

**DPR RESOLUTION NO. 22-001**

**A RESOLUTION OF THE DEVELOPMENT SERVICES DIRECTOR OF THE CITY OF POMONA APPROVING DEVELOPMENT PLAN REVIEW (DPR 15833-2021) FOR THE DEVELOPMENT OF A 4-STORY, 75-UNIT RESIDENTIAL STRUCTURE INCLUDING 15 LIVE/WORK UNITS AND ASSOCIATED ON-SITE IMPROVEMENTS INCLUDING A SURFACE PARKING LOT, PUBLIC GREEN, COMMUNITY ROOM, AND PRIVATE AMENITY COURTYARD ON A 1.45-ACRE SITE LOCATED AT 501 E. MISSION BOULEVARD WITHIN THE POMONA CORRIDORS SPECIFIC PLAN, MIDTOWN SEGMENT (APN: 8335-014-915, -916, -907, -910, -919, -920, -921).**

**WHEREAS**, the applicant, National Community Renaissance “National CORE”, has filed an application for Development Plan Review (DPR) for the development of 75-unit residential structure including 15 live/work units and associated on-site improvements on a property located at 501 E Mission Boulevard;

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

**WHEREAS**, on December 8, 2022, the Planning Commission of the City of Pomona, approved General Plan Conformity (GPC 17348-2021) for an alley vacation located between Palomares Street and Linden Street on the subject property;

**WHEREAS**, on February 7, 2022, the City Council of the City of Pomona, approved the vacation of a public alley located north of Mission Boulevard, between Linden Street and Palomares Street, Vacation No. V-318, on the subject property;

**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 Development Services Director of the City of Pomona has, after giving notice thereof as required by law held a public hearing on June 2, 2022, concerning the requested Development Plan Review (DPR 15833-2021);

**WHEREAS**, the Development Services Director 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 Development Services Director 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 Director of Development Services 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. On March 3, 2014 the City Council approved the 2014 General Plan Update as well as the Pomona Corridors Specific Plan (PCSP) and certified the Environmental Impact Report (EIR) for the General Plan Update, Pomona Corridors Specific Plan, Active Transportation Plan and Green Plan (State Clearinghouse No. 2012051025).
- B. At the time the certified EIR was adopted, transportation impacts were analyzed utilizing the Level of Service (LOS) metric. Since that time, transportation impacts analyzed pursuant to CEQA are now required to be analyzed utilizing the Vehicle Miles Traveled (VMT) metric in compliance with SB 743. In October of 2020, the City adopted VMT thresholds for use in reviewing projects that may have potential to increase the baseline VMT per service population for the City. Subsequently, in May 2021 the city adopted, a Substantial Evidence Memorandum for Vehicle Miles Traveled Screening Criteria Analysis (VMT Memo) which established screening criteria for Residential and Nonresidential uses. Per the VMT Memo, multi-family residential projects of 200 dwelling units or less would screen out as they are determined to have a less than significant transportation impact. The proposed project consists of 75 dwelling units and therefore would not require a project level VMT assessment.
- C. Pursuant to State CEQA Guidelines Section 15182 (Projects Pursuant to a Specific Plan), where a public agency has prepared an EIR on a specific plan after January 1, 1980, a residential project undertaken pursuant to and in conformity to that specific plan is exempt from CEQA if the project meets the requirements of State CEQA Guidelines Section 15182(c). Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments. The proposed residential development shall be undertaken pursuant and in conformity with the PCSP through a Development Plan Review application.
- D. Furthermore, if, after the adoption of the applicable specific plan, an event described in State CEQA Guidelines Section 15162 occurs, the exemption set forth in State CEQA Guidelines Section 15182(c) shall not apply until the city which adopted the specific plan completes a subsequent EIR or a supplement to an EIR on the specific plan. These events, and their inapplicability to the proposed project, are outlined as follows:
  1. *“Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.”*

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 occur with respect to the circumstances under which the*

*project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.”*

There are no 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.

3. *“New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”*

No special circumstances or potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed under the certified EIR.

Based on these findings and all evidence in the record, the Development Services Director 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 No. 15833-2021 for the proposed housing development.

**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 hearing body must make findings in order to approve Development Plan Review (DPR 15833-2021). 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 Development Services Director hereby finds as follows:

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

The granting of the Development Plan Review to allow the project as conditioned is consistent with the Pomona General Plan and all applicable requirements of the Pomona City Code. The project site has a General Plan Place Type designation of Transit Oriented District: Neighborhood which is intended for development types of greater intensity than surrounding areas taking advantage of transit service and encourage connectivity.

The request represents 52 units per acre at 4 floors in height, which is consistent with the Pomona General Plan Transect designation for the subject property which allows a maximum 80 units per acre and 6 floor height limit. The project is consistent with the following General Plan Place Type of Transit Oriented District Neighborhood and promotes the following goals:

*HE Policy 2.4: Encourage cooperative and alternative housing models rooted in community equity sharing, partner with local community based organizations, and explore innovative re-use of public assembly land and City-owned land for affordable housing.*

*Goals 6B.G1: Establish a pattern of development that takes advantage of local and regional transportation infrastructure.*

*Goals 6B.G2: Locate higher intensity transit oriented development around existing and future Metrolink, Metro Gold Line, High Speed Rail, BRT, and other transit stations.*

*Goals 6B.G4: Ensure that transit oriented districts are walkable, active, and well integrated into surrounding City districts and neighborhoods*

The proposed project will intensify the Mission Boulevard corridor located within one-half mile of the Downtown Pomona Metrolink Station by developing a parking lot/vacant parcel with a housing development and providing the City with needed housing opportunities.

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

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

The project will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood as the development will comply with all development and design standards of the Midtown Segment of the PCSP. The project, as conditioned, is not anticipated to generate noise, traffic, lighting, and privacy impacts detrimental to residents, occupants, and properties within the surrounding area and is consistent with the subject property's zoning.

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

The project is designed with vehicular access along Fourth Street and pedestrian access along Linden Street, Mission Boulevard, and Palomares. As conditioned, the project will not adversely affect the Circulation Plan of the Corridors Specific Plan.

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

The project has been thoroughly reviewed and meets all applicable provisions of the PCSP and other applicable regulations.

**SECTION 4.** In accordance with Section 2.0.5.F of the PCSP, the Director of Development Services may approve the Request for Deviation in whole or in part upon determining that the project is consistent with the intent of the Specific Plan and otherwise meets the required findings of a Development Plan Review. Based on consideration of the whole record before it, including but not limited to, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Director of Development Services hereby finds that significantly greater benefits from the project can be provided than would occur if all the minimum requirements were met, is consistent with the intent of the Specific Plan, and meets required findings of a Development Plan Review as established in Section 3 above granting the following deviation:

1. A decrease in parking stall width of not more than 10 percent;

This finding is based on the project's proposed density, the high-quality architectural design that meets the standards and intent of the PCSP, and the increased opportunity for affordable housing.

**SECTION 5.** Based upon the above findings, the Development Services Director hereby approves Development Plan Review (DPR 15833-2021) 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**

### *General Conditions*

1. The subject property shall be developed and/or used in a manner consistent with the project plans reviewed and approved by the Planning Commission on June 2, 2022, and as illustrated in the stamped approved plans. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Commission as part of a modification to the approved plans. Any minor modifications that do not affect the overall intent of the approved project, may be reviewed and approved by the Development Services Director.
2. This approval shall lapse and become void if construction has not commenced under a valid building permit, within two (2) years from the date of this approval (June 2, 2024), 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. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The City shall promptly notify the applicant of any Action brought and the City shall cooperate with applicant in the defense of the Action.
4. In case of violation of any of the conditions of approval or City law, the property owner and tenant will be issued a Notice of Correction. If said violation is not remedied within a reasonable period of time and/or subsequent violations of the conditions of approval and/or City law occurs within ninety (90) days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all staff time directly attributable to enforcement of the conditions of approval and/or City law, including, but not limited to, revocation of the herein Development Plan Review.
5. The project is subject to a twenty (20) calendar day appeal period. Written appeals may be filed with the City Clerk within twenty (20) calendar days by one or more City Council members or the applicant. The appeal shall be filed with the City Clerk within twenty (20) calendar days from the date of action by the Planning Commission.

*Plan Check*

6. The applicant shall include all conditions of approval from Development Plan Review (DPR 15833-2021) on the title sheet of construction plans prior to plan check submittal. Plans shall be consistent with all required development standards in the PCSP Section 2.1.3.-A Transit Oriented District and Pomona Zoning Ordinance (PZO) as applicable.
7. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and electric transformers. Utility meters shall be screened from view from public right-of-

ways. Backflow prevention devices shall not be located in the front yard setback and shall be screened from public view. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, utilities and/or equipment must be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas, and comply with required setbacks.

8. The installation of fences will require the submittal of a “Fence and Wall Permit” application for review and approval by the Planning Division. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Planning Division. The plans shall identify materials, seep holes, and drainage.
9. The installation of any signage shall require the submittal of a “Sign Permit” application for review and approval by the Planning Division. Any proposed signs shall be consistent with PCSP Section 2.9
10. Prior to the issuance of any building permits, the following must be completed:
  - a) A *Landscape Plan Check* in substantial conformance to the conceptual landscaping plan submitted as part of the Development Plan Review Process. Plan should further conform to the State Model Water Efficient Landscape Ordinance, landscape requirements in the PCSP, and applicable portions of Section .503-J of the PZO. A landscaping maintenance bond shall be required and held for a period of one year to ensure the project’s compliance with the approved landscaping, at an amount to be determined by the Development Services Director.
11. The applicant shall conform to Section .5809-24 of the PZO pertaining to public art requirements for private development by complying with the following regarding placement of an approved Public Art on the Project site.
  - a) The Applicant shall place an approved Public Art on the 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.
  - b) A Final Design Plan of the Public Art to be installed on Project site shall be approved by the Cultural Arts Commission before issuance of a building permit for the Project.
  - c) The Public Art shall be installed on the Project site before issuance of a Certificate of Occupancy, including any temporary Certificate of Occupancy, for the Project. In cases where the Public Art cannot be installed on the Project site before issuance of a Certificate of Occupancy, the Applicant may post a cash bond to assure installation of the Public Art. The cash bond shall be in an amount equal to the Public Art Allocation or an amount based on any remaining, unexpended artwork budget as determined by the Development Services Director. The bond shall not be released until the Public Art has been completed and installed on the Project site in accordance with the approved Final

Design Plan.

12. Pursuant to City of Pomona Ordinance No. 3506, prior to issuance of any grading or building permits, the applicant or developer shall pay the following Development Impact “Miscellaneous Fees”. Traffic Signal & Control Device Program; Road & Highway Improvement Program; Parks & Recreation improvement program; and Public Safety Improvement Program.

*Site Development & Maintenance*

13. During demolition, grading, site development, and/or construction, all requirements of the Pomona Zoning Ordinance and Municipal Code, including the noise provisions, shall be adhered to. All activities including truck deliveries associated with construction and grading will be limited to Monday through Saturday, between 7:00 a.m. and 8:00 p.m., and provided the noise level created by such activities do not exceed the noise standard of 65 dB(A) plus the limits specified in section 18-311(b) as measured on residential property and any vibration created does not endanger the public health, welfare, and safety.
14. There shall be no activity conducted on the subject site that exceeds the noise and vibration parameters of Pomona City Code Section 18-301, *et seq.*, and City Council Ordinance No. 3939 at any time, or such other ordinance enacted related to noise and vibration.
15. The construction area shall be kept clean at all times prior to, during, and after construction.
16. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti shall substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Development Services Manager.
17. The property owner shall provide regular maintenance and cleaning of all exterior walkways, patios, canopies, sidewalks, and landscaped parkways in compliance with Pomona City Code 62-351.
18. The private balcony areas shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.
19. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Development Plan Review (DPR 15420-2020).

**BUILDING & SAFETY**

20. This project must comply with 2019 California codes.
21. 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)



22. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2019 California Building Codes.
23. All grading shall conform to the 2019 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.
24. 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.
25. All proposed work shall comply with the 2019 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
26. Proposed project shall comply with the 2019 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
27. Project must comply with **Bicycle Parking** requirements as designated on the California Green Building Standards. Section 5.106.4. This include Short-term and Long-term bicycle parking
28. Project must comply with **EV Charging** requirements as designated on the California Green Building Standards. Section 5.106.5.3
29. 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.
30. 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.
31. Park and Recreation Improvement Fee shall be per dwelling unit for new construction as designated (Ordinance 3506)
32. Building Department comments and conditions are subject to plan check. Comments are based on information provided.

33. Fence and wall plan required.

### **STREETS AND SOLID WASTE SERVICES**

34. Solid Waste, Recycling and Organics Services are to be provided by the City's Approved Commercial Solid Waste Non-Exclusive Franchise Hauler.

### **COUNTY OF LOS ANGELES FIRE DEPARTMENT—FIRE PREVENTION DIVISION**

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

#### *Plan Check Requirements*

36. Where the highest roof surface exceeds 30 feet. For buildings where the vertical distance between the access roadway and the highest roof surface exceeds 30 feet, an approved fire apparatus access roadway with a minimum width of 28 feet, exclusive of shoulders, shall be provided in the immediate vicinity of the building or portion thereof. This roadway shall have an unobstructed clearance of clear to the sky.
37. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5 ACTION REQUIRED: Cross-hatch the Fire Department turnaround on the site plan. Include the dimensions of the turnaround. The orientation of the turnaround shall be properly placed in the direction of travel of the access roadway.
38. A minimum 5-foot-wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1 ACTION REQUIRED: Clearly identify firefighter walkway access routes on the site plan. Indicate the slope and walking surface material. Clearly show the required width.
39. Fire Department vehicular access roads shall be provided with a 32-foot centerline turning radius. Fire Code 503.2.4 ACTION REQUIRED: Indicate the centerline, inside and outside turning radii for each change in direction on the site plan
40. Every application for a building permit shall be accompanied by evidence indicating that the proposed structure is provided with a reliable water supply capable of supplying the required fire flow as required by Fire Code 507.1.1
41. Complete and return the "Fire Flow Availability" Form 196 with fire flow information provided by the water purveyor from the closest fire hydrant along the lot frontage.

42. Show all existing fire hydrants within 300 feet of the lot frontage. This information is required in order to provide adequate fire hydrant spacing.
43. Fire Hydrant Locations: Fire hydrants shall be provided at intersections and along required fire apparatus access roads and adjacent public streets. Appendix C Section 102 Chapter C102.1
44. Location on Street: Public hydrants shall be required on both sides of the street whenever streets are 64 feet or greater in width containing four or more traffic lanes or have raised median center dividers that make access to hydrants difficult, cause time delays, and/or create an undue hazard as determined by the fire code official. C102.2.1
45. Fire Hydrants Available: The minimum number of fire hydrants available to a building, complex or subdivision shall not be less than that determined by the spacing requirements in Section C105 and Section C106 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted.C103.1
46. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Code.
47. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
48. High Voltage Transmission Lines: Structures and outdoor storage underneath or adjacent to High Voltage Transmission Lines (66 kilovolts or greater) shall comply with Fire Code 316.6 and County of Los Angeles Fire Department Regulation 27. Any proposed construction or land use within 100 feet of the drip line of High Voltage Transmission Lines shall be subject to review by the Fire Marshal. Provide documentation from the utility provider indicating the Kv rating of the overhead transmission lines.

## **WATER RESOURCES**

49. There currently exists the following domestic water infrastructure adjacent to the proposed project site:
  - a) Eight-inch (8") DIP within Mission Blvd.
50. The existing localized approximate static pressure for the proposed project area is 50-55 psi.
51. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
52. Any private on-site water improvements shall be the owner's responsibility and not the City's.

53. This site shall be served by an above-ground master meter. The meter shall be within a security cage, per City of Pomona standard drawings 13A through 13C. Please obtain aesthetic requirements for the required security cage from the Planning Division. There shall not be any public improvements located onsite to the extent possible. WRD will provide additional comments regarding any proposed service/meter to be used for the project. The domestic water line on site shall interconnect and be lopped to improve operability and reliability.
54. The City may install meters less than or equal to two-inches (2”) in size. Contact the WRD at (909)620-2239 for information regarding meter installation fees.
55. Contact the Los Angeles County Fire Department regarding this project and their proposed requirements for the building, sprinklers and general land development. Verify the fire flow and sprinkler demands needed for this site.
56. If new fire hydrants are required, they shall be placed at least five-feet (5’) away from proposed driveways and parking spaces.
57. 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.
58. Approved low lead (0.25%) backflow devices (list the manufacturer and model) are required for the following service lines to the site:
  - a) Reduced pressure principle assembly (RPPA) devices are required for dedicated irrigation service lines to the proposed site, and
  - b) Reduced pressure principle assembly (RPPA) devices are required for all domestic services; and
  - c) Double check detector assembly (DCDA) devices for all fire sprinkler service lines.
59. There currently exists the following sewer infrastructure adjacent to the proposed project site:
  - a) Twelve-inch (12”) VCP within the development site within a 20ft easement.
60. Due to the additional discharge volume anticipated by this development, the applicant developer shall conduct a flow meter study for the existing sewer main. The applicant/developer shall calculate the expected wastewater generated by the building(s) to properly size the sewer lateral(s) to serve the new site. A flow meter test is required in order to determine the existing capacity of the existing twelve-inch (12”) VCP mains. These calculations/reports shall be submitted to the WRD for review and acceptance. This flow test report and applicable hydraulic analysis shall be submitted to the WRD for review and acceptance.
61. The applicant/developer shall calculate the expected wastewater generated by the building(s) to properly size the sewer lateral(s) to serve the new site and submit to the WRD for review and acceptance.

62. New sewer laterals must be constructed per Standard Drawing Numbers S5 and S6. Construction shall also comply with Standard No. A-26-02 per the Public Works Standards.
63. The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.
64. The applicant/developer shall submit and include the following items in the sewer development plan:
  - a) The proposed sewer lateral(s) with a profile and connection to the existing sewer laterals and sewer main.
  - b) Construction Notes: The Contractor shall provide all temporary seals enclosures, forced ventilation or other devices as maybe necessary to prevent odor nuisance and solid objects from entering the existing sewer line during construction.

## **PUBLIC WORKS**

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<sup>1</sup>.

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**

1. Property Owner shall submit a **lot merger** application for the consolidation of eight (8) legal lots (APNs 8335-014-907, -910, -915, -916, -919-921) into one lot; the application shall be submitted to the Public Works Department, for review and approval and shall be recorded prior to the issuance of the building permits.
2. Property Owner shall **dedicate** to the City of Pomona a five-foot wide strip of land along the Palomares Street property frontage of APN 8335-014-916, in conformity with the “collector” City General Plan roadway classification of Palomares Street. The dedication shall be submitted prior to grading plan approval and shall be reviewed, approved and recorded prior to the issuance of the first building permit.
3. Property Owner shall **dedicate** to the City of Pomona all necessary right-of-way strips of land, at all four corners of the property and at the proposed driveway, as applicable, to insure the minimum four feet ADA path of travel around the corner ramps and across the driveway approach. The dedications shall be submitted prior to grading plan approval and shall be reviewed, approved and recorded prior to the issuance of the first building.
4. Property Owner shall **dedicate** to the City of Pomona all necessary water easements associated with the proposed public water improvements for the project, as applicable. The dedications shall be submitted prior to grading plan approval and shall be reviewed, approved and recorded prior to the issuance of the Certificate of Occupancy

### **Improvement plans requirements**

5. 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.
6. 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 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.
7. 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.
8. Prior to issuance of the grading permit, the Applicant/Developer shall submit a **soils and geologic report** to address the soil's stability, infiltration rate and geological conditions of the site.
9. 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.
10. 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 project involves a Significant Redevelopment that adds or replaces 5,000 or more square feet of impervious surface and is therefore classified as a Priority Project in accordance with the Los Angeles Region NPDES Permit No. CAS004004, Order No. R4-2021-0105. The SUSMP shall be prepared in accordance with the City of Pomona's Low Impact Development (LID) Ordinance, the City of Pomona's Green Streets Policy and the Los Angeles Region NPDES MS4 Permit No. CAS004004, Order No. R4-2021-0105, which includes:

- a. Site Design BMPs;
- b. Source Control BMPs; and
- c. Treatment Control BMPs.

Applicant/Developer shall utilize the County of Los Angeles Department of Public Works Low Impact Development Standards Manual (Published February 2014) as a guidance document for the design of applicable Best Management Practices (BMPs) proposed for the project and for the elements that are required to be included in the SUSMP. The site geotechnical investigations shall comply with the Los Angeles County Guidelines GS200.1, 6/30/2021 Revision.

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.

Applicant/Developer 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/>.

The project will be disturbing an area totaling greater than one acre and is subject to the Statewide Construction General Permit (CGP?SWPPP).

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.

11. Concurrent with the submittal of the grading/building plans, Applicant/Developer shall submit **public street improvement plans** to include the following items and is responsible for the construction thereof:

- a. Palomares Street:

- i. Bulb-out at the Palomares Street/Fourth Street southeast corner and new ADA ramp.
- ii. Relocation of the existing wet/dry utilities (two streetlights, fire hydrant, stormdrain catch basin, traffic signal, etc.); reconnection of the existing stormdrain lateral; removal of the existing power poles and undergrounding of the existing overhead lines.
- iii. Based on the project related hardscape, wet and/or dry utility pavement cuts, Asphalt Rubberized Hot Mix (ARHM) overlay paving shall occur in accordance with the City standard A-26-02. Full depth ARHM paving is required for the unpaved portion of street, due to the aforementioned realignment.
- iv. New curb, gutter and sidewalk per City standards.

- b. Fourth Street:

- i. Reconstruction of the street spandrels at the southeast and northeast corners of Palomares and Fourth Streets.
  - ii. New curb and gutter where no gutter currently exists.
  - iii. New driveway approach and sidewalk per City standards and ADA requirements.
  - iv. The existing ADA corner ramp at the southwest corner of Fourth and Linden Streets shall be protected in place. No decorative concrete paving is allowed in the public right-of-way.
  - v. Based on the project related hardscape, wet and/or dry utility pavement cuts, Asphalt Rubberized Hot Mix (ARHM) overlay paving shall occur in accordance with the City standard A-26-02.
- c. Linden Street:
- i. New curb and gutter where no gutter exists or to replace the damaged, cracked sections of the existing curb and gutter.
  - ii. New sidewalk per City standards and ADA requirements, to replace (i) the existing driveway approaches proposed for removal and (ii) all cracked, damaged sections of the existing sidewalk.
  - iii. Based on the project related hardscape, wet and/or dry utility pavement cuts, Asphalt Rubberized Hot Mix (ARHM) overlay paving shall occur in accordance with the City standard A-26-02.
    - Due to the current poor condition of the Linden Street pavement, a core sample analysis is necessary; based on the results, and if the cold planing process is not supported due to the reduced thickness of the existing Asphalt Concrete layer, full depth repaving is required.
- d. Mission Boulevard:
- i. New ADA corner ramp at the northwest corner of Mission Boulevard and Linden Street; this improvement may require the relocation of the nearby public streetlight.
  - ii. Bulb-out at the northeast corner of Mission Boulevard and Palomares Street and new ADA ramp.
  - iii. New sidewalk per City standards and ADA requirements, to replace (i) the existing driveway approaches proposed for removal and (ii) all cracked, damaged sections of the existing sidewalk.
  - iv. Relocation of the existing Mission Boulevard stormdrain catch basin located near the intersection with Palomares Street, or at least of the under the sidewalk connection to the Palomares Street catch basin.
  - v. Based on the project related hardscape, wet and/or dry utility pavement cuts, Asphalt Rubberized Hot Mix (ARHM) overlay paving shall occur in accordance with the City standard A-26-02.
- e. Street Landscaping and Lighting:



- i. To address site access safety and required City standard upgrades, a lighting analysis must be prepared and submitted to the PW Department for review and approval. The study area will be along the Linden, Fourth and Palomares Streets project frontages, to ensure the roadway illumination design meets the IES RP-8 requirements; the owner is responsible for the compliance (design & installation) with all mitigation measures, including all upgrades to LED luminaires.
  - ii. The parkway landscaped areas along the Mission Boulevard project frontage shall be designed and installed in compliance with the “Midtown Boulevard” requirements of the Pomona Corridors Specific Plan. The existing trees that do not meet these requirements shall be removed per the City Arborist directions.
  - iii. The parkway landscaped areas along the Linden, Fourth and Palomares Streets project frontages shall be designed and installed in compliance with the “Neighborhood Street” requirements of the Pomona Corridors Specific Plan.
  - iv. The parkway landscaped area shall be designed to comply with the City standard A-34-11 (Intersection Sight Distance) and a note to this effect shall be added on the public street improvement plan.
  - v. The parkway landscaped area shall be sprinklered and maintained by the property owner, as required by the City’s Municipal Code Section 46-496 and a note to this effect shall be added to the public street improvement plan.
- f. Site runoff shall be intercepted on site and directed to the public storm drain in compliance with the City standards. Sheet flows over the driveway approaches are not allowed.
  - g. Existing and proposed sewer, water and storm drain infrastructure, including laterals and easements.
  - h. Unobstructed visibility shall be ensured at all intersections (all four block corners) along the project boundaries and at the proposed driveway, and a note to this effect shall be added to the public street improvement plan. No obstructions (fencing, art pieces, etc.) taller than 30 inches are allowed within the visibility triangles.
  - i. Undergrounding of all existing (within the public alley proposed for vacation and along Palomares Street) and proposed overhead utility lines shall conform with the City of Pomona Municipal Code Section 62-31(b) and a note to this effect shall be added to the public street improvement plan.
  - j. It is the owner’s and the contractor’s responsibility to repair all damage to the existing public improvements due to the proposed construction activities and to address all repairs requested by the Public Works Inspector based on the inspector’s review of the current condition of the said public improvements and a note to this effect shall be added to the public street improvement plan.
  - k. The property abutting sidewalk, parkway and alley, as applicable, shall be maintained free of weeds, rubbish and refuse by the property owner, as required by the City’s Municipal Code Section 18-261 and a note to this effect shall be added to the public street improvement plan.

1. The demolition or relocation of all public improvements (street lights, signs, trees, vaults, catch basins, hydrants, etc.) due to the proposed project construction must be coordinated and agreed upon by the appropriate City departments, shall be designed per City standards and applicable ADA requirements, and must be reviewed and approved by the Engineering Division of the Public Works Department.
12. 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.
13. 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.
14. **Traffic:** Prior to the issuance of the first Certificate of Occupancy, Applicant/Developer is responsible for implementing the following improvements at Palomares Street and Mission Boulevard:
  - a. Upgrade existing striping with continental crosswalks, left turn lanes for north/south direction.
  - b. Upgrade existing traffic signal pole at the northeast corner and any associated infrastructures (e.g. conduits, wiring, push buttons, signal gears, video detection, controller cabinet) to meet current design standards and guidelines.
15. Prior to the issuance of the first Certificate of Occupancy, Applicant/Developer is responsible for the payment of any/all applicable City **water, sewer, stormdrain and parks impact fees** and shall make proof of payment of the **Los Angeles County Sanitation District fees** associated with the proposed development.
16. 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.
17. Prior to issuance of the building permits, Applicant/Developer is responsible for paying the project's **development tax fee**.
18. 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.
19. 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.
20. 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.

21. Prior to the issuance of the Certificate of Occupancy Applicant/Developer is responsible for the project's compliance with the USPS Delivery Growth Management Program; related information is available at <https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/residential-delivery.htm>

### **Public Works Improvements Permit**

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

22. **Prior to the issuance of the building permits or the approval of the public improvements plans, whichever occurs first, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: water, sewer, storm drains, street paving and striping, driveway approaches, curb and gutter, sidewalk, corner ramps, parkway landscaping and street lighting.**
23. 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.

24. Permittee shall pay fees associated with and possess the City of Pomona Business License.
25. 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.

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

**APPROVED AND PASSED THIS 2<sup>ND</sup> DAY OF JUNE, 2022**

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ANITA D. GUTIERREZ, AICP  
DEVELOPMENT SERVICES DIRECTOR

**ATTEST:**

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ATA KHAN  
DEVELOPMENT PLAN REVIEW HEARING SECRETARY

**APPROVED AS TO FORM:**

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MARCO A. MARTINEZ  
INTERIM ASSISTANT 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.”