

DPR RESOLUTION NO. 15-002**DECISION AND FINDINGS OF FACT BY DIRECTOR OF
DEVELOPMENT AND NEIGHBORHOOD SERVICES OF THE CITY
OF POMONA, CALIFORNIA APPROVING DEVELOPMENT PLAN
REVIEW 1873-2015 FOR THE DEVELOPMENT OF 31 DETACHED
SINGLE-FAMILY RESIDENCES ON A 2.97 ACRE LOT ON
PROPERTY LOCATED AT 2160 SOUTH GAREY AVENUE**

The applicant, Marc Homes, LLC, has filed an application for Development Plan Review (DPR 1872-2015) and Tentative Tract Map (TTM 14-008) for the development of 31 detached single-family residences on a 2.97 acres lot on property located at 2160 South Garey Avenue;

The Planning Commission approved Tentative Tract Map (TTM 14-008) on May 13, 2015 for the subdivision of 31 numbered lots and two lettered lots associated with the proposed development;

The proposed development includes requests for deviations from the development standards of the Pomona Corridors Specific Plan (PCSP) to allow reductions in the minimum required front yard, rear yard, and building massing ratio requirements;

The 31-unit detached, single-family residential development will revitalize an existing underused site which sits partially developed with two dwellings and accessory structures with a development that responds to diverse community needs in terms of housing types, costs and location, emphasizing locations near services and transit that promote walkability;

The subject site is currently located within the PCSP, in the "Neighborhood Parkway Segment", and designated "Urban Neighborhood" by the City's General Plan;

The Development and Neighborhood Services Director held a hearing on June 10, 2015, concerning the requested Development Plan Review application;

The Development and Neighborhood Services Director has carefully considered all pertinent testimony offered in the case as presented at the hearing;

The Development and Neighborhood Services Director, exercising independent judgment, has determined that, pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), this action as defined is Categorically Exempt under Section 15332, Class 32 (Infill Development Projects) from further environmental review in that the proposed project involves the development of a 31-unit residential development on property that is less than five-acres in size, located within an urbanized area that can adequately be served by all required utilities and public services; and

The Development and Neighborhood Services Director of the City of Pomona,

California **APPROVES** the proposed project and makes the following findings of fact:

The project is consistent with the City's General Plan and all applicable requirements of the City Code.

The City of Pomona General Plan designates the property located at 2160 South Garey Avenue as a Place Type of "Urban Neighborhood". Urban Neighborhoods are defined as moderately intense clusters of development that contain a mix of uses. The specific character of any individual urban neighborhood will build upon the existing development within or adjacent to it. Smaller clusters that are currently housing-only and surrounded by single-family homes will continue to be characterized by lower density residential development. Other mixed use clusters that may have arisen from later industrial and commercial uses added to rezoned older residential uses will gradually see infill development of housing, office, and lodging in buildings with residentially compatible physical characteristics to help strengthen and stabilize a more consistent and valuable mixed-use neighborhood environment.

The project will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood.

The project to construct 31 detached, single-family residential dwellings for ownership is proposed for a 2.97-acre parcel that has been underutilized in that it has sat partially developed with two dwellings and accessory structures, and currently is contributing to substandard conditions for the surrounding neighborhood. A substantial financial investment to create a high quality, well designed residences will improve property values and the visual aesthetics in the neighborhood. The project site is adequately separated from the nearest adjacent residential developments in that the required setbacks, deviated by 20% as allowed by the Development and Neighborhood Services Director, provide an adequate buffer from any potential impacts. The project includes amenities such as swimming recreation facilities, and private yards to accommodate residents with recreational opportunities that will not contribute and unnecessarily strain the existing community and neighborhood park facilities by the nominal increase in population size because the PCSP requires the developer to contribute a fee to the City for the construction of a special open space for the immediate area. The project is not anticipated to generate traffic, demand for parking, or other impacts detrimental to surrounding properties as these issues were analyzed as part of the project and was found to be consistent with the subject property's specific plan designation.

The project will not adversely affect the Circulation Plan of the Pomona Corridors Specific Plan.

The subject parcel is located with frontage along South Garey Avenue and provides primary vehicular and pedestrian access from South Garey Avenue. A traffic study was provided for the proposed project, which analyzed the proposed project's impact to the existing circulation patterns along local roadways. The study determined that the proposed project would not adversely impact area intersections and driveways with intersections to continue operating at a Satisfactory Level of Service (LOS). The City of Pomona Public Works Department has

reviewed and concurred with the findings of the traffic study. As such, the proposed project is consistent with the recommendations in the Specific Plan in that the City should remain aware of the impacts of this new traffic on neighborhood streets and work to take measures to keep traffic calmed and consistent with the neighborhood context.

The project complies with the applicable provisions of the Pomona Corridors Specific Plan and other applicable regulations.

The project design has been reviewed and determined to meet all applicable provisions of the Pomona Corridors Specific Plan and other applicable regulations with exception of the requested deviations from the development standards to allow reductions in the minimum required front and rear setbacks and building massing ratios. The Neighborhood and Development Services Director has reviewed and approved the requested deviations and determined them to be adequate for the proposed land use.

The Request for Deviation is consistent with the intent of the Specific Plan and otherwise meets the required findings of a Development Plan Review.

The granting of Request for Deviation for reductions in the minimum required front and rear setbacks will result in greater benefits from the project in that a three and a half foot reduction along the front yard setback and a four foot reduction from the rear yard setback affords the units the opportunity to provide sufficient floor area to appropriately accommodate a typical sized family without having to increase the height of the buildings along the front and rear of the property so the height of the proposed residences will not adversely impact the surrounding existing residential dwellings. As such, a desirable living environment would be promoted with a design that allows additional architectural enhancements along all building façades, and greater pedestrian mobility within the development. Furthermore, the deviation requested for the required building massing ratio on Spanish and Tuscan styled homes (elevation 2X) along Garey Avenue allows consistency with the proposed architecture of those homes.

Based upon the above findings, the Development and Neighborhood Services Director hereby approves Development Plan Review 1873-2015 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 Development Plan Review 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 Development and Neighborhood Services Director on June 10, 2015, and as illustrated in the stamped approved plans. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Division 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 construction has not commenced under a valid building permit, within one (1) year from the date of this approval (June 10, 2016), in accordance with Pomona Corridors Specific Plan (PCSP) Section 2.0.5A(6). The Planning Division may extend this period for a maximum of two, one (1) year extensions 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, consistent with PCSP Section 2.0.5(A) 6.
3. The applicant shall include all conditions of approval from Tentative Tract Map 14-008 related to the project which shall be placed on the title sheet of construction plans prior to plan check submittal.
4. 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.
5. 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 development plan review.
6. Prior to issuance of building occupancy for the first residential unit, the associated

application fee for Development Plan Review, minus any fees previously paid for Development Review, shall be paid in full to the City of Pomona.

7. Approval of Development Plan Review 1873-2015 is strictly for the development of the subject site.
8. The proposed development is allowed to deviate 3'-6" from the required front yard setback and 4'-0" from the required rear yard setback.
9. Elevation 2X of the proposed development is allowed to deviate from the required building massing ratio, as shown on the approved plans.
10. Prior to issuance of building permits, the applicant/developer shall pay the required Special Public Open Space fee of the PCSP (as shown in figure 2.6.2 of the PCSP), and applicant/developer is required to contribute to the construction of the primary open space, presently estimated at approximately \$42,092.00. The final figure shall be determined by the Development Services Manager.
11. The applicant shall submit construction drawings for plan check to all required City of Pomona departments. Plans shall be consistent with all required development standards outlined in the Corridors Specific Plan Section 2.1.12 Neighborhood Parkway Segment outlined in Section 2.1.12.A Development Standards Chart, unless deviations expressly approved through the Conditions of Approval or within the allowed deviations allowed under section 2.0.5E.
12. The project is subject to a ten day appeal period. Written appeals may be filed with the City Clerk within ten days by one or more City Council members or the applicant. The appeal shall be filed with the City Clerk within ten days from the date of action by the Development and Neighborhood Services Director.
13. Prior to the issuance of building permits, landscape and irrigation plans shall be prepared by a licensed landscape architect and presented to the Planning Division for review and approval. Landscaping to include a variation of drought tolerant trees, shrubs, vines and ground covers, shall be installed and permanently maintained in all common areas of the project site, and shall be in substantial conformance to the conceptual landscaping plan submitted as part of the Development Plan Review process. The plans shall conform to the State Model Water Efficient Landscape Ordinance per AB 1881 and landscape requirements contained in the PCSP and applicable portions of Section .503-J of the Pomona Zoning Ordinance. A landscaping maintenance bond shall be required and held for a period of one year to ensure the project's compliance with the approved landscaping. Amount shall be determined by the Development Services Manager.
14. 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 adequate illumination, to the satisfaction of the Development Services Manager, 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.

15. 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.

16. 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 front yard setback and shall be screened from view.
17. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks.
18. Any building elevations visible from public view or along the periphery of the development shall be architecturally enhanced in a similar fashion to the front elevations (i.e., enhanced window and door treatments and contrasting building materials).
19. Prior to the issuance of building permits, Development Services Manager approval during the Plan Check process, shall be obtained for the design and materials of the proposed recreation area located in lettered lot "B".
20. The majority of the hardscape within the interior of the development, shall be provided with decorative elements to include, but not limited to, patterned stained/colored concrete, stamped concrete, stone, concrete overlays or other similar treatment.
21. The garage doors shall be provided with enhanced material, finishes and design. Prior to the issuance of building permits, Development Services Manager approval, during the Plan Check process, shall be obtained for the design of the garage doors.
22. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to an approved by the Planning Division. Double walls shall be avoided to the greatest extent feasible. The applicant shall coordinate with adjacent property owners and make reasonable attempts to construct one common property line wall. If coordination between property owners cannot be accomplished, the applicant shall construct up to a six (6) foot high decorative wall located entirely within the subject property. Prior to construction of any new walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private residential property and construction of new common walls shall include approval by the property owners of

adjacent property. The plans shall identify materials, seep holes and drainage.

23. Pursuant to City of Pomona Ordinance No. 3506, prior to issuance of any grading or building permits, the applicant or developer shall pay the following Development Impact "Miscellaneous Fees". Traffic Signal & Control Device Program; Road & Highway Improvement Program; Parks & Recreation improvement program; and Public Safety Improvement Program.
24. During demolition, grading, site development, and/or construction, all requirements of the Pomona Zoning Ordinance and Municipal Code including the noise provisions shall be adhered to. All activities including truck deliveries associated with construction, grading, be limited to Monday through Saturday, between 7:00 AM and 8:00 PM, and provided the noise level created by such activities do not exceed the noise standard of 65 dB(A) plus the limits specified in section 18-311(b) as measured on residential property and any vibration created does not endanger the public health, welfare and safety.
25. The construction area shall be kept clean at all times prior to, during, and after construction.
26. The property owner(s) or homeowners association 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. In the event that graffiti is on material that is not meant to be painted (brick, stone, tile, etc.,) necessary measures (such as sandblasting) shall be used instead of paint to remove the graffiti.
27. 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.
28. 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.
29. Fencing and gates within the front yard setback area shall be subject to the review and approval of the Development Services Manager.
30. Patio covers shall be subject to the review and approval of the Planning Division and the homeowners association, prior to building permit issuance.
31. The private front yard patio areas for the units abutting S. Garey shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.

32. Garage areas shall not be used for storage to the exclusion of parking of vehicles.
33. The provided "Common Open Space" shall be available to all residents of the project and their guests.
34. The development's driveways shall not be used for the repair of vehicles.
35. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Development Plan Review 1873-2015. Prior to removing or replacing any landscaped areas, check with the Planning Division. Substantial changes may require approval by the Planning Commission.
36. 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 1,4,5, and 25-36 of this Development Plan Review 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.
37. The proposed development shall comply with all applicable Tentative Tract Map 14-008 conditions of approval.

DEVELOPMENT AND NEIGHBORHOOD SERVICES DEPARTMENT. – BUILDING AND SAFETY DIVISION

38. 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).
39. 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 structural provisions.
40. 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 evacuation.
41. 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.

42. All proposed electrical work shall comply with the 2013 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
43. 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.
44. All proposed mechanical work shall comply with the 2013 California Mechanical Code and all other relevant laws, ordinances, and resolutions governing mechanical as adopted by the City of Pomona.
45. All proposed plumbing work shall comply with the 2013 California Plumbing Code, and all other relevant laws, ordinances, and resolutions governing plumbing as adopted by the City of Pomona.
46. Proposed project shall comply with the 2013 California Green Building Standard Code and all other relevant laws, ordinances, and resolutions governing sustainable design as adopted by the City of Pomona.

FIRE DEPARTMENT

47. 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 building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.
48. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
49. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires all weather access.
50. All proposed driveways within the development shall provide approved street names and signs. All future buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the Department of Public Works and the County of Los Angeles Fire Code.
51. All on-site Fire Department vehicular access roads shall be labeled as “Private Driveway and Fire Lane” on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.

52. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
53. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
54. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.
55. 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.
56. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5.
57. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 37 ½ tons and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.
58. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3.
59. 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.
60. 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.
61. Multiple residential buildings having entrances to individual units not visible from the street or road shall have unit numbers displayed in groups for all units within each structure. Such numbers may be grouped on the wall of the structure or mounted on a post independent of the structure and shall be positioned to be plainly visible from the street or road as required by Fire Code 505.3 and in accordance with Fire Code 505.1.
62. When security gates are provided, maintain a minimum access width of 20 feet ingress and 20 feet egress. The security gate shall be provided with an approved means of

emergency operation, and shall be maintained operational at all times and replaced or repaired when defective. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F220. Gates shall be of the swinging or sliding type. Construction of gates shall be of materials that allow manual operation by one person. Fire Code 503.6.

63. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
64. The required fire flow for the public fire hydrants on this residential development is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand.
65. Install 2 new public fire hydrants (see attached map for required locations).
66. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.
67. Parking shall be restricted 30 feet adjacent to any required public fire hydrant, 15 feet on each side measured from the center of the fire hydrant. Adequate signage and/or stripping shall be required prior to occupancy.
68. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4.

PUBLIC WORKS DEPARTMENT

69. The following conditions and public improvements, as well as any applicable plan check fees, permit fees and bond deposits shall be complied with, completed and paid for by the Developer in accordance with the City standards, fee schedules and applicable laws. Applicable Codes to include but not be limited to: California Subdivision Map Act, all applicable City of Pomona ordinances and resolutions, City of Pomona Water Code, City of Pomona Standard Drawings and Fee Schedule, Construction Standard Specifications for Public Works Construction, Los Angeles County Department of Public Health requirements, California Code of Regulations, Title 22, California Department of Transportation Highway Design Manual.
70. All the required plans, studies and calculations shall be performed by a registered civil engineer or other registered/licensed professional as required, and submitted for review and approval of the City Engineer.

Tract Map Requirements

71. The tentative tract map for the proposed development shall be recorded as one final tract map and developed as one tract. The issuance of the building permits as well as posting

the financial security for all public improvements shall be coordinated and comply with the conditions of approval of the final map.

Improvement Plan 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. Applicant/Developer shall submit public street improvement plans to include the following:
 - a) Removal of the existing, unused driveway approaches along Garey Avenue and replacement of said approaches with new sidewalk, curb and gutter per City standards.
 - b) New Garey Avenue driveway approach, in compliance with the City standards and the ADA requirements.
 - c) New sidewalk, curb and gutter to replace all existing damaged, cracked and uplifted sections.
 - d) Overlay paving of Garey Avenue in compliance with the City paving moratorium standards, as follows: from curb to center median and from the northerly property line extending minimum 10 feet beyond the most southerly utility trenching or driveway apron removal. If the required wet and/or dry utility trenching crosses the

- centerline, the Applicant/Developer shall grind and overlay said street over its entire width (gutter to gutter lines).
- e) Reconstruction of the portion of public alley located along the southerly property boundary, west of Nelson Street, in compliance with the City standards.
 - f) Overlay paving of the northerly portion of Nelson Street, from gutter to gutter lines, in compliance with the City pavement moratorium standards.
 - 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 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 all 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 the Engineering Division of the Public Works Department.
77. In recognition of the need to address traffic conditions generated by cumulative development along the Corridor Specific Plan (CSP) areas, Applicant/Developer is responsible for the project's compliance with the CSP requirements and shall participate in a CSP assessment district, or similar fair and appropriate mechanism, to provide funds for maintaining and augmenting public improvements, should such a mechanism be established by the City. Applicant/Developer shall pay the applicable CSP in-lieu fee for public improvements required as part of this project, presently estimated at \$121,176. At the City Engineer's discretion, credits for approved improvement work made to the satisfaction of the City Engineer may be granted.
78. 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.
79. 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.

80. All improvements to the City's water system shall be installed at the Developer's expense in accordance with the provisions of the City of Pomona Water Code, Construction Standards and the Federal, State and County Public Health requirements, including payment of all required plan check fees, bonds, connection fees, water meter setting fees and all additional water facilities advance payments.

Additional information is required if public utility infrastructure is to be constructed within an easement on private property. Any installation of public utility infrastructure on private property shall meet all City construction standards.

81. Applicant/Developer shall provide complete hydraulic calculations of the new water demand (based on fixture units) 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.

If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department. The localized approximate static pressure for the proposed project area is 40-45 psi.

82. Applicant/Developer shall submit public water improvement plans for review and approval of the Public Works Department. The plans must be approved prior to the issuance of a precise grading permit. The plans shall include:

- a) All existing and new utilities, including existing and proposed water mains, water meters, service lines, approved backflow devices and water easements:
 - i. One (1) eight-inch (8") ACP water main in Garey Avenue.
 - ii. One (1) six-inch (6") ACP water main in Nelson Street.
 - iii. One (1) one-inch (1") water meter that previously served the property. This meter may continue to be used for domestic service for this site. If this meter will not be used, notify the City of Pomona.
 - iv. Several public utility fire hydrants within 500 feet of the proposed site.
 - v. The edge of all new water 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.

The existing water infrastructure must also be shown on the site plan. Further design comments shall be issued by the Water Wastewater Operations Division (WWOD) regarding the extent of proposed public main within the proposed project area. If public water main is proposed within private streets, the streets shall be constructed per the City of Pomona standard without any specialty pavers or concrete of any kind, except if specialty pavers/concrete, which will become the responsibility of the Homeowners Association.

- b) Property address, legal description, property lines, street centerline, curb-line, existing and proposed utility easements, and right-of-way with dimensions.
83. 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.
84. Water Development plans are for public water improvements only; all private water improvements shall be addressed separately; all private onsite water improvements are the owner's responsibility and not the City's.
85. Applicant/Developer may elect to pay City for installation of water services 2-inch or smaller. The Contractor for the project is responsible for installing meters greater than 2 inches in the public right-of-way.
86. All project related trench repairs in City maintained streets shall be per City Standard A-26-02. Following completion of all street/utility work, and prior to the issuance of the Certificate of Occupancy Applicant/Developer shall be required to repair all affected lanes of development street frontages to a condition "as good or better" as required per City Standard A-26-02.
87. Any existing public water facilities located on private property must be installed within a City of Pomona easement of minimum 15-foot width, and will be maintained by the City. Applicant/Developer shall not place buildings, structures or trees on any related water easements, nor within 7 ½ feet of any City maintained water main without prior approval from the City.
88. Access to City water facilities for water operation crews shall be made available at all time for servicing and maintaining the water system and for reading water meters.
89. Easement rights shall hold the City harmless for removal and/or damage to the development improvements within easements during maintenance to, replacement of and/or operation of public water facilities.
90. Prior to the issuance of the Certificate of Occupancy Applicant/Developer is responsible for installing approved Reduced Pressure Backflow Preventers (list brand and model) for the following water lines to the site:
- a) Reduced principal pressure devices are required for all domestic services;
 - b) Reduced principal pressure devices are required for all dedicated irrigation service lines to the proposed site;
 - c) Double check detector assembly devices for all fire sprinkler service lines, and onsite mains serving solely hydrants.
- The hydraulic calculations to be submitted to the City shall account for pressure drops from backflow devices.
91. Prior to the approval of the water improvement plans the Applicant/Developer shall meet all requirements of the Los Angeles County Fire Department (LACFD). Applicant/Developer shall contact LACFD to determine if additional fire hydrants are needed for the proposed development. All new fire hydrants must be placed at least five

(5) feet from proposed driveways and off of parking spaces. Proof of LACFD approval is required prior to the final water improvement plan submittal to the Public Works Department. Contact the LACFD for information at (909) 620-2402.

92. Applicant/Developer shall submit sewer improvement plans for review and approval by the Public Works Department. The plans must be approved prior to the issuance of the precise grading permit. The plans shall include:

- a) The existing and proposed sewer mains, laterals, manholes, and applicable easements (minimum 10 ft width):
 - i. Eight-inch (8") VCP sewer main within Nelson Street; this main may be connected to for service.
 - ii. Eight-inch (8") VCP sewer main within Garey Avenue; this main may be connected to for service.
 - iii. Eighteen-inch (18") main in Garey Avenue; this main may not be connected to for service.
 - iv. Twenty-seven inch (27") VCP main in Garey Avenue. This main may not be connected to for service.

The existing sewer infrastructure must also be shown on the site plan.

- b) The proposed sewer laterals with a profile and connection to the existing sewer laterals and sewer main.
 - c) The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.
 - d) Construction Notes to include the following: The Contractor shall provide all temporary seals enclosures, forced ventilation or other devices as maybe necessary to prevent odor nuisance and solid objects from entering the existing sewer line during construction.
93. Prior to the approval of the public sewer plans, the Applicant/Developer shall submit calculations of the expected wastewater generated by the proposed development, 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 Nelson Street. The flow test report shall be submitted for the existing manhole closest to the proposed point(s) of connection. The flow test report shall be submitted to the WWOD for review and acceptance.
94. The sewer laterals from the public main to the site are considered private and shall be maintained by the property owners.
95. All proposed sewer main onsite shall be privately maintained. If public sewer main is proposed within private streets, the streets shall be constructed per the City of Pomona standard without any specialty pavers or concrete of any kind, except if specialty pavers/concrete, which will become the responsibility of the Homeowners Association.

96. New sewer laterals must be constructed per Standard No. B-8-61 per City of Pomona Public Works Department Standard Drawings August 2011 (Public Works Standards). Construction shall also comply with Standard No. A-26-02 per the Public Works Standards.
97. 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.
98. Effective January 1, 2015, the City has adopted new service charges for water and sewer services. For further information on how charges are assessed, contact the City's Public Works Business Services Division at 909-620-2241.
99. 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.
100. The final improvement plans, as shown on the Mylar, shall be provided to the City in both hard copy and electronic in AutoCAD 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 AutoCAD v. 2010 and .pdf formats.
101. Prior to issuance of the grading permit Applicant/Developer shall develop and obtain 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:

- Site Design BMPs;
- Source Control BMPs;
- Treatment Control BMPs; and

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 or 0.75-inch, 24-hour rain event, whichever is greater. The results of infiltration testing shall be provided as part of the SUSMP submittal.

102. 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 (SWPPP) to the City.

103. 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.
104. 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.

Public Works Improvement Permit

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

105. Prior to final map recordation, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: water, sewer, storm drains, street and alley pavement, sidewalk, parkway improvements, and driveway approaches.
106. Permittee shall procure and maintain throughout the period of the Permit the following policies of insurance:
 - a. Commercial General Liability;
 - b. Automobile Liability;
 - 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.

107. Permittee shall pay fees associated with and possess the City of Pomona Business License.
108. 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.

APPROVED BY:



Mark Lazzaretto
Development and Neighborhood Services Director

6/11/15

Date