

PC RESOLUTION NO. 15-040

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT (CUP 14-056) FOR THE DEVELOPMENT OF A 124 DETACHED TWO- AND THREE-STORY SINGLE-FAMILY RESIDENTIAL UNITS AND TWO 3,000-SQUARE FOOT NEIGHBORHOOD-SERVING COMMERCIAL BUILDINGS LOCATED ON A 13.94-ACRE PROJECT SITE AT 2-16 VILLAGE LOOP ROAD.

WHEREAS, the applicant, Phillips Village Investors, LLC, has submitted an application for Conditional Use Permit (CUP 14-056) for the development of a 124 detached two- and three-story single-family residential units, two 3,000-square foot neighborhood-serving commercial buildings, including the creation of private streets, green belts, and passive and active open space areas for the property located at 2-16 Village Loop Road;

WHEREAS, the subject property is currently located within the “Neighborhood Commercial” (N-C) within the Phillips Ranch Specific Plan (PRSP);

WHEREAS, the subject site is designated as an “Urban Neighborhood” and “Activity Center” place type in the T4-A transect zone by the City’s General Plan;

WHEREAS, the applicant has concurrently submitted Specific Plan Amendment (SPA 14-008) to change the Phillips Ranch Specific Plan (PRSP) land use designation from “Neighborhood Commercial” (N-C) to “Urban Residential Neighborhood Activity Center” (UR-NAC) for the project site;

WHEREAS, the applicant has concurrently submitted Tentative Tract Map (TTM 14-011) to subdivide an existing 13.94-acre site into 126 numbered and 40 lettered lots to create private streets, green belts, and passive and active open spaces areas for the project site;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on September 9, 2015 concerning Conditional Use Permit (CUP 14-056); and

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, as follows:

SECTION 1. The Planning Commission exercising independent judgment finds that the project will not have an adverse effect on the environment. Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA) found in the California Public Resources Code, an Initial Study was prepared to assess the potential effects of this project on the environment and found that although the proposed project could have a significant effect on the environment, the effects will not be significant because mitigation measures added to the

project will reduce these effects to levels less than significant. Therefore, a Mitigated Negative Declaration of Environmental Impacts with mandatory findings of significance and mitigations has been prepared for the project. The Planning Commission hereby adopts said Mitigated Negative Declaration, including the Mitigation Measures.

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. Pursuant to Section .580.B of the Zoning Ordinance, the Planning Commission must make the five findings listed below in order to grant Conditional Use Permit (CUP 14-056). Based upon a consideration of the whole record before it including, but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Planning Commission hereby finds as follows:

1. *The proposed use at the particular location will contribute to the general well-being of the neighborhood or community.*

The proposed project will contribute to the general well-being of the neighborhood and community, in that the proposed use is similar to the existing single-family and neighborhood-serving commercial uses currently designated as “Single Family Residential” (S-R) and “Neighborhood Commercial” (N-C) within the PRSP. The neighboring uses are comprised of single-family residences, Phillips Ranch Park, and Decker Elementary School. The project will be a positive addition to the surrounding residential neighborhood because it will revitalize an underutilized multi-tenant commercial shopping center with additional detached, single-family residential uses and two neighborhood-serving commercial uses that will cater to the needs of onsite and local residents.

2. *Such use will not, under the circumstances of the particular case be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity or detrimental to the use, valuation or enjoyment of property or improvements in the vicinity;*

The proposed development will be a compatible continuation with the existing single-family residential uses surrounding the project site and compatible with the adjacent park and elementary school. The proposed project will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity; instead, it will have a positive affect on the existing uses by improving the aesthetics, safety, and overall functionality of the site by providing a high quality design project that encourages an active pedestrian friendly environment that is sensitive to nearby and land uses.

3. *The site of the proposed use is of adequate topography, size and shape to accommodate said use as well as all yards spaces, walls, fences, parking, loading, landscaping and any*

other features necessary to allow said use with the land and uses in the neighborhood and make it compatible thereto;

The site is of adequate topography, size and shape to accommodate the 124 detached two- and three-story single-family residential units, two 3,000-square foot neighborhood-serving commercial buildings, and associated onsite improvements. The proposed project meets the development standards and conditions required by the “Urban Residential Neighborhood Activity Center” of the PRSP.

4. *The site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use;*

The traffic generated by the proposed project will not exceed the capacity of nearby streets and right-of-ways by which the subject site will take ingress/egress. Village Loop Road, which is of appropriate width and has the capacity to accommodate additional traffic generated by the proposed development project.

5. *That granting of such conditional use permit will not adversely affect the General Plan of the City and conforms to the provisions of the zoning ordinance.*

The project is consistent with the General Plan place type of “Urban Neighborhood” in the T4-A transect zone. Further, the T4-A Transect Zone prescribes the typical development type as:

- *“A mix of building types compatible with medium scale multi-family housing as well as townhomes, and other smaller scale multifamily housing in locations that are adjacent to stable residential neighborhoods.*
- *“Establish areas that can successfully transition into mixed-use neighborhoods with a strong residential character by supporting high quality, multi-family housing.”*
- *“Improve neighborhoods exhibiting substandard conditions and declining private investment.”*
- *“Strive to provide parks, school, and neighborhood-serving commercial uses within a convenient distance from all homes.”*
- *“Ensure that new residential development is well-integrated into adjacent neighborhood street patterns and provided with pedestrian connections.”*
- *“Promote attractive community character as viewed from public streets, while providing adequate buffer areas between homes and heavily-traveled roads.”*

The project is an appropriate transition to the established single-family residential properties to the south, east, and east, including Phillips Ranch Park and Decker Elementary School located to the north of the subject site. With the conditions of approval, the proposed residential development and neighborhood-serving commercial uses will positively affect the general welfare of the community and improve the aesthetics of the immediate neighborhood.

SECTION 4. Based upon the above findings, the Planning Commission hereby approves Conditional Use Permit (CUP 14-056) 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 conditional use permit or any portion thereof:

PLANNING DIVISION

General Conditions

1. The subject property shall be developed and/or used in a manner consistent with the project plans reviewed and approved by the Planning Commission on September 9, 2015, and as illustrated in the stamped approved plans dated September 9, 2015. 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 Manager.
2. This approval shall lapse and become void if the privilege authorized is not utilized within two years from the date of this approval (September 9, 2017), in accordance with Pomona Zoning Ordinance section .580.I. The Planning Commission may extend this period for one year upon receipt of an application for a Time Extension request submitted by the applicant at least thirty days before the expiration date of this approval.
3. The applicant shall make reductions of all approved resolutions related to the project, which shall be placed on the title sheet of construction plans prior to the plan check submittal.
4. The project is subject to a 20-day appeal period. Written appeals may be filed with the City Clerk within twenty 20 days by one or more City Council members, the applicant, or any person owning property within 400 feet of the exterior boundary of the applicant's property. The appeal shall be filed with the City Clerk within 20 days from the date of action by the Planning Commission.
5. 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 City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

6. 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 a subsequent violations of the conditions of approval and/or City law occurs within 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 conditional use permit.
7. Landscaping to include a variation of trees, shrubs, vines and ground covers, shall be installed and permanently maintained in all common areas of the project site. All landscape areas shall be provided with an automated underground irrigation system. Prior to receiving building permit final, the applicant shall obtain the approval from the Planning Division of a precise landscape and irrigation plan prepared by a licensed Landscape Architect, which meets the most current State of California Drought Executive Order Model Water Efficiency Landscape Ordinance (MWELo) and any modification as adopted by the City of Pomona..
8. Prior to issuance of building permits, the applicant shall submit, concurrently with the Plan Check process, and obtain the approval from the Planning Division of a lighting plan (photometric) demonstrating a minimum one foot-candle of illumination of parking, driveway, walkways, and common areas. The lighting plan shall include a site plan showing the locations of ground-mounted and building-mounted light fixtures, design and photometric information on fixtures, and shielding to orient light away from adjacent properties and buildings.

9. The applicant shall conform to Section .5809-24 of the Pomona Zoning Ordinance pertaining to public art requirements for private development by complying with one of the following two options:
 - a) Placement of an approved Public Art on the Project site.
 - i) The Applicant may decide to place an approved Public Art on a private development site. The Public Art, and all eligible expenditures associated with installation of the Public Art (as described in the Manual), shall be in an amount equal to or in excess of the Public Art Allocation.
 - ii) A Final Design Plan of the Public Art to be installed on Project site shall be approved by the Commission before issuance of a building or grading permit for the Project.
 - iii) The Public Art shall be installed on the Project site before issuance of a Certificate of Occupancy, including any temporary Certificate of Occupancy, for the Project. In cases where the Public Art cannot be installed on the Project site before issuance of a Certificate of Occupancy, the Applicant may post a cash bond to assure installation of the Public Art. The cash bond shall be in an amount equal to the Public Art Allocation or an amount based on any remaining, unexpended artwork budget as determined by the Community Development Director. The bond shall not be released until the Public Art has been completed and installed on the Project site in accordance with the approved Final Design Plan.
 - b) Payment of an In-lieu Contribution.
 - i) Rather than place an approved Public Art on the Project site, the Applicant may choose to pay an In-lieu Contribution. The In-lieu Contribution shall be submitted to the City and deposited into the Public Art Fund before issuance of any building or grading permit for the Project.
 - ii) Use of In-lieu Contributions shall comply with the following:
 - (1) In-lieu Contributions shall be used for the acquisition and installation of Public Art on public or private property in the City, except that up to 1/3 of the In-lieu Contribution may be used for maintenance of the proposed Public Art or an existing Public Art that is listed on the City's registry of Public Art.
 - (2) In-lieu Contributions may be aggregated with other funds contained in the Public Art Fund for the purpose of providing a single qualifying Public Art project.

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10. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti must 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. Original surface materials installed and designed to not accept paint material such as stone, metal, brick, faux stone, veneers, etc. shall be restored to original finish with methods accepted and agreed to by the Development Services Manager.
11. The development's two commercial buildings shall affix a clear anti-graffiti film along on all windows which shall be maintained graffiti and etching free at all times or within 24 hours of detection.
12. The property owners shall provide regular maintenance and cleaning of all exterior walkways, sidewalks, and landscaped parkways.
13. 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.
14. No temporary signs relating to any activity on the premise shall be placed or allowed to remain within landscape areas, public right-of-way areas adjacent to the subject site (e.g. telephone poles, traffic signs, and city trees) or other portions on the exterior of the building. The only temporary signs allowed shall be properly permitted banner signs by permit per the City's sign ordinance. Signs placed in any window of the premises shall comply with the City's sign ordinance, and all other conditions under this Conditional use Permit
15. The property shall be maintained free of weeds and debris prior, during and after the construction period.
16. Prior to the issuance of building permits, cut-sheets for street furniture, playground equipment, window details, and so forth shall be incorporated into the building plan check submittal, subject to Development Services Manager review and approval.
17. Prior to the issuance of building permits, plans shall be revised to indicate location of decorative bicycle racks, number and location shall be subject to review and approval of the Development Services Manager.
18. All decorative hardscape improvements within the interior of the community, as depicted by the project plans, shall provide decorative elements to include, but not limited to, pattered stained/colored concrete, stamped concrete, stone, concrete overlays or other similar treatment as approved by the Development Services Manager.

19. Prior to the issuance of building permits, Development Services Manager approval, during plan check process, shall be obtained for the design and materials of the hardscape decorative paving to be install within the community.
20. The installation of fences and walls that were not contemplated as part of this permit will require the submittal of a "Fence and Wall Permit" for review and approval by the Planning Division.
21. The provided "Common Open Space" shall be available to all residents of the project and their guests.
22. Garage areas shall not be used for storage to the exclusion of parking of vehicles.
23. No storage of recreational vehicles (RV's) shall be permitted.
24. All publically visible windows for the buildings shall be recessed a minimum of 2½"-3".
25. Where multi-pane windows are utilized, divided light windows shall be used. Snap in muntins shall be prohibited.
26. The quality of the proposed concrete roofing tiles shall have a high durability rating of 50 years.
27. Conditions, Covenants, and Restrictions (CC&Rs) shall be recorded for this project prior to the issuance of "Certificate of Occupancies" for the dwellings and prior to the sale of any lot or dwelling. At a minimum, the CC&R's shall include provisions that 1) establish a Homeowner's Association (HOA), 2) incorporate conditions 1,6, 10-14, and 20-22 of this CUP and 3) provide reciprocal access easements and facilitate the use and maintenance of the common areas. The CC&Rs shall be submitted to the Planning Division for review prior to the issuance of building permits.
28. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and Edison transformers. Utility meters shall be screened from view from public right-of-ways. Backflow prevention devices shall be not be located in the street facing front and side yard setbacks and shall be adequately screened from public view.
29. The proposed retail trash enclosure shall have a decorative solid roof and solid, double swing, lockable decorative metal gates. Landscaping shall be incorporated into the design of the trash enclosures to prevent and deter graffiti. Furthermore, the proposed CMU block shall be slump block.

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30. For the proposed retail buildings show the location of the mechanical equipment serving the building. If ground mounted, conceal the equipment from public view either utilizing landscaping or a masonry block wall. If roof mounted, conceal the equipment below the parapet so that it is not visible from public view.
31. As part of all onsite structures, building, and facilities, the contractor shall provide evidence that it shall comply with South Coast Air Quality Management District (SCAQMD) Rule 1403 pertaining to asbestos emissions from demolition/renovation activities.
32. All newly created parcels shall be incorporated into any applicable Lighting and Landscape District located within Phillips Ranch.
33. The Fence and Wall Plan shall be modified to omit all slump stone block with an alternative decorative masonry block material. The final design shall be submitted to the Planning Division for review and final approval by the Development Services Manager.

Mitigation Measures

34. To ensure compliance with California Fish and Game Code and the MBTA, and to avoid potential impacts to other nesting birds, the proposed project site shall be cleared of vegetation outside the general bird nesting season (February 1 through August 31). If vegetation cannot be removed outside the bird nesting season, a pre-construction nesting bird survey by a qualified biologist is required prior to vegetation removal. Should nesting birds be found, an exclusionary buffer shall be established by the biologist. This buffer shall be clearly marked in the field by construction personnel under guidance of the biologist, and construction or clearing shall not be conducted within this zone until the biologist determines that the young have fledged or the nest is no longer active. **(MM BIO-1)**
35. Should any cultural resources be discovered by the project Proponent or the Proponents Representative during project-related earthmoving activity, all earthmoving activity in the immediate area of the discovery shall cease and the Proponent or Representative shall notify the City. The Proponent or Representative shall retain a qualified archaeologist acceptable to the City to inspect the find and make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with §15064.5 of the CEQA Guidelines. **(MM CUL-1)**
36. If during implementation of Mitigation Measure CUL-1, the resources are determined to be “unique historic resources” as defined in §15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the qualified archaeologist and recommended to the City. Appropriate mitigation measures for significant resources may include: avoidance or capping; incorporation of the finds in greenspace, parks or open space; or

data recovery and excavations of the finds. No further grading shall occur in the area of the finds until the City approves the measures to protect these significant resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the City where they would be afforded long-term preservation to allow for future scientific study. (MM CUL-2)

37. The project proponent shall comply with the foundation and slab design recommendations included in the project geotechnical investigation. The moisture content of the slab subgrade should be maintained near two percent above optimum moisture prior to and at the time of concrete placement. All imported fill soils shall have low expansive characteristics. (MM GEO-1)
38. After demolition of the site and prior to issuance of the grading permit, the applicant shall conduct further soil and water testing in the vicinity of the dry cleaner and gas station to verify whether contaminants are below applicable regulatory levels. Any areas determined to exceed regulatory levels shall be remediated until contaminants are below regulatory levels. After completion of remediation activities the applicant shall acquire a "No Further Action" letter from the Los Angeles Water Quality Control Board or from the appropriate regulatory agency and submit it to the City Planning Division. (MM HAZ-1)
39. The project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. (MM NOI-1)
40. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors to the east, west, and south of the project site. (MM NOI-2)
41. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors to the east, west, and south of the site during all project construction. (MM NOI-3)
42. All construction, maintenance, or demolition activities within the County's boundary shall be limited to the hours of 7:00 a.m.–8:00 p.m., Monday through Saturday, and shall not occur at any time on Sundays and federal holidays. (MM NOI-4)
43. Prior to the issuance of occupancy permits, the project developer shall re-stripe the eastbound approach to Phillips Ranch Road/Village Loop Road to provide one eastbound through lane and one dedicated eastbound right-turn lane. (MM TRA-1)
44. Prior to the issuance of occupancy permits, the trees and vegetation located on the southeast corner of the intersection of Village Loop Road/Knollview Drive shall be trimmed to allow adequate site distance in the southbound direction. After

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development of the project, trees and vegetation shall continue to be trimmed as needed to maintain adequate site distance. (MM TRA-2)

DEVELOPMENT AND NEIGHBORHOOD SERVICE DEPT. – BUILDING AND SAFETY DIVISION

45. The design must be reviewed and stamped by an architect licensed in the State of California – (Business and Professions code Sections 5537, 5538 and 6737.1).
46. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2013 California Building Code, Chapters 3, 5, 6, 7, 9, 10, 11, 12, 14, 15, and 25 for nonstructural provisions and Chapter 16, 17, 18, 19, 21, 22, and 23 for the structural provisions
47. All grading shall conform to the 2013 California Building Code, Appendix J, 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.
48. 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.
49. All proposed electrical work shall comply with the provisions of the 2013 California Energy Code, and all other relevant laws, ordinances, and resolutions governing energy conservation as adopted by the City of Pomona at the time of installation of improvements.
50. All proposed electrical work shall comply with the 2013 California Electrical Code and all other relevant laws, ordinances and resolutions governing electrical as adopted by the City of Pomona at the time of install of the improvements.
51. All proposed mechanical work shall comply with the provisions of the 2013 California Mechanical Code, and all other relevant laws, ordinances, and resolutions governing mechanical as adopted by the City of Pomona at the time of installation of improvements.
52. All proposed plumbing work shall comply with the provisions of the 2013 California Plumbing Code, and all other relevant laws, ordinances, and resolutions governing plumbing as adopted by the City of Pomona at the time of installation of improvements.
53. The proposed project shall comply with the 2013 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona at the time of installation of improvements.

LA COUNTY FIRE DEPARTMENT

54. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.
55. Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.
56. Every building constructed shall be accessible to Fire Department's apparatus by way of access roadways with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.
57. Fire hydrant spacing shall be based on fire flow requirements, as outlined in the 2014 County of Los Angeles Fire Code Appendix B105.1. Additional hydrants will be required if hydrant spacing exceeds specified distances.
58. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:
 - a) No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.
 - b) No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant
 - c) Additional hydrants will be required if hydrant spacing exceeds specified distances.
 - d) When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and midblock.
 - e) A cul-de-sac shall not be more than 500 feet in length when serving land zoned for commercial use.
59. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
60. Driveway width for non-residential developments shall be increased when any of the following conditions will exist:
 - a) Provide 34 feet in-width when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure.

- b) Provide 42 feet in-width when parallel parking is allowed on each side of the access roadway/driveway.
 - c) Any access way less than 34 feet in-width shall be labeled “Fire Lane” on the final recording map and final building plans.
 - d) For streets or driveways with parking restrictions. The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating “NO PARKING – FIRE LANE” in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.
61. Single family detached homes shall require a minimum fire flow of 1,250 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration. Two family dwelling units (duplexes) shall require a fire flow of 1,500 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration. When there are five or more units taking access on a driveway, the minimum fire flow shall be increased to 1,500 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration.
62. Fire hydrant spacing shall be 600 feet and shall meet the following requirements:
- a) No portion of lot frontage shall be more than 450 feet via vehicular access from a public fire hydrant.
 - b) No portion of a structure should be placed on a lot where it exceeds 750 feet via vehicular access from a properly spaced public fire hydrant.
 - c) When cul-de-sac depth exceeds 450 feet on a residential street, hydrants shall be required at the corner and midblock.
 - d) Additional hydrants will be required if hydrant spacing exceeds specified distances.
63. Streets or driveways within the development shall be provided with the following:
- a) Provide 36 feet in width on all streets where parking is allowed on both sides.
 - b) Provide 34 feet in width on cul-de-sacs up to 700 feet in length. This allows parking on both sides of the street.
 - c) Provide 36 feet in width on cul-de-sacs from 701 to 1,000 feet in length. This allows parking on both sides of the street or streets or driveways with parking restrictions. The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating “NO PARKING – FIRE

LANE” in three-inch high letters. Driveway labeling is necessary to ensure access to Fire Department use. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road.

64. All access devices and gates shall comply with California Code of Regulations, Title 19, Articles 3.05 and 3.16.
65. All access devices and gates shall meet the following requirements:
 - a) Any single gated opening used for ingress and egress shall be a minimum of 26 feet in-width, clear-to-sky.
 - b) Any divided gate opening (when each gate is used for a single direction of travel i.e., ingress and egress) shall be a minimum width of 20 feet clear-to-sky.
 - c) Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device.
 - d) All limited access devices shall be of a type approved by the Fire Department.
 - e) Gate plans shall be submitted to the Fire Department prior to installation. These plans shall show all locations, widths, and details of the proposed gates.
66. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review prior to implementation.
67. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions.
68. The County of Los Angeles Fire Department’s Land Development Unit’s comments are only general requirements. Specific fire and life safety requirements will be addressed at the building and fire plan check phase. There may be additional requirements during this time.

LA COUNTY FIRE DEPARTMENT – FORESTRY DIVISION

69. The statutory responsibilities of the County of Los Angeles Department’s Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for High Fire Hazard Severity Zones, archeological and cultural resources, and the County Oak Tree Ordinance.

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70. This property is located in an area described by the Forester and Fire Warden as a Fire Hazard Severity Zone. The development of this project must comply with all Fire Hazard Severity Zone code and ordinance requirements for fuel modification. Specific questions regarding fuel modification requirements should be directed to the Fuel Modification Office at (626) 969-2375.

LA COUNTY FIRE DEPARTMENT – HEALTH HAZARD MATERIALS DIVISION

71. The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department advises that prior to commencement of onsite ground-disturbing activities, the Applicant shall obtain soil sample from the Project site and analyze the sample for the presence of potential agricultural chemicals/pesticides (e.g., insecticides, herbicides, and/or heavy metals, especially arsenic). If chemical levels are above guidance residential regulatory screening levels, a human health risk assessment should be conducted and/or the contaminated soils should be remediated/removed in compliance with applicable local, state, and federal standards prior to project development.

PUBLIC WORKS – TRANSPORTATION AND DEVELOPMENT

Improvement Plans Requirements

72. 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 scale used for the plans needs to be large enough (1"= 10' is preferred) to clearly show all the details.
 - 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 any block wall locations, parkway width and any 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.
73. Prior to issuance of the grading permit the Applicant/Developer shall submit written notifications of adjacent property owners 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.

74. Prior to the issuance of the grading permit the applicant/developer shall provide non-interference letters from any applicable utility agencies for any utility easements located within the areas subject to grading activities. All such documents shall be subject to review and approval by the City Engineer.
75. 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.
76. Prior to approval of any improvement plans and/or grading permit issuance 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. These reports shall be submitted to the Public Works and Building and Safety Departments for review and approval. The Developer is responsible to comply with the approved hydrology study recommendations necessary to meet minimum Federal, State, County and City requirements.
77. 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.
78. Applicant/Developer shall submit **public street improvement plans** to include the following:
 - a. New driveway approaches, in compliance with the City standards and the ADA requirements.
 - b. New sidewalk, curb and gutter to replace all existing damaged, cracked and uplifted sections.
 - c. Removal of the existing, no longer needed parkway drains and reconstruction of the sidewalk, per City standards.
 - d. Overlay paving of Village Loop Road from gutter to the center median and of Tanglewood Drive from gutter to the street centerline. If the required wet and/or dry utility trenches associated with the project cross the street centerlines, the Applicant/Developer shall grind and overlay said street(s) over the entire width(s) (gutter to gutter lines).
 - e. Restriping the eastbound approach of Phillips Ranch Road/Village Loop Road to provide one eastbound through lane and one dedicated eastbound right-turn lane.
 - f. Modify the existing traffic signal at Phillips Ranch Road/Village Loop Road with bicycle detectors, signal timing modification, eastbound right-turn overlap phasing and other improvements to bring the traffic signal to current Caltrans and ADA

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standard. Said improvements shall be made to the satisfaction of and in coordination with the City Traffic Engineer.

- g. The parkway landscaped area shall be maintained by the property owner, as required by the City's Municipal Code Section 46-496.
 - h. Existing sewer, water and storm drain infrastructure, including laterals.
 - i. Undergrounding of the proposed overhead utility lines to conform with the City of Pomona Municipal Code Section 62-31(b).
 - j. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
 - k. Note: "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".
 - l. 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.
79. If future placement of permanent structures conflicts with location of existing public utilities (water, sewer and storm drain), then improvement plans proposing the relocation or abandonment of identified utilities must be submitted, reviewed and accepted by the Public Works Department. No public utility infrastructure shall be removed or modified as part of the onsite demolition plan approved by the Building and Safety Department.
80. 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.
81. The final improvement plans, as shown on the Mylar, shall be provided to the City in both hard copy and electronic in Auto CAD v. 2010 and .pdf formats. 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 Auto CAD v. 2010 and .pdf formats.

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82. 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.

Utilize the County of Los Angeles Department of Public Works LID Standards Manual (Published February 2014) as a guidance document for the design of applicable BMPs proposed for your project.

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. The results of infiltration testing shall be provided as part of the SUSMP submittal.

83. The project involves soil-disturbing activities in excess of 1 acre therefore the project applicant shall apply for a State General Construction Permit (Order No. CAS000002) and submit a Stormwater Pollution Prevention Plan to the City.

Traffic

84. Prior to the issuance of occupancy permits, the project developer shall re-stripe the eastbound approach to Phillips Ranch Road/Village Loop Road to provide one eastbound through lane and one dedicated eastbound right-turn lane with overlap phasing.
85. Prior to the issuance of occupancy permits, the trees and vegetation located on the southeast corner of the intersection of Village Loop Road/Knollview Drive shall be trimmed to allow adequate site distance in the southbound direction. After development of the project, trees and vegetation shall continue to be trimmed as needed to maintain adequate site distance.
86. Prior to issuance of the building permits applicant/developer is responsible for paying the project's **impact fees** for traffic signals and control devices, road and highway improvements, public safety improvements and parks.

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87. Applicant/Developer is responsible for the payment of all applicable City sewer connection fees and shall make proof of payment of the Los Angeles County Sanitation District fees associated with the proposed development.

Public Works Improvements Permit

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

88. **Prior to the final map recordation or the issuance of the demolition and/or grading permits, whichever occurs first, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: water, sewer, storm drains, street pavement, sidewalk, parkway improvements, driveway approaches, and traffic improvements.**
89. Permittee shall procure and maintain throughout the period of the Permit the following policies of insurance:
- a. Commercial General Liability;
 - b. Automobile Liability; and
 - c. Worker's Compensation as required by the State of California.

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

90. Permittee shall pay fees associated with and possess the City of Pomona Business License.
91. Changes and additions to the proposed work, including but not limited to detail plans for street improvement work, water plans and/or other work associated with this project and due to developer's or City's request shall require additional conditions to be completed by the applicant.

WATER & WASTEWATER OPERATIONS DEPARTMENT

92. There is currently an existing onsite network of eight-inch (8") and ten-inch (10") ACP water main at 2-16 Village Loop Road. The existing localized approximate static pressure for the proposed project area is about 50-60 psi. These existing water mains are served from Pressure Zone 8.
93. The existing ACP public water main onsite shall be removed by the Developer. The Water/Wastewater Operations Director must sign all required ACP pipe disposal manifests.

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94. The entire proposed site will be provided water service through two compound meters (fire/domestic demand). All proposed onsite water main shall be private. The City will not maintain any separate sub-meter(s) on private property.
95. The existing fire hydrant lateral located northerly through the proposed site, into the adjacent Fire Department site will be removed. A new public hydrant shall be installed on Village Loop Road.
96. All proposed master meters shall conform to Standard Drawing numbers 13A-2, 13B-2 and 13C of the City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006 as applicable. Contact Public Works for a list of acceptable master meter manufacturers and models. Meter(s) shall not be placed in driveways, parking spaces or obstructed by walls. City of Pomona shall be provided an easement for maintenance access.
97. All proposed master meters shall conform to Standard Drawing numbers 13A-2, 13B-2 and 13C of the City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006 as applicable. Contact Public Works for a list of acceptable master meter manufacturers and models. Meter(s) shall not be placed in driveways, parking spaces or obstructed by walls. City of Pomona shall be provided an easement for maintenance access.
98. Due to 2010 State of California Residential Code (Title 24) regulations, all new single-family homes shall be equipped with residential fire sprinklers. Please contact the Public Works Department at (909) 620-2212 for further information.
99. **Due to the additional potable water demand, public water system improvements to the City's system may be required.**
100. **The existing water infrastructure shall be shown on the site plan. Further design comments shall be issued by the WWOD regarding the extent of proposed public main within the proposed project area.**
101. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
102. Any private onsite water improvements are the owner's responsibility and not the City's.
103. Any existing public water facilities located on private property shall be installed within a City of Pomona easement, and will be maintained by the City.

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Domestic and Fire Service Line

104. The existing property, 2-16 Village Loop Road was previously served by multiple water meters which will be identified when water plans are submitted. These meters may continue to be used for domestic service for this site. If these meters will not be used, notify the City of Pomona.
105. Contact the Public Works Department at (909) 620-2281 for information on meter installation fees.
106. The Contractor for the project is responsible for installing meters greater than 2 inches in the public right-of-way.
107. There are public fire hydrants within 500 feet of the proposed project site. **All proposed onsite hydrants shall be private and be painted red.**
108. Contact the Los Angeles County Fire Department to determine if additional public fire hydrants are required for this site. If new fire hydrants are required they shall be placed at least five (5) feet from proposed driveways and off of parking spaces.
109. **The applicant/developer shall calculate the new water demand (based on fixture units) and conduct a hydraulic analysis, to verify that the proposed service(s) can provide the water demand given the size, pressure, and distance of these services from the proposed buildings. This calculation shall include fire and domestic water demands.**
110. The edge of all new meter vaults, if necessary, shall be located in public right-of-way or the sidewalk two inches (2") from the back of the curb per Standard Numbers 11 and 12 of the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006*. Meter(s) shall not be placed in driveways, parking spaces or within the property line, to allow City personnel access to these meters for future maintenance.
111. 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.
112. Contact the Public Works Department for information regarding meters and all applicable meter fees. The City will install meters less than or equal to 2" in size.
113. Effective January 1, 2015, the City has adopted new connection charges for water service. For further information on how charges are assessed contact the City's Public Works Business Services Division.

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114. Approved backflow devices (list the brand and model) are required for the following service lines to the site:
- Reduced principal pressure devices are required for dedicated irrigation service lines to the proposed site, and
 - Reduced principal pressure devices are required for all domestic services; and
 - Double check detector assembly devices for all fire sprinkler service lines.
115. **Submit water development plans to the City for review and building approval showing water meters, service lines, approved backflow devices, and proposed/existing water mains. WWOD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.**

Sewer

116. There is currently an existing network of eight-inch (8") VCP sewer main within the proposed site at 2-16 Village Loop Road. **All proposed sewer main onsite shall be privately owned and maintained.**
117. All existing onsite public sewer main shall be removed or abandoned in place.
118. The existing VCP public sewer main that serves as conveyance for discharge from the Los Angeles County Fire Department Station 188 shall be removed or abandoned in place. There shall be an eight-inch (8") VCP sewer main installed within Village Loop Road to convey discharge from the Fire Department.
119. There shall be no public sewer within the proposed development, except for one manhole located onsite near the property line adjacent to Tanglewood Drive. The portion of proposed eight-inch (8") VCP sewer main between the manhole in Tanglewood Drive and the onsite manhole (close to the property boundary) shall be public and maintained by the City.
120. **The applicant/developer shall calculate the expected wastewater generated by the buildings to properly size the sewer lateral(s) to serve the new site. Due to the additional discharge volume anticipated by this development, the applicant/developer shall conduct a flow meter study for the existing sewer main in Tanglewood Drive. Please submit a flow test report for the existing manhole closest to the proposed point(s) of connection. This flow test report shall be submitted to the WWOD for review and acceptance.**
121. The sewer lateral from the public main to the site is considered private and shall be maintained by site owners.

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122. New sewer laterals must be constructed per Standard No. B-8-61 per *City of Pomona Public Works Department Standard Drawings March 2006* (Public Works Standards). Construction shall also comply with the Public Works Standard No. A-26-02 for trench pavement restoration.
123. **The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.**
124. Effective January 1, 2015, the City has adopted new service charges for sewer service. For further information on how charges are assessed, contact the City's Public Works Business Services Division.
125. 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 object from entering the existing sewer line during construction.
126. **Submit sewer development plans to the City for review and approval prior to the building permit approval showing all existing and proposed sewer mains, laterals, and manholes. WWOD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.**

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

APPROVED AND PASSED THIS 9th DAY OF SEPTEMBER, 2015



DENTON MOSIER
PLANNING COMMISSION CHAIRPERSON

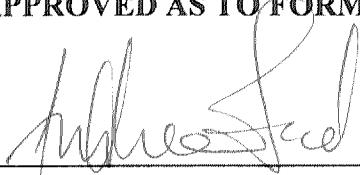
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ATTEST:



BRAD JOHNSON
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:



ANDREW JARED
ASSISTANT CITY ATTORNEY

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

AYES: Garcia, Arias, Juarez, Mosier, Starr, and Hemming.
NOES: None.
ABSTAIN: None.
ABSENT: Tharpe.

"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 Sec. 1094.6 C.C.P."