

PC RESOLUTION NO. 19-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA APPROVING DEVELOPMENT PLAN REVIEW (DPR 11888-2019) FOR THE DEVELOPMENT OF A THREE-STORY, MULTI-FAMILY DEVELOPMENT CONSISTING OF 24 CONDOMINIUM UNITS ON AN APPROXIMATELY .87 ACRE SITE LOCATED AT 1626 & 1630 W. MISSION BOULEVARD (APN NOS. 8349-002-047, 8349-002-048, & 8349-003-057).

WHEREAS, the applicant, Golden Ticket Mission 71, LLC, has filed an application for Development Plan Review (DPR) for the development of a three-story, multi-family residential development consisting of 24 condominium units located at 1626 & 1630 W. Mission Boulevard;

WHEREAS, the subject site is currently zoned within the Pomona Corridors Specific Plan (PCSP) “Midtown Segment” and designated “Urban Neighborhood” by the City’s General Plan;

WHEREAS, in accordance with Section 2.0.5.C of the PCSP a Development Plan Review (DPR) is required for any new development projects located within the plan area;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law held a public hearing on July 24, 2019, concerning the requested Development Plan Review (DPR 11888-2019);

WHEREAS, the Planning Commission 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:

SECTION 1. The Planning Commission 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 (In-fill Development). The Planning Commission finds that; 1) the proposed project is consistent with the General Plan and Zoning Ordinance; 2) the parcel is smaller than five acres; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) this project will not have significant effects upon the environment and; 5) the site can adequately be served by utilities and public services; and

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. In accordance with Section 2.0.5.A.(4) of the PCSP, the Planning Commission must make findings in order to approve Development Plan Review (DPR 11888-2016). Based on consideration of the whole record before it, including but not limited to, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Planning Commission hereby finds as follows:

1. *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 subject site as "Urban Neighborhood" place type. Policy 6G states *Zoning regulations in these neighborhoods will place special emphasis on new infill or renovation developments that will maintain physical compatibility with the scale and intensity of existing development.* The proposed project is anticipated to revitalize an under-utilized site while maintaining a compatible scale with the adjacent sites. The required landscaping and public open space will provide an improvement to the surrounding context.

2. *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 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 as the project will comply with all development and design standards of the "Midtown Segment" of the PCSP. The project, as conditioned, is not anticipated to generate noise, traffic, lighting, and privacy impacts detrimental to residents, occupants, and properties within the surrounding area and is consistent with the subject property's zoning.

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

The subject parcel is located with frontage along Mission Boulevard. A Traffic Impact Study was prepared that includes an analysis of traffic circulation patterns and a determination was made that the proposed project is forecast to result in no significant impacts to traffic and mobility.

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

The project has been thoroughly reviewed and meets all applicable provisions of the PCSP and other applicable regulations.

SECTION 4. Based upon the above findings, the Planning Commission hereby approves Development Plan Review (DPR 11889-2019) 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

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 Planning Commission on July 24, 2019, and as illustrated in the stamped approved plans. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Commission 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 Director.
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 (July 24, 2020), in accordance with PCSP Section 2.0.5.A(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 (30) days before the expiration date of this approval, consistent with PCSP Section 2.0.5(A)6.
3. 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 the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The City shall promptly notify the applicant of any Action brought and the City shall cooperate with applicant in the defense of the Action.

4. 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 subsequent violations of the conditions of approval and/or City law occurs within ninety (90) 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.
5. The project is subject to a twenty (20) calendar day appeal period. Written appeals may be filed with the City Clerk within twenty (20) calendar days by one or more City Council members or the applicant. The appeal shall be filed with the City Clerk within twenty (20) calendar days from the date of action by the Planning Commission.

Plan Check:

6. The applicant shall include all conditions of approval from Development Plan Review (DPR 11889-2019) on the title sheet of construction plans prior to plan check submittal. Plans shall be consistent with all required development standards in the PCSP Section 2.1.11.A - Midtown Segment.
7. 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 not be located in the front yard setback and shall be screened from public view. 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.
8. Conditions, Covenants, and Restrictions (CC&Rs) shall be recorded for this project prior to the issuance of "Certificate of Occupancies" and prior to the sale of any lot. At a minimum, the CC&R's shall include provisions that 1) establish a Home Owners Association (HOA), 2) incorporate conditions 1, 3, & 4 of this Development Plan Review and 3) 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.
9. The installation of fences will require the submittal of a "Fence and Wall Permit" application for review and approval by the Planning Division. 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 and approved by the Planning Division. Double walls shall be avoided to the greatest extent feasible. The applicant shall coordinate with the adjacent property owner(s) and make reasonable attempts to construct one common property line wall. If coordination

with the adjacent property owner(s) 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 property and construction of a new common wall shall include approval by the adjacent property owner(s). The plans shall identify materials, seep holes, and drainage.

10. Prior to the issuance of any building permits, the following must be completed:
 - a) A *Landscape Plan Check* in substantial conformance to the conceptual landscaping plan submitted as part of the Development Plan Review Process. Plan should further conform to the State Model Water Efficient Landscape Ordinance, landscape requirements 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, at an amount to be determined by the Development Services Director.
 - b) A *Photometric* plan demonstrating a minimum one foot-candle of illumination of parking, driveway, walkways, and common areas. Plan shall identify 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.
11. The applicant shall conform to Section .5809-24 of the PZO 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 Cultural Arts Commission before issuance of a building 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

Development Services 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 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.

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.

12. 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.

Site Development & Maintenance:

13. 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 and grading will be limited to Monday through Saturday, between 7:00 a.m. and 8:00 p.m., 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.
14. 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.

15. The construction area shall be kept clean at all times prior to, during, and after construction.
16. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti shall 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.
17. The property owner shall provide regular maintenance and cleaning of all exterior walkways, patios, canopies, sidewalks, and landscaped parkways in compliance with Pomona City Code 62-351.
18. The private balcony areas shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.
19. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Development Plan Review (DPR 11888-2019).
20. The pedestrian access gate on the southerly portion of the site leading to the “Pocket Park” shall be locked at 6 p.m. daily and unlocked at 7 a.m. daily.
21. An on-site sign shall be placed in the vicinity of the vehicular access gate to specify “Exit Only”.

BUILDING & SAFETY

22. The undergrounding of utility facilities is required. (PMC 62-31)
23. This project falls under section .5809-24 of the Zoning Code “Public Art requirement for private development – Public Art Allocations” (Ordinance No. 4151).
24. 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)
25. 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.

26. 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 & Safety Division prior to commencing any grading or site excavation.
27. 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.
28. 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.
29. 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.
30. 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.
31. Park and Recreation Improvement Fee shall be \$675 per dwelling unit for new construction. (Ordinance 3506)
32. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
33. Fence and wall plan required.

**COUNTY OF LOS ANGELES FIRE DEPARTMENT—FIRE PREVENTION
ENGINEERING SECTION—FIRE PREVENTION BUREAU**

34. 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. 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.
35. 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.
36. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

37. Provide approved signs or other approved notices or marking that include the works “NO PARKING-FIRE LANE”. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letter on a white reflective background. Signs shall be provided for the fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by Fire Inspector. Fire Code 503.3.
38. 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.
39. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Fire Code 503.4.
40. All fire hydrants shall measure 6”x4”x2-1/2” brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the 2017 County of Los Angeles Fire Code, Table B105.1.
41. The required fire flow for the public fire hydrants for this project is 2500 gpm at 20 psi residual pressure for 2 hours. Two public fire hydrant(s) flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1.
42. Install one new public fire hydrant on the lot frontage, by Building #1, next to the proposed driveway.
43. All required PUBLIC fire hydrants shall be installed, tested, and accepted prior to beginning construction. Fire Code 501.4.
44. Install one new Private on-site fire hydrant by Building #3.
45. The required fire flow for the Private on-site fire hydrants is 1250 gpm.
46. All on-site fire hydrants shall be installed a minimum of 25 feet from a structure or protected by a two (2) hour rated firewall. Exception: For fully sprinklered multi-family structures, on-site hydrants may be installed a minimum of 10 feet from the structure. Fire Code Appendix C106.1.
47. All required private on-site fire hydrants shall be installed, test and approved prior to building occupancy. Fire Code 901.5.1.
48. Plans showing underground piping for private on-site fire hydrants shall be submitted to

the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2 & County of Los Angeles Fire Department Regulation 7.

49. An approved automatic fire sprinkler system is required for the proposed building within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

WATER RESOURCES

Water:

50. There currently exists an eight-inch (8") steel water main within Mission Boulevard. The localized approximate static pressure for the proposed project area is 70-75 psi. The existing water infrastructure shall be shown on the site plan.
51. There are currently existing 5/8" and 1" meters serving 1626 and 1630 W. Mission Boulevard respectively. Please identify if these existing meter will be used with the proposed development. Both a low-lead (0.25%) reduced pressure principle assembly (RPPA) and double check detector assembly (DCDA) are required for meter and fire service backflow protection respectively. The proposed project must be served through a master compound meter.
52. The applicant/developer shall calculate the new water demand (based on fixture units) to verify that the existing water infrastructure can accommodate the water demand, given the size, pressure, and age of the existing system. These calculations shall include fire and domestic water demands. Sewer discharge calculations shall be calculated for this development. These calculations shall be submitted to the WRD.
53. This development shall be served by an above ground master meter, in a security cage, per City of Pomona standard drawings 13A through 13C. Please obtain aesthetic requirements for the required security cage from the Planning Division. There shall not be any public utility improvements located onsite to the extent possible.
54. There is an existing eight-inch (8") VCP sewer main within an alley south of Mission Boulevard. The Sanitation Districts of Los Angeles County (SDLAC) has an existing eighteen-inch (18") RCP sewer main within Mission Boulevard. This SDLAC main shall not be used for discharge service connection. The proposed sites were previously served by two 4" VCP sewer laterals connecting to the existing eight-inch sewer main. Define if these laterals will be used for the proposed development.
55. New sewer laterals shall be constructed per City of Pomona Standard Drawing Numbers S5 and S6. Construction shall also comply with Standard A-26-02 per the Public Works Standards.

PUBLIC WORKS

Improvement plans requirements

56. 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 plans shall be a minimum of 1" = 10' to clearly show all the details; the plans shall be submitted on 24" x 36" sheet size with a standard City title block.
 - 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 all block wall locations, parkway width and all 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.
57. Prior to issuance of the grading permit the Applicant/Developer shall submit written notifications of to the next adjacent (non-City) property owners as indicated on the Planning Commission meeting notification list 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 and outline the City approval process (City review, public notification, Planning Commission approval, plans on record, etc.). The proposed development shall accept the conveyance of the existing offsite drainage.
58. Prior to the issuance of the grading permit the Applicant/Developer shall provide non-interference letters from all applicable utility agencies for all utility easements located within the areas subject to grading activities. All such documents shall be subject to review and approval by the City Engineer.
59. 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.
60. Prior to the issuance of Public Works improvements permit, Applicant/Developer shall submit for review and approval public street improvement plans to include the following items and are responsible for the construction thereof:
 - a. New driveway approach per City standards and ADA requirements. Unobstructed visibility shall be ensured at the intersection of the project driveway and Mission Boulevard.
 - b. New sidewalk, curb and gutter to replace all damaged cracked and uplifted sections along the W. Mission Boulevard lot frontage.

- c. In the event that the project related hardscape, wet and/or dry utility pavement cuts are needed along the W. Mission Boulevard property frontage, overlay paving shall occur in accordance with the City standard A-26-02.
 - d. The remaining portion of the northerly public alley located south of Mission Boulevard and west of Curran Place shall be repaved in compliance with the City standard A-5-06.
 - e. Street lights: to address public safety and in compliance with the current City standards the following modifications shall be made to street lights: refurbish one (1) street light luminaire located along the project's Mission Boulevard frontage with an LED luminaire.
 - f. New parkway landscaping in compliance with the "Midtown Boulevard" requirements of the Pomona Corridors Specific Plan.
 - g. Parkway drains installed in compliance with the City standards.
 - h. Existing and proposed sewer, water and storm drain infrastructure, including laterals.
 - i. The parkway landscaped area shall be maintained by the property owner, as required by the City's Municipal Code Section 46-496 and a note to this effect shall be added to the public street improvement plan.
 - j. The property abutting sidewalk, parkway and alley, as applicable, shall be maintained free of weeds, rubbish, and refuse by the property owner, as required by the City's Municipal Code Section 18-261 and a note to this effect shall be added to the public street improvement plan.
 - k. Undergrounding of the existing (within the portion of the public alley proposed to be vacated as part of the project) and proposed overhead utility lines shall conform with the City of Pomona Municipal Code Section 62-31(b) and a note to this effect shall be added to the public street improvement plan.
 - l. 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 and a note to this effect shall be added to the public street improvement plan.
61. The demolition or relocation of any 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 Public Works Engineering Department.
62. 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.

63. 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.
64. Solid Waste: Solid waste services to be provided by a non-exclusive commercial solid waste franchise hauler approved by the City of Pomona; compliance with the AB 341 recycling law is mandatory.
65. Applicant/Developer shall implement storm water Good Housekeeping BMPs for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.
66. Owner is responsible for the compliance with the special annual levy assessment derived from the current inclusion of the project site into the City's Street Lighting District and Landscaping Maintenance District. The Developer shall disclose to any future buyers that the property is within the City of Pomona Lighting and Landscaping District and is subject to annual special taxes. This requirement applies to Assessor Parcel Numbers 8349-002-047, 048, and 8349-003-057.
67. 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 and parks improvements.
68. Prior to the issuance of the building permits Applicant/Developer is responsible for the payment of all City water and sewer connection fees and shall make proof of payment of the Los Angeles County Sanitation District fees associated with the proposed development.
69. Prior to issuance of the building permits Applicant/Developer is responsible for paying the development tax associated with the proposed project.
70. 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. 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.
71. The plans shall be submitted on 24"x36" 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 Improvements Permit

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

72. Prior to the issuance of the public improvements permits, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: driveway approach, sidewalk, curb and gutter, street paving, existing and proposed overhead lines undergrounding, water, sewer, storm drain and traffic improvements.
73. 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.
74. Permittee shall pay fees associated with and possess the City of Pomona Business License.
75. 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.

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

APPROVED AND PASSED THIS 24th DAY OF JULY 2019

DR. KYLE BROWN
PLANNING COMMISSION CHAIRPERSON

ATTEST:

ANITA D. GUTIERREZ, AICP
PLANNING COMMISSION SECRETARY

PC Resolution No.
1626 & 1630 W. Mission Boulevard
Page 15 of 15

APPROVED AS TO FORM:

MARCO A. MARTINEZ
INTERIM 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 California Code of Civil Procedure Section 1094.6."