

HPC RESOLUTION NO. 17-

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF POMONA DENYING A MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA 8049-2017) TO RETROACTIVELY LEGALIZE THE REMOVAL OF AN UNIDENTIFIED SPECIES OF TREE IN THE REAR YARD OF THE PROPERTY LOCATED AT 701 NORTH GIBBS STREET WITHIN THE LINCOLN PARK HISTORIC DISTRICT.

THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF POMONA DOES RESOLVE AS FOLLOWS:

WHEREAS, the subject tree is located within the Lincoln Park Historic District, which was designated as a historic district by the Pomona City Council on August 2 1999;

WHEREAS, the applicant, Jehad Attiyah, has submitted a Major Certificate of Appropriateness (MAJCOA 8049-2017) to retroactively legalize the removal of an unidentified species of tree in the rear yard of the property located at 701 North Gibbs Street;

WHEREAS, the subject tree had a trunk greater than 10-inches in diameter at breast height and, therefore, meets the definition of *character-defining landscaping*, pursuant to City Council Resolution No. 2000-72—Pomona Historic Sites Tree Protection and Preservation Program;

WHEREAS, the City Council adopted the Historic Sites Tree Protection and Preservation Program on May 1, 2000;

WHEREAS, the removal of character-defining landscaping requires the approval of a Major Certificate of Appropriateness by the Historic Preservation Commission;

WHEREAS, the Historic Preservation Commission of the City of Pomona, after giving notice thereof as required by law, held a public hearing on October 4, 2017, concerning the requested Major Certificate of Appropriateness (MAJCOA 8049-2017); and

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

NOW, THEREFORE, BE IT HEREBY RESOLVED:

SECTION 1. The Historic Preservation Commission exercising independent judgment has determined, pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), that the proposed tree removal is Categorically Exempt per Section 15304 – Minor Alterations to Land.

SECTION 2. Section .5809-13.F.6 of the Zoning Ordinance requires the Historic Preservation Commission to make findings for approval of a Major Certificate of Appropriateness. The Historic Preservation Commission hereby makes the following findings:

1. *The proposed change will not adversely affect any significant historical, cultural, architectural, or aesthetic features of the concerned property or the historic district in which it is located.*

The removal of one (1) tree (species unidentified) from the rear yard of the property will not adversely affect the historical, cultural, architectural, or aesthetic features of the Lincoln Park Historic District. The tree was not considered a heritage or specimen tree, as defined in City Council Resolution No. 2000-72.

2. *The proposed change is compatible in architectural style with existing adjacent contributing structures in an historic district.*

The proposal involves the removal of one (1) tree and does not adversely change the architectural style of existing contributing structures within the Lincoln Heights Historic District.

3. *The proposed change is consistent with the architectural style of the building as specified in the Design Review Subsection 5 of the Ordinance.*

The removal of the tree located in the rear yard of the subject property will not alter or detract from the existing buildings on the site or the surrounding neighborhood. It should be noted the structure on the subject property was identified as a non-contributing structure. The remaining landscaping on the property will not be degraded by the loss of the tree.

4. *The scale, massing, proportions, materials, textures, fenestration, decorative features, and details proposed are consistent with the period and/or compatible with adjacent structures.*

Removal of the tree will not impact the architectural features of historical structures on the subject property or within the surrounding neighborhood. It should be noted the structure on the subject property was identified as a non-contributing structure.

SECTION 3. The Historic Preservation Commission hereby approves Major Certificate of Appropriateness (MAJCOA 8049-2017) to permit the removal of two trees at a residential property located at 701 North Gibbs Street, subject to the following conditions:

1. Any remaining portions of the existing tree shall be removed, including stump grinding to industry standards, within sixty (60) days from date of approval (November 30, 2017).

2. All surface roots of the tree shall be properly removed without adversely impacting the existing structures or property.
3. The applicant/property owner shall plant one (1) replacement shade tree (minimum 24-inch box). The species of tree is subject to approval by the Development Services Manager.
4. The replacement tree shall be planted in the center of the existing front yard landscape area, between the northern property line and the existing structure. Exact location is subject to approval by the Development Services Manager.
5. One replacement tree (minimum 24-inch box) shall be installed within sixty (60) days from date of approval (November 30, 2017).
6. The replacement tree shall be planted according to industry best practices.
7. If the replacement tree dies within one (1) year of replanting on-site, it shall be replaced with a 24-inch box tree planted on site. If the replacement tree dies within one year of planting, it shall be replaced until a tree establishes itself and lives for a minimum of one year.

SECTION 4. The Secretary shall certify to the approval of this Resolution and forward the original to the City Clerk.

PASSED AND APPROVED this 4th day of October 2017.

JIM GALLIVAN
HISTORIC PRESERVATION COMMISSION CHAIRPERSON

ATTEST:

MARK LAZARETTO
HISTORIC PRESERVATION COMMISSION
SECRETARY

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STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
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 Sec. 1094.6 C.C.P.

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