

PC RESOLUTION NO. 18-006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT (CUP 5500-2016) FOR A 5,540 SQUARE FOOT BUILDING TO ACCOMMODATE A USED CAR DEALERSHIP AND ADDITIONAL RETAIL USES ON A PROPERTY LOCATED AT 22 RIO RANCHO ROAD.

WHEREAS, the applicant, Beau Young, has submitted an application for Conditional Use Permit (CUP 5500-2016) for 5,540 square foot building to accommodate a used car dealership and additional retail uses on a property located at 22 Rio Rancho Road;

WHEREAS, the subject property is currently located within the C-4 (Highway Commercial) zoning district;

WHEREAS, the subject property is on a parcel designated as "Transit Oriented Neighborhood" on the General Plan Land Use Map;

WHEREAS, the approval of a conditional use permit by the Planning Commission is required for the development of commercial facilities of four or more commercial units or more than 20,000 square feet of lot area and for used car sales lots;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on January 24, 2018 concerning the requested Conditional Use Permit (CUP 5500-2016); and

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 finds that the proposed project will not have a significant effect on the environment. Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the project is categorically exempt under Section 15332 of the California Public Resources Code, which exempts in-fill developments located in urbanized settings. The Planning Commission finds that the project meets the following criteria listed in the exemption: 1) the proposed project is consistent with the General Plan and Zoning Ordinance of the City; 2) the parcel is smaller than five acres; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) the project will not have significant effects upon the environment; and 5) the site can adequately be served by utilities and public services.

SECTION 2. If any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be

unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

SECTION 3. In accordance with Section .580.B of the Zoning Ordinance, the Planning Commission must make five (5) findings in order to approve Conditional Use Permit (CUP 5500-2016). Based on consideration of the whole record before it, including but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Planning Commission hereby finds as follows:

1. *That the proposed use at the particular location will contribute to the general well-being of the neighborhood or community.*

The proposed use of the subject site for commercial development, specifically, the development of a used car dealership and additional retail uses, will contribute to the general well-being of the neighborhood and the community by providing a job-generating land use to the neighborhood and community.

2. *That such use will not, under the circumstances of the particular case be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity or detrimental to the use, valuation or enjoyment of property or improvements in the vicinity.*

As conditioned, the applicant's request will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity since the project is in conformance with the development standards and use requirements of the Pomona Zoning Ordinance. The project will not be detrimental to the use, valuation, and enjoyment of property and improvements in the vicinity as the proposed use of a used car dealership and additional retail uses does not create any significant nuisance or externality to surrounding properties, and is a use that is compatible with the underlying zoning district.

3. *That the site of the proposed use is of adequate topography, size and shaped to accommodate said use as well as all yards spaces, walls, fences, parking, loading, landscaping and any other features necessary to allow said use with the land and uses in the neighborhood and make it compatible thereto.*

The site has sufficient lot area to accommodate the types of commercial uses, vehicle inventory, customer parking, loading, drive aisle width, and other site requirements, which would allow it to be compatible with surrounding land uses.

4. *That the site abuts streets and highways are adequate in width and improvements to carry traffic generations typical of the proposed use.*

The subject site takes access from Auto Center Drive, a secondary street with one lane in

each direction going north and southbound, that is capable of handling any additional vehicle trips generated by the proposed use.

5. *That granting of such conditional use permit will not adversely affect the General Plan of the city and conforms to the provisions of the zoning ordinance.*

The project is in conformance with the City's General Plan in that the proposed use is consistent with the "Transit Oriented Neighborhood" place type site shown on the General Plan Land Use Map. In particular, Goal 6B.G1 of the Transit Oriented Neighborhood place type states: "Establish a pattern of development that takes advantage of local and regional transportation infrastructure". The construction of a used car dealership and additional retail uses is on a parcel located near a major highway and rail, thereby being in conformance with this goal.

SECTION 4. Based upon the above findings, the Planning Commission hereby approves Conditional Use Permit (CUP 5500-2016) 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 conditional use permit 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 January 24, 2018, 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 Manager.
2. This approval shall lapse and become void if the privilege authorized is not utilized within two years from the date of this approval (January 24, 2020), in accordance with Pomona Zoning Ordinance section .580.I. The Planning Commission may extend this period for one year 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.
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 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.

4. In case of a violation of any of the conditions of approval and/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 (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 Conditional Use Permit.
5. The project is subject to a twenty day appeal period. Written appeals may be filed with the City Clerk within twenty days by one or more City Council members, the applicant, or any person owning property within four hundred feet of the exterior boundary of the applicant's property. The appeal shall be filed with the City Clerk within twenty days from the date of action by the Planning Commission.

Plan Check:

6. The applicant shall include all conditions of approval from Conditional Use Permit (CUP 5500-2016) on the title sheet of construction plans prior to plan check submittal.
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. 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. 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.
9. 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 Conditional Use Permit process. Plan should further conform to the State Model Water Efficient Landscape Ordinance, 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 Manager.
 - 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.
 - c. Compliance with *Art in Public Places* requirements, per Section .5809-24 of the Pomona Zoning Ordinance; compliance may be met by either placement of an approved public art piece on the project site, or payment of an in-lieu contribution.
 - d. A *Mechanical* plan demonstrating the location, type, size, and appropriate screening of all ground-mounted and roof-mounted mechanical equipment. All mechanical equipment shall be screened from public view.
 - e. A *Sign Permit* will be required for any installation of new signage.

Site Development & Maintenance:

10. 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 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.
11. 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.
12. The construction area shall be kept clean at all times prior to, during, and after construction.
13. 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.
14. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Conditional Use Permit 5500-2016. Prior to removing or replacing any landscaped areas, check with the Planning Division. Substantial changes may require approval by the Development Services Director.

Operational Standards (Section .5809-16):

15. Each site utilized for used car sales shall be maintained free of trash and debris pursuant to the city's zoning ordinance. All buildings, signs, fences, walls and other structures shall be maintained in appropriate working order.
16. Vehicle display/storage areas shall be physically separated from required parking/drive aisle areas and marked and signed as such.
17. Display parking shall be paved with an improved parking surface pursuant to the governing Uniform Building Code and be limited to the areas delineated on the approved site plan.

18. No part of any area designated for vehicle display/storage shall be credited toward required off-street parking.
19. No vehicle to be displayed, sold, rented or repaired shall be parked or stored on any street or alley or within the required off-street parking or landscape area.
20. Existing light standards/fixtures shall be maintained in good working order and condition free of rust, chipped paint, etc. Inoperable light standards shall be repaired or removed within 30 days of notification.
21. Ancillary outdoor sales not expressly permitted by the governing zoning ordinance shall be prohibited. Retail sales permitted by the governing zoning ordinance shall be allowed within an enclosed building.

COUNTY OF LOS ANGELES FIRE DEPARTMENT

22. Provide the flow test for one existing public fire hydrant on Auto Center Drive as noted on the site plan.
 - a. Submit the completed original copy of the Fire Flow Availability Form (Form 196).
23. Fire Apparatus Access Roads (Auto Center Drive) must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
24. Fire apparatus Access Road shall be clear of all encroachments, and shall be maintained in accordance with Title 32, County of Los Angeles Fire Code.
25. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 pounds, 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 503.2.3
26. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required opening sin the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1
27. 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
28. 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

29. Additional Fire Department requirements will be determined by Fire Prevention Engineering during the Building Permit Plan Approval.
30. All fire hydrants shall measure 6" x 4" x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
31. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4
32. The required fire flow for the public fire hydrants for this project is 1500 gpm at 20 psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

BUILDING & SAFETY

33. The undergrounding of utility facilities is required (PMC 62-31).
34. This project falls under Section .5809-24 of the Zoning Code "Public Art requirement for private development – Public Art Allocations." (Ordinance No. 4151).
35. 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).
36. 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.
37. All grading shall conform to the 2016 California Building Code, and all other relevant laws, ordinances and resolutions governing grading as adopted by the City of Pomona. The applicant shall obtain a grading permit from the Building and Safety Division prior to commencing any grading or site excavation.
38. 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 a grading geotechnical/soils report as approved by the City of Pomona.
39. 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.

40. 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.
41. 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.
42. Building Department comments and conditions are subject to plan check. Comments are based on information provided.

WATER RESOURCES

Water:

43. There currently exists a twelve-inch (12") ACP water main in Auto Center Drive. The localized approximate static pressure for the proposed project area is 85-95 psi.
44. Since the static system pressure exceeds 80 psi, provide pressure regulators on the service lines to protect internal fixtures from high pressure.
45. The existing water infrastructure shall be shown on the site plan. Further design comments shall be issued by the WWOD regarding the proposed project area.
46. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
47. Any private onsite water improvements are the owner's responsibility and not the City's.

Domestic and Fire Service Line:

48. Per City records there are no existing water meters serving this site.
49. There are public fire hydrants within 500 feet of the proposed project site. All proposed onsite hydrants shall be private and be painted red.
50. Contact the Los Angeles County Fire Department to determine if additional fire hydrants are required for this site. If new fire hydrants are required, they shall be placed at least five (5) feet from proposed driveways and parking spaces.
51. 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. This calculation shall include fire and domestic water demands. These calculations shall be submitted to the WWOD.

52. The edge of all new meter vaults, if necessary, should be located in public right-of-way or the sidewalk two inches (2") from the back of curb per Standard No.'s 11 and 12 of the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006*. Meter(s) cannot be placed in driveways, parking spaces or within the property line, to allow City personnel access to these meters for future maintenance.
53. 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.
54. Contact the Public Works Department for information regarding meters and all applicable meter fees. The City will install meters less than or equal to 2" in size.
55. Effective January 1, 2017, the City has adopted new connection charges for water service. For further information on how charges are assessed contact the City's Public Works Business Services Division.
56. Approved low-lead (0.25%) backflow devices (list brand and model) are required for the following service lines to the site:
 - a. Reduced principal pressure devices are required for dedicated irrigation service lines to the proposed site, and
 - b. Reduced principal pressure devices are required for all domestic services; and
 - c. Double check detector assembly devices for all fire sprinkler service lines.
57. Submit water development plans to the City for review and building approval showing water meters, service lines, approved backflow devices, and proposed/existing water mains. WWOD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.

Sewer:

58. There currently exists an eight-inch (8") VCP sewer main within Auto Center Drive.
59. The sewer laterals from the public main to the site are considered private and shall be maintained by site owners.
60. New sewer laterals must be constructed per Standard No. B-8-61 per *City of Pomona Public Works Department Standard Drawings March 2006* (Public Works Standards). Construction shall also comply with Standard No. A-26-02 per the Public Works Standards.

61. The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.
62. Effective January 1, 2017, the City has adopted new service charges for sewer service. For further information on how charges are assessed, contact the City's Public Works Business Services Division.
63. The applicant/developer shall submit and include the following items in the sewer development plan:
 - a. The proposed sewer lateral(s) connection to the existing sewer main.
 - b. Construction Notes:
 - c. 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.
64. Submit sewer development plans to the City for review and approval prior to the building permit approval showing all existing and proposed sewer mains, laterals, and manholes. WWOD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.

PUBLIC WORKS DEPARTMENT

Land development requirements:

65. Prior to the issuance of the Certificate of Occupancy, Property Owner shall submit a copy of the recorded Reciprocal Ingress-Egress and Parking Lot Maintenance Agreement with the owner of 22 Rio Rancho Road neighboring lot.
66. Property Owner shall dedicate the necessary real property associated with the installation of the required water services and to accommodate a continuous ADA path of travel across the project's driveway approaches.

Improvement plans requirements:

67. 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; 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.
68. 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. The proposed development shall accept the conveyance of the existing offsite drainage.
69. 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.
70. 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.
71. Applicant/Developer shall submit public street improvement plans to include the following:
- a. Two new driveway approaches per City standards and ADA requirements; additional right-of-way dedication may be necessary to ensure a continuous ADA path of travel.
 - b. New sidewalk, curb and gutter along the entire property frontage, to replace all existing, damaged, cracked and uplifted sections.
 - c. Parkway drains per City standards.
 - d. Overlay paving of Auto Center Drive in compliance with the City standards, along the property frontage, extending from the gutter line to the street centerline or over the entire street width, based on the required wet and/or dry utility cuts.
 - e. Street lights: refurbish one (1) existing street light with LED luminaire.
 - f. Existing sewer, water, and storm drain infrastructure, including laterals.
 - g. Note: The parkway landscaped area shall be maintained by the property owner, as required by the City's Municipal Code Section 46-496.
 - h. Note: Undergrounding of all proposed overhead utility lines to conform with the City of Pomona Municipal Code Section 62-31(b).
 - i. Note: Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
 - j. 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.

72. 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.
73. 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.
74. 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.
75. 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. The Developer is responsible to comply with the approved hydrology/hydraulic study recommendations necessary to meet minimum Federal, State, County and City requirements. The hydrology/hydraulic study shall be approved prior to the approval of the grading plan.
76. Prior to issuance of the grading permit Applicant/Developer shall develop and obtain the 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:
 - a. Site Design BMPs;
 - b. Source Control BMPs; and
 - c. Treatment Control BMPs.

Applicant/Developer shall utilize the County of Los Angeles Department of Public Works Low Impact Development Standards Manual (Published February 2014) as a guidance document for the design of applicable Best Management Practices (BMPs) proposed for the 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 comparison must be provided in the SUSMP.

Applicant/Developer shall utilize the County of Los Angeles Department of Public Works' HydroCalc program described in the LID Manual to calculate these design flows and volumes. The program download can be found at <http://dpw.lacounty.gov/wrd/publication/>.

Applicant/Developer shall implement Good Housekeeping Best Management Practices (BMPs) for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.

77. 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, and public safety improvements and the project's water and sewer connection fees.
78. Prior to issuance of the building permits applicant/developer is responsible for paying the development tax associated with the proposed project.
79. 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.
80. 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 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.

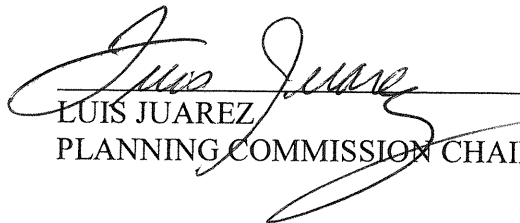
81. Prior to the issuance of the building permits, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: driveway approaches, sidewalk, curb and gutter, street paving, street lights, existing and proposed overhead lines undergrounding, water, sewer, and storm drain improvements.
82. 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.

83. Permittee shall pay fees associated with and possess the City of Pomona Business License.
84. 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.

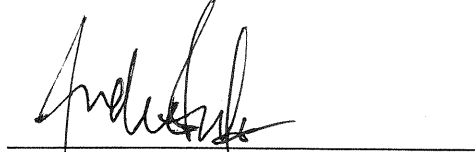
APPROVED AND ADOPTED THIS 24TH DAY OF JANUARY, 2018.


LUIS JUAREZ
PLANNING COMMISSION CHAIRPERSON

ATTEST:


EMILY STADNICKI
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:


ANDREW JARED
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF POMONA)

AYES: Arias, Brown, Juarez, Ursua, and Hemming.
NOES: None.
ABSTAIN: Grajeda
ABSENT: Ramos

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.