

HPC RESOLUTION NO. 18-

MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA 10451-2018) TO RETROACTIVELY LEGALIZE THE REMOVAL OF A BRAZILIAN PEPPER TREE WITH A TRUNK GREATER THAN 10-INCHES IN DIAMETER IN THE FRONT YARD OF A PROPERTY LOCATED AT 320 E. PEARL 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 May 4, 1998;

WHEREAS, the applicant, Hang Tao, has submitted a Major Certificate of Appropriateness (MAJCOA 10451-2018) to retroactively legalize the removal of a Brazilian pepper tree in the front yard of the property located at 320 E. Pearl Street, Assessor's Parcel Number (8337-013-023);

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 November 7, 2018, concerning the requested Major Certificate of Appropriateness (MAJCOA 10451-2018); 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) Brazilian pepper tree from the front 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) Brazilian pepper 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 Brazilian pepper tree located in the front 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 that the structure on the subject property was not identified as a contributing structure to the Lincoln Park Historic District.

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. A Primary Record Survey was not conducted for the property therefore is not a contributing residence in the Lincoln Park Historic District.

SECTION 3. The Historic Preservation Commission hereby approves Major Certificate of Appropriateness (MAJCOA 10451-2018) to permit the removal of one Brazilian pepper tree property located at 320 E. Pearl 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 7, 2018).
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 two (2) replacement Hollyleaf Cherry trees (minimum 24-inch box) in the front yard.
4. The replacement trees shall be planted in the existing front yard landscape area and shall be installed within sixty (60) days from date of approval (November 7, 2018).
5. The replacement tree shall be planted according to industry best practices.
6. If the replacement trees die within one (1) year of replanting on-site, it shall be replaced with a 24-inch box tree planted on site by the recommendation of the City Arborist and Development Services Manager or designee. If the replacement trees die within one year of planting, it shall be replaced until a tree establishes itself and lives for a minimum of one year.
7. The front yard shall be rehabilitated in accordance with the City's Water Efficient Landscape Ordinance and include plants, bushes, ground cover and shrubs and with proper irrigation; subject to review and approval by the Development Services Director or designee.
8. The road verge (landscaping in sidewalk area) shall be rehabilitated in accordance with the City's Water Efficient Landscape Ordinance and include live vegetation such as drought tolerant plants, shrubs, ground cover or flowers with proper irrigation; subject to review and approval by the Development Services Director or designee.
9. Post-installation landscape and irrigation shall be maintained in the front yard and road verge areas to ensure water use efficiency in accordance with the existing local agency code.

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

PASSED AND APPROVED this November 7, 2018.

DEBORAH MARTIN
HISTORIC PRESERVATION COMMISSION CHAIRPERSON

ATTEST:

MARIO SUAREZ
HISTORIC PRESERVATION COMMISSION
SECRETARY

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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