

**PC RESOLUTION NO. 25-014**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA, APPROVING DEVELOPMENT PLAN REVIEW (DPR-000288-2024) FOR DEVELOPMENT OF A 59-UNIT HOUSING DEVELOPMENT PROJECT WITH ASSOCIATED ON-SITE AND OFF-SITE IMPROVEMENTS ON A 2.6-ACRE SITE LOCATED AT 700 AND 704 E. FOOTHILL BOULEVARD WITHIN THE POMONA CORRIDORS SPECIFIC PLAN, CITY GATEWAY SEGMENT (APNS: 8367-003-023, 8367-003-024)**

**WHEREAS**, the applicant, G3 Urban, has filed an application for Development Plan Review (DPR) for the development of a new 59-unit Housing Development Project with associated on-site and off-site improvements on a 2.6-acre site located at 700 & 704 E. Foothill Boulevard;

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

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

**WHEREAS**, the subject property has a General Plan Transect Zone designation of T4-B allowing up to 30 dwelling units per acre and T3 allowing up to 20 dwelling units per acre;

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

**WHEREAS**, the proposed project is subject to the provisions of 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 Planning Commission of the City of Pomona has, after giving notice thereof as required by law held a public hearing on October 8, 2025, concerning the requested Development Plan Review, DPR-001359-2024;

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

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Planning Commission of the City of Pomona, California:

**SECTION 1.** 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 Planning Commission 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 59 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 Foothill Boulevard corridor that have significantly deviated from the PCSP and General Plan, which could have necessitated a study of new significant environmental impacts, nor any General Plan or Specific Plan Amendments adopted since 2014 in the project area that have increased the potential of new significant environmental impacts or previously identified significant effects, this event is not applicable to the proposed project.

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

At the time of adoption of the Certified Final EIR, traffic impacts were analyzed using a Level of Service (LOS) model that studied roadway capacity on Holt 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 59 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 Planning Commission 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-0001359-2024 for the proposed 59-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 Planning Commission must make findings in order to approve Development Plan Review, DPR-0001359-2024. Based on consideration of the whole record before it, including but not limited to, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Planning Commission hereby finds as follows:

- 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 "Neighborhood Edge" and "Residential Neighborhood". The proposed project is consistent with General Plan Goals 6D.G1, *improve the physical character, economic vitality, and mobility function of the City's most visible and well-traveled corridors*, General Plan Goal 6D.G4, *promote the success and improvement of existing corridor development*, General Plan Goal 6D.G5, *Ensure that new development helps establish an appropriate edge to protect and buffer adjacent stable residential neighborhoods*, General Plan Goal 6D.G12, *Gradually improve the physical character of these corridor segments [city gateway segments]*, Policy 7G.G7, *promote attractive community character as viewed from public streets, while providing adequate buffer areas between homes and heavily-traveled roads*.

The proposed project is consistent with the aforementioned goals of the General Plan in that the project will be located on 2.6 acres of currently underutilized vacant land; the project is providing taller, yet scale-appropriate buildings adjacent to existing residential and commercial structures; the development will act as a noise and visual buffer between existing residential neighborhoods to the south of the subject site from a heavily-utilized principal arterial road type (Foothill Boulevard); the project will bring in new residents that are likely to utilize the existing commercial centers located adjacent to the project site; and the project will be designed in a contemporary design style using similar materials to both existing residential and commercial buildings, providing both a common aspect to development on Foothill while also differentiating from older styles of development.

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 City 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 and vehicular access from along Foothill Boulevard. As conditioned, the project 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.** The applicant is seeking relief and waivers/reductions as identified below. The project is eligible for five (1) incentive/concession per Government Code (GC) Sec. 65915(b)(1)(G) and unlimited waivers/reductions per GC 65915(e). The housing development project is utilizing zero (0) of the one (1) eligible incentives/concessions and six (6) waivers/reductions. The City has granted the requested relief and waivers/reductions in compliance with GC Sections 65915-65918.

A. Parking relief per GC Sec. 65915(p)(1)

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

B. Waivers/Reductions

1. To provide relief from PCSP 2.4.2 Private Frontage Types.
2. To provide relief from PCSP 2.4.4 Side Yard Setback.
3. To provide relief from PCSP 2.4.8. Space Between Buildings.
4. To provide relief from PCSP 2.6.1. Provision of Public Open Space.
5. To provide relief from PCSP 2.6.3. Provision of Private Open Space.
6. To provide relief from PCSP 2.6.4. Public Open Space Types.

**SECTION 5.** Based upon the above findings, the Planning Commission hereby approves Development Plan Review (DPR-001359-2024) subject to compliance with all applicable laws and ordinances of the City as well as the addition of the following conditions, violations of which (or failure to complete any of which) shall constitute grounds for revocation of the Development Plan Review or any portion thereof.

**PLANNING DIVISION**

1. Approved Plans and Modifications. The subject property shall be developed and/or used in a manner consistent with the project plans reviewed and approved by the Planning Commission on October 8, 2025 and as illustrated in the stamped approved plans dated October 8, 2025. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Commission as part of a modification to the approved plans. Any minor modifications that do not affect the overall intent of the approved project, may be reviewed and approved by the Development Services Director or their designee.
2. Approval Period and Time Extension. This approval shall lapse and become void if construction has not commenced under a valid building permit, within twelve (12) months from the date of this approval (October 8, 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, consistent with PCSP Section 2.0.5(A)(6).
3. Indemnification. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures),

(collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The City shall promptly notify the applicant of any Action brought and the City shall cooperate with applicant in the defense of the Action.

4. Violation of Conditions. In case of violation of any of the conditions of approval or City law, the property owner and tenant will be issued a Notice of Correction. If said violation is not remedied within a reasonable period of time and/or subsequent violations of the conditions of approval and/or City law occurs within ninety (90) days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all staff time directly attributable to enforcement of the conditions of approval and/or City law, including, but not limited to, revocation of the herein Development Plan Review.
5. Appeals. The project is subject to a twenty (20) calendar day appeal period. Written appeals may be filed with the City Clerk within twenty (20) calendar days by one or more City Council members or the applicant. The appeal shall be filed with the City Clerk within twenty (20) calendar days from the date of action by the Planning Commission.
6. Conditions of Approvals on Plans. Prior to plan check submittal, the applicant shall include all conditions of approval from Planning Commission Resolution No. 25-014 on the title sheet of the construction documents.
7. 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.
8. 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.

9. Fence and Wall Material. All perimeter walls proposed in the Fence and Wall plan shall utilize split-face decorative block with decorative caps.
10. Sign Permit. The installation of any signage shall require the submittal of a Sign Permit application for review and approval by the Planning Division.
11. Landscape Plan Check. Prior to issuance of a building permit, the applicant shall submit an 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.
12. 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.
13. Site-wide Landscaping. In conjunction with Planning Condition of Approval #11, the following conditions of approval apply to the site's final landscaping plan:
  - a. Artificial turf and any other material intended to imitate live vegetation is prohibited.
  - b. Mulch shall consist of only organic material and shall not include dyes.
14. Private Yard Landscaping. Any future landscaping for private yards must submit for a Landscape Plan Check review prior to installation of any plants, trees, etc.
15. 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.
16. Inclusionary Housing Program. The applicant shall comply with City of Pomona Ordinance No. 4295, pertaining to Inclusionary Housing.
17. 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 seven (7) units that shall be reserved for moderate-income households with affordable sales prices within 80% - 120% of Area Median Income, as those prices are determined by the California Tax Credit Allocation Commission.
18. 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.
19. 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.

20. **Maintenance During Construction.** The property, including all construction areas, shall be kept clean at all times prior to, during, and after construction.
21. **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.
22. **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.
23. **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.
24. **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.
25. **Recessed Windows.** All windows shall be recessed a minimum of 3 inches.
26. **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.
27. **Air Quality Conditions.**
  - a. **Demolition, Grading, and Construction Activities: Compliance with Provisions of SCAQMD Rule 403.** The project shall comply with all applicable standards of the Southern California Air Quality Management District (SCAQMD), including the following provisions of Rule 403:
    - i) All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD Rule 403. Wetting could reduce fugitive dust by as much as 61 percent.
    - ii) The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
    - iii) All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), in order to prevent excessive amounts of dust.
    - iv) All dirt/soil shall be secured by trimming, watering, or other appropriate means to prevent spillage and dust.
    - v) All dirt/soil materials transported off-site shall be either sufficiently

- watered or securely covered to prevent excessive amounts of dust.
    - vi) General contractors shall maintain and operate construction equipment to minimize exhaust emissions.
    - vii) Trucks having no current hauling activity shall not idle but be turned off.
  - b. Odors: Compliance with Provisions of SCAQMD Rule 402. The project shall comply with the following provision of SCAQMD Rule 402. A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
  - c. Architectural Coatings: Compliance with SCAQMD Rule 1113. The project shall comply with SCAQMD Rule 1113 limiting the volatile organic compound (VOC) content of architectural coatings, through use of low VOC coatings as issued by the contractor.
  - d. Engine Idling. In accordance with Section 2485 of Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
  - e. Emission Standards. In accordance with Section 93115 of Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.
  - f. Air Filters. In accordance with the 2022 California Energy Code Subchapter 7, Section 150(m), the installation of MERV 13 air filters in the building ventilation systems shall be required for all new sensitive use structures.
- 28. Biological Resources Conditions.
  - a. Biological Survey. Conduct presence/absence biological surveys for sensitive plant and animal species during the appropriate time of year and time of day in natural areas prior to any construction activities proposed adjacent to or in natural areas. If no special-status species are detected during these surveys, then construction-related activities may proceed. If listed special-status species are found in the construction zone, then avoid these species and their habitat or consult with U.S. Fish and Wildlife prior to the commencement of construction.
  - b. Nesting Bird Survey. As feasible, vegetation clearing should be conducted outside of the nesting season, which is generally identified as March 1 through August 31 (as early as January 1 for some raptors). If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including diskings, demolition activities, and grading. If no nesting birds are detected during surveys, then construction-related activities may proceed. If active nests are identified, the biologist shall establish suitable buffers around the nests, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Buffers may be as large as 300 feet (500 feet for raptors) or as determined by the qualified biologist. The biologist shall act as monitor to determine when the nest is no longer active and remove the avoidance

buffer.

29. Cultural Resources Conditions.

- a. Donation Of Paleontological or Archaeological Findings. In the event scientifically valuable paleontological or archaeological materials are identified on the subject site, those materials shall be donated to a responsible public or private institution with a suitable repository, located within Pomona, or Los Angeles County, whenever possible.
- b. Procedures If Buried Cultural Materials Encountered. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:
  - i) Historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
  - ii) Historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
  - iii) Prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates; groundstone artifacts, including mortars, pestles, and grinding slabs;
  - iv) Dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks.
- c. Procedures If Human Remains Encountered. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

**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**

### **Improvement Plans Requirements**

45. 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' 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 double walls/fencing along the property boundary are allowed.
46. Prior to issuance of the grading permit the Applicant/Developer shall submit written notifications of to the next adjacent (non-City) property owners as indicated on the Planning Commission 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.
47. 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.
48. 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.
49. Prior to the issuance of Public Works improvements permit, Applicant/Developer shall submit for review and approval public street improvement plans to include the following items and are responsible for the construction thereof:
  - a. Foothill Boulevard is a State Highway and is under the jurisdiction of California Department of Transportation (Caltrans). The construction of any/all off-site

- improvements on Foothill Boulevard will require the applicant to secure permits from Caltrans.
- b. New driveway approaches in conformity with City standards and ADA mandates. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
  - c. New sidewalk, curb and gutter to replace (i) all existing aprons proposed for removal and (ii) all damaged, cracked and uplifted sidewalk sections.
  - d. In the event that project related hardscape, wet and/or dry utility pavement cuts are needed along East Foothill Boulevard, overlay paving shall occur in accordance with the City standard A-26-02 and the Caltrans requirements.
  - e. To address public safety and in compliance with the current City standards, the following modification shall be made to street lights: upgrade the existing street lights along East Foothill Boulevard frontage, total of two (2), with LED luminaries.
  - f. Street Landscaping-Install Street landscaping along the East Foothill Boulevard property frontage per the "Regional Boulevard" requirements of the Pomona Corridors Specific Plan.
  - g. Parkway drains per City standards.
  - h. Existing and proposed sewer, water and storm drain infrastructure, including laterals.
  - 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.
  - j. Undergrounding of the existing (along East Foothill Boulevard of the project frontage) and proposed overhead utility lines to 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.
  - k. 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.
50. The demolition or relocation of any 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 Public Works Engineering Department.
51. 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.
52. 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.

53. 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.
54. 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. CAS004001, Order No. R4-2012-0175 which includes:
  - a. Site Design BMPs;
  - b. Source Control BMPs; and
  - c. Treatment Control BMPs.
55. 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.
56. 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.
57. 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/>.
58. Applicant/Developer shall implement Good Housekeeping BMPs for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.
59. The project involves soil-disturbing activities in excess of 1 acre therefore Applicant/Developer shall apply for a State General Construction Permit (Order No. CAS000002) and submit a copy of the Stormwater Pollution Prevention Plan to the Public Works Engineering Division.
60. **Traffic:**

- a. The proposed project driveways shall be constructed in conformance with City of Pomona standards, including provisions for sight distance and truck turning path requirements.
  - b. On-site traffic signing and striping shall be submitted for City of Pomona approval in conjunction with detailed construction plans for the project.
  - c. Off-street parking shall be provided to meet City of Pomona parking code requirements. Restrict on-street parking along the entire East Foothill Boulevard property frontage and extending westerly to intersection of Towne Avenue.
  - d. Restrict left turn movement out of the westerly project driveway.
  - e. Construct all other improvements as recommended by Caltrans.
61. Prior to issuance of the building permits Applicant/Developer is responsible for paying the project's impact fees for traffic signals and control devices, road and highway improvements and public safety improvements and the project's water and sewer connection fees.
62. Prior to issuance of the building permits applicant/developer is responsible for paying the development tax associated with the proposed project.
63. 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.
64. 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.
65. 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.

#### **Public Works Improvement 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 public improvements permits, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: driveway approach, sidewalk, curb and gutter, street paving, existing and proposed overhead lines undergrounding, water, sewer, storm drain and traffic improvements.



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;
    - i) 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.

## **WATER RESOURCES DEPARTMENT**

### **WATER**

70. The site is within the City of Pomona's water service area, in Hydraulic Zone 9. Static water pressure at the site is approximately 55 psi. A fire hydrant flow test may be requested to verify water pressure.
71. There is a 16-inch ductile iron City water main located within the southern portion of E Foothill Blvd (City Drawing No. CO-8176).
72. The existing water service to the subject property shall be abandoned in accordance with City requirements.
73. The following fire hydrants are located near the subject property:
  - Along the southern side of E Foothill Blvd, near the northeastern corner of the property.
  - Along the southern side of E Foothill Blvd, approximately 100 feet west of the property.
  - Along the northern side of E Foothill Blvd, immediately across the street from the property.
  - Along the northern side of E Foothill Blvd, approximately 300 feet east of the property.
74. A civil plan for the proposed water system improvements will be required and must be prepared by a Professional Engineer registered in the State of California. The water plan shall include water main extensions, new services, meters, and backflow devices, with details for proposed connection(s) to the existing water main.

75. A hydraulic analysis shall be conducted to verify the projected water demand for the proposed improvements can be accommodated by the City's existing water infrastructure. At a minimum, analysis shall include water calculations for domestic, irrigation, and fire flow demands. Analysis, methodology, and calculations shall be included in a Water Report and shall be submitted to WRD for review.
76. Water meters up to two inches (2") in size may be installed by the City and shall be located in the public right-of-way. Water meters three inches (3") and larger shall be installed by the Contractor and shall be located at the property line on private property. Contact WRD for information regarding water service and meter installation fees.
77. 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.
78. 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.
79. 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.

Backflow devices shall be installed on private property as close as practicable to the water meter and/or public right-of-way. Backflow devices may be installed within the building for constrained sites; these conditions will be reviewed on a case-by-case basis.
80. A 15-foot easement will be required for new public water main, water services, water meters, fire hydrants, and DCDA backflow devices on private property.
81. All newly installed water lines shall be disinfected per the City of Pomona Water Division Standard Specifications for Water Facility Construction (January 2006) before connection to the existing water main.

## **WASTEWATER**

82. The site is within the City of Pomona's wastewater service area.

83. There is an 8-inch VCP City sewer main located within the southern portion of the property, within a 10-foot public utilities easement to the City (City Drawing No. FB-789).
84. 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.
85. 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.
86. A sewer study shall be conducted to verify that the projected sewer flows for the proposed improvement can be accommodated by the City's existing wastewater infrastructure. Analysis shall include water discharge calculations based on fixture units and a metered flow monitoring field test (at locations approved by WRD) to determine the available capacity of the existing sewer system. Analysis, methodology, and calculations shall be included in a Sewer Report and shall be submitted to WRD for review.
87. New sewer laterals shall be installed per City Standard Drawings S5 and S6.
88. Sewer main and lateral separation distances from water mains and services shall comply with the requirements of California Code of Regulations (CCR), Title 22.
89. A 15-foot easement will be required for new public sewer main, public sewer laterals, public cleanouts, and public manholes on private property.

## **STORMWATER**

90. Post - development peak stormwater discharge rates shall be calculated for this property and shall not exceed the estimated pre-development flow rates at 25-year frequency storm (Q25) or downstream system capacity, whichever is less.
91. A civil plan for any proposed public stormwater improvements must be prepared by a Professional Engineer registered in the State of California. The stormwater plan shall include plan and profile for proposed public stormwater mains and laterals with details for proposed discharges or connections to the public stormwater collections system.
92. Stormwater main and lateral separation distances from water mains and services shall comply with the requirements of California Code of Regulations (CCR), Title 22.
93. A 15-foot easement will be required for any new public storm drain pipe and public stormwater improvements on private property.

**COUNTY OF LOS ANGELES FIRE DEPARTMENT, FIRE PREVENTION DIVISION**

**WATER SYSTEM REQUIREMENTS**

94. All fire hydrants shall measure 6"x4"x2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Code.
95. All required PUBLIC fire hydrants shall be installed, tested , and accepted prior to beginning construction.
96. Install three (3) Private on-site fire hydrants (locations shown on the site plan).
97. All on-site fire hydrants shall be installed a minimum of 25-feet from a structure or protected by a two (2) hour-rated firewall. Indicate compliance prior to project proceeding to the public hearing process. Fire Code Appendix C106.1.
98. The required fire-flow for the public fire hydrants for this project is 2,500 gpm at 20psi residual pressure for two (2) hours.
99. The required fire flow for the private on site for this project is 2,500 gpm at 20 psi residual pressure for two (2) hours.

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

**PASSED AND APPROVED THIS 8<sup>TH</sup> DAY OF OCTOBER, 2025**

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MARCOS MOLINA  
PLANNING COMMISSION CHAIRPERSON

**ATTEST:**

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GEOFFREY STARNES, AICP, AIA, LEED AP  
PLANNING COMMISSION SECRETARY

**APPROVED AS TO FORM:**

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MARCO A. MARTINEZ  
DEPUTY CITY ATTORNEY

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

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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