

PC RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA APPROVING FINAL DEVELOPMENT PLAN (FINALDEV 7226-2017) FOR THE IMPROVEMENTS TO A 14-LOT RESIDENTIAL SUBDIVISION AT 990-1006 WEBER STREET

WHEREAS, Pomona Homes LLC has submitted an application for Final Development Plan (FINALDEV 7226-2017) for the improvement plans for a 14-lot residential subdivision on the 1.89 acre site at 990-1006 Weber Street (“subject site”);

WHEREAS, the applicant has concurrently submitted Tentative Tract Map (TRACTMAP 7220-2017, No. 74720) to subdivide the subject site into 14 lots;

WHEREAS, the subject site is located within the R-1-PD-6.67 Zoning District;

WHEREAS, the subject site is designated “Residential Neighborhood” by the City’s General Plan;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on December 13, 2017 concerning the requested Final Development Plan (FINALDEV 7226-2017) and Tentative Tract Map (TRACTMAP 7220-2017, No 74720);

WHEREAS, the Planning Commission of the City of Pomona 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 their independent judgment has determined that pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), that the project is Categorically Exempt under Section 15332, (In-Fill Development Projects) of CEQA, in that the proposed project is consistent with the City’s General Plan and Zoning Ordinance; the proposed project site is less than five (5) acres; the project site has no value as habitat for endangered, rare or threatened species; the proposed project will not have any significant effects upon the environment; and the site can adequately be served by all required utilities and public services.

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. Based on consideration of the whole record before it, including but not limited to, the staff report, public testimony received at the public hearing on this matter, and

evidence made part of the public record, the Planning Commission hereby finds that the proposed Final Development Plan is in the public interest and in the interest of the furtherance of the public health, safety, and welfare and is consistent with the goals, objectives, policies, and programs of the Pomona General Plan, and is in substantial conformance with the Conceptual Development Plan.

SECTION 4. Based upon the above findings, the Planning Commission hereby approves Final Development Plan (FINALDEV 7226-2017), subject to the following conditions:

PLANNING DIVISION

1. 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.
2. 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 ninety 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 Tentative Tract Map.

BUILDING AND SAFETY DIVISION

3. The undergrounding of utilities is required.
4. 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).

5. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2016 California Building Codes.
6. All grading shall conform to the 2016 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 and Safety Division prior to commencing any grading or site excavation.
7. 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 the 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.
8. All proposed work shall comply with the 2016 California Energy Code and all other relevant laws, ordinances, and resolutions governing Energy conservation as adopted by the City of Pomona.
9. The proposed project shall comply with the 2016 California Green Building Standards Code and all other relevant laws, ordinances, and resolutions governing sustainable design as adopted by the City of Pomona.
10. The 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.
11. A Park and Recreation Improvement Fee of \$675 shall be required for the construction of each dwelling unit.
12. Building Department comments and conditions are subject to plan check. Comments are based on information provided.

WATER RESOURCES DEPARTMENT (WRD)

WATER

13. There is currently an existing six-inch (6") steel water main within Weber Street. There is currently an existing eight-inch (8") DIP water main within Cathedral Way. **There shall be water main improvements required to accommodate the new demand from this project. Please submit the water development plan to the Public Works Department for review and approval.** The existing localized approximate static pressure of the project area is 50-60 psi.
14. **The existing water infrastructure shall be shown on the site plan. Further design comments shall be issued by the WRD regarding the extent of proposed public main within the proposed project area.**
15. **All proposed water and sewer infrastructure within the private street shall be maintained by the homeowners and not the City.**

16. The subject forty-five foot (45') ROW street will be developed as a private street, maintained by the HOA.
17. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
18. Any private onsite water improvements are the owner's responsibility and not the City's.
19. 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.
20. This site shall be master metered through an above ground compound meter. Meter(s) shall not be placed in driveways, parking spaces or obstructed by walls. City of Pomona shall be provided an easement for required maintenance access.

Domestic and Fire Service Line

21. At one time, several water service accounts were associated with the site. Currently there are no meters/services serving this site.
22. **This site shall be master metered through an above-ground compound meter.** 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 the WRD for a list of acceptable master meter manufacturers and models. Meter(s) shall not be placed in driveways, parking spaces or obstructed by walls. The City of Pomona shall be provided an easement for required maintenance access.
23. **The applicant/developer shall calculate the proposed water demand based on fixture units for the proposed development. This hydraulic analysis report shall verify if the existing water infrastructure can accommodate the water demand, given the existing size, pressure and age of the existing water system. This calculation shall include fire and domestic water demands. This hydraulic analysis report shall be submitted to the WRD for review and acceptance.**
24. Contact the WRD at (909) 620-2212 for information regarding meter installation fees.
25. The City may install meters that are two-inches (2") in size or less. The project contractor shall install all proposed meters that are greater than two-inches (2") in size.
26. There are public fire hydrants within 500 feet of the proposed project site.
27. Contact the Los Angeles County Fire Department to determine if additional fire hydrants are required for this site. If new fire hydrants are required they must be placed at least five feet (5') from proposed driveways and parking spaces.

28. The edge of all new meter vaults, if necessary, should be located in public right-of-way or the sidewalk two inches (2") from the face of the curb per Standard No.'s 11 and 12 of the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006*. Meter(s) cannot be placed in driveways, parking spaces or within the property line, to allow City personnel access to these meters for future maintenance.
29. 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.
30. Effective January 1, 2017, 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.
31. Approved low-lead (0.25%) backflow devices (list the brand and model) are required for the following service lines to this site:
 - a) Reduced pressure principal assembly (RPPA) devices are required for dedicated irrigation service lines to the proposed site;
 - b) Reduced pressure principal assembly (RPPA) devices are required for all domestic services; and
 - c) Double check detector assembly (DCDA) devices are required for all fire sprinkler service lines.
32. **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. WRD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.**

Sewer

33. There are existing eight-inch (8") VCP sewer mains within Weber Street and Cathedral Way. The existing sewer infrastructure shall be shown on the site plan. To the extent possible, there shall be no public improvements located within private property.
34. **The applicant/developer shall calculate the expected wastewater generated by the buildings to properly size the sewer later(s) to serve the new site. These calculations/reports shall be submitted to the WRD for review and acceptance.**
35. The sewer laterals from the public main to the site are considered private and must be maintained by site owners.
36. New sewer laterals must be constructed per Standard No. B-8-61 per *City of Pomona Water Division Standard Specifications for Water Facility Construction, March 2006* (Public Works Standards). Construction shall also comply with Standard No. A-26-02 for trench pavement restoration. **The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.**

37. Effective January 1, 2017, 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.
38. The applicant/developer shall submit and include the following items in the sewer development plan:
 - a) The proposed sewer laterals 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 may be necessary to prevent odor nuisance and solid objects from entering the existing sewer line during construction.
39. **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. WRD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.**

PUBLIC WORKS – SOLID WASTE DIVISION

40. The Solid Waste Division will service curbside collection. Surface water drains south to Gothic and Corinthian, then flows west via surface drain to the southwest corner of Lot 11. The developer shall provide drainage measures.

LOS ANGELES COUNTY FIRE DEPARTMENT

41. Provide a minimum unobstructed width of 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the buildings, as measured by an approved route around the exterior of the buildings. Fire Code 503.1.1 & 503.2.1.
42. The proposed street within the development shall provide approved street names and signs.
43. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
44. Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
45. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with Title 32, County of Los Angeles Fire Code.
46. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1.

47. 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.
48. Show all existing public and private on-site fire hydrants on the site plan. Include the location of all public fire hydrants within 300 feet of the lot frontage on both sides of the street. Specify size of fire hydrant(s) and dimension(s) to property lines. Submit the completed original copy of the Fire Flow Availability Form (Form 196) The fire flow data shall be submitted to the Land Development Unit prior to the issuance for clearance to proceed to the public hearing process.

Water System Requirements

49. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
50. The required fire flow for the public fire hydrants for single family residential homes is 1,250 gpm at 20 psi residual pressure for 2 hours within one public fire hydrant flowing. Table B105.1 of Fire Code in Appendix B.
51. 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.
52. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants.
53. All required public fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4.

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

APPROVED AND PASSED THIS 13th DAY OF DECEMBER, 2017

LUIS M. JUAREZ
PLANNING COMMISSION CHAIRPERSON

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:
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."