

**RESOLUTION NO. 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM10-2017 AND LOT LINE ADJUSTMENT LLA2-2017 OF PORTIONS OF LOTS 11, 12, 19 AND 20 OF HUTCHINSON'S SUBDIVISION OF LOTS 5, 8 AND 11 OF THE BINGHAM TRACT, RECORDED IN BOOK 26, PAGE 66 OF MISCELLANEOUS RECORDS, COUNTY OF LOS ANGELES, ASSESSOR PARCEL NUMBERS 8336-007-018, 8336-008-009 AND -001, FOR PARKING COMPLIANCE OF THE COMMERCIAL PROPERTIES LOCATED AT 776-808 N. GAREY AVENUE, POMONA, CA (COUNCIL DISTRICT 4)**

**WHEREAS**, the City of Pomona Public Works Department has received a request for lot merger LM10-2017 and lot line adjustment LLA2-2017 to consolidate portions of Lots 11, 12, 19 and 20 of Hutchinson's Subdivision of Lots 5, 8 and 11 of the Bingham Tract, recorded in Book 26, Page 66 of Miscellaneous Records, County of Los Angeles, Assessor Parcel Numbers 8336-007-018, 8336-008-009 and -001, into one parcel and provide adequate parking space for the respective commercial land use by adjusting the property line between the westerly commercial lots addressed as 776-808 N. Garey Avenue and the easterly residential real property addressed as 797 Bradford Street, Pomona, CA;

**WHEREAS**, Mark Warren, owner of the properties known as Assessor Parcel Numbers 8336-007-018, 8336-008-009 and -001, has submitted all required documents for review by the City Engineer, pursuant to Sections 66499.20.3 and 66412 (d) of the California Government Code (Subdivision Map Act);

**WHEREAS**, pursuant to Chapter 78-1 of the Pomona City Code, Section 29-50 (b), unless a project related to the subject lot merger has been previously considered by the Planning Commission, final approval of the lot merger shall be made by the City Council;

**WHEREAS**, pursuant to Chapter 78 of the Pomona City Code, Section 29-45 (b), unless a project related to the subject lot line adjustment has been previously considered by the Planning Commission, final approval of the lot line adjustment shall be made by the City Council, subject to findings of the City Engineer, set forth in Section 29-45 (b)(1), (b)(2), (b)(3) and (b)(4);

**WHEREAS**, the City Engineer has reviewed the completed application for the proposed lot merger and lot line adjustment for compliance with the Subdivision Map Act and applicable City Codes; and

**WHEREAS**, the Planning Department has reviewed the completed application for the proposed lot merger for compliance with the City's General Plan, Zoning Ordinance and California Code of Regulations, Title 14, Section 15061 of the Guidelines

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for the Implementation of the California Environmental Quality Act (CEQA). Section 15061 refers to activities covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

**WHEREAS**, the Planning Division has reviewed the completed application for the proposed lot line adjustment for compliance with the City's General Plan and Article 19 Categorical Exemptions, Section 15305 of the California Environmental Quality Act (CEQA). Section 15305 includes Class 5 projects, consisting of "minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density".

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pomona, as follows:

**SECTION 1.** The proposed lot merger is exempt from CEQA pursuant to Section 15061 of the CEQA Guidelines, in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

**SECTION 2.** The proposed lot line adjustment is exempt from CEQA pursuant to Section 15305 Class 5 of the CEQA Guidelines, in that the lot line adjustment consists of "minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density"

**SECTION 3.** The Notice of Lot Merger LM10-2017 attached hereto as EXHIBIT 1 is hereby approved as depicted by legal description and map marked as EXHIBIT "A1" and EXHIBIT "B1" attached hereto and by reference made a part thereof, and determined to be in compliance with California Government Code Section 66499.20.3.

**SECTION 4.** Pursuant to Chapter 78 of the Pomona City Code, Section 29-45 (b)(1), (b)(2), (b)(3) and (b)(4), the proposed lot line adjustment will not:

- Increase or decrease the gross area of the subject parcels by more than fifty percent;
- Impair any existing access or create a need for any new easements serving any adjacent parcels;
- Reduce the gross area, width or building setback of any parcel below the minimum required by the Zoning Ordinance, and
- Require substantial alteration of public right-of-way and other existing improvements or create a need for any new improvements.

**SECTION 5.** The Notice of Lot Line Adjustment No. LLA2-2017 attached hereto as EXHIBIT 2 is hereby approved as depicted by legal descriptions and maps marked as EXHIBIT "A2" and EXHIBIT "B2" attached hereto and by reference made a part thereof, and determined to be in compliance with California Government Code Section 66412(d).

**SECTION 6.** The City Engineer is hereby authorized to sign the Notice of Lot Merger and the Notice of Lot Line Adjustment on behalf of the City.

**SECTION 7.** The City Clerk shall attest and certify to the passage and adoption of this resolution and it shall become effective immediately upon its approval.

**SECTION 8.** The City Clerk shall cause a certified copy of this resolution to be attested by the Clerk under seal, and to be recorded without acknowledgment, certificate of acknowledgment, or further proof in the Office of the Recorder of the County of Los Angeles.

**APPROVED AND ADOPTED THIS 7<sup>th</sup> DAY OF MAY 2018.**

**ATTEST:**

**CITY OF POMONA:**

\_\_\_\_\_  
Eva M. Buice, MMC, City Clerk

\_\_\_\_\_  
Tim Sandoval, Mayor

**APPROVED AS TO FORM:**

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Arnold Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF POMONA

I, EVA M. BUICE, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Pomona held on the 7<sup>th</sup> day of May, 2018 by the following vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

\_\_\_\_\_  
Eva M. Buice, MMC, City Clerk

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