FIRE PREVENTION DIVISION

80. 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. Please contact the Fire Prevention Engineering Section at 909 569-0758 for additional information and EPICLA submittals.

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

APPROVED AND PASSED THIS 2ND DAY OF JULY, 2025

BETTY DONAVANIK
DEPUTY ZONING ADMINISTRATOR

ATTEST:

ZA Resolution No. 25-005
Development Plan Review (DPR-018805-2022)
2185 N. Towne Avenue
Page 19 of 19

GEOFFERY STARNES
ZONING ADMINISTRATOR SECRETARY

APPROVED AS TO FORM:

MARCO A. MARTINEZ
DEPUTY CITY ATTORNEY

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

A YES:
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.