

**PC RESOLUTION NO. 21-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING TENTATIVE TRACT MAP NO. 83141 (TRACTMAP 13947-2020) FOR CONDOMINIUM PURPOSES IN ASSOCIATION WITH THE DEVELOPMENT OF 33 RESIDENTIAL UNITS AS WELL AS ASSOCIATED ON-SITE AND OFF-SITE IMPROVEMENTS ON A PROPERTY LOCATED AT 875 W. ORANGE GROVE AVE. (APN NOS. 8344-009-006; 009-010)**

**WHEREAS**, the applicant, CrestWood Communities, has submitted an application for a Tentative Tract Map No. 83141 (TRACTMAP 13947-2020) for condominium purposes on a property located at 875 W. Orange Grove Ave. (APN Nos. 8344-009-006; 009-010);

**WHEREAS**, the subject property is currently located within the R-1-6,000, Single Family Residential District;

**WHEREAS**, the subject property has a General Plan Place Type designation of "Residential Neighborhood";

**WHEREAS**, the subject property has a General Plan Transect Zone designation of "T3" and "T4-B" both allowing up to 20 dwelling units per acre;

**WHEREAS**, the proposed project is subject to the provisions of Housing Crisis Act of 2019 also known as Senate Bill 330 (SB 330);

**WHEREAS**, on January 6, 2021, the Historic Preservation Commission approved Major Certificate of Appropriateness (MAJCOA 14807-2020) to allow the demolition of pre-1945 structures located at 861 W. Orange Grove Ave. (APN Nos. 8344-009-009 and 010);

**WHEREAS**, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on January 27, 2021, concerning the requested Tentative Tract Map (TRACTMAP 13947-2020); 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.** In compliance with the California Environmental Quality Act (CEQA) guidelines, staff has determined that the proposed project meets the criteria for an exemption under Section 15183 (Projects Consistent with a Community Plan, General Plan or Zoning) of CEQA. The proposed project is consistent with the City's General Plan; the proposed project will not result in any peculiar impacts that were not identified as a significant impact under the 2014 General Plan Update

EIR (GPU EIR); the project site has no value as habitat for endangered, rare or threatened species; the proposed project will not have any significant effects upon the environment that were not identified as significant in the GPU EIR; the proposed project will not result in a potentially significant offsite impact or cumulative impact not discussed in the GPU EIR; the proposed project will not result in a more severe impact due to substantial new information that was not known at the time the GPU EIR; and the site can adequately be served by all required utilities and public services. Therefore, no further action is required and a Notice of Determination (Section 15094) will be filed indicating that the project is eligible for an exemption under CEQA Guidelines Section 15183. The Planning Commission exercising independent judgment finds that the proposed project will not have a significant effect on the environment.

**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.** Pursuant to Section 66474 of the California Government Code (Subdivision Map Act) and the City's Subdivision Ordinance, the Planning Commission must make seven findings in order to approve Tentative Tract Map No. 83141 (TRACTMAP 13947-2020). 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. *The proposed tentative tract map is consistent with the general plan and applicable specific plan.*

The project site is designated as General Plan Place Type Residential Neighborhood, which contemplates residential uses as well as Transect Zones T3 and T4-B, which allow residential densities of up to 20 dwelling units per acre. The proposed use and density are consistent the sites' designated General Plan Place Types and Transect Zones. The project is consistent with the following General Plan goals:

Goals 6G.G3: Improve neighborhoods exhibiting substandard conditions and declining private investment.

Goals 6G.G7: Promote attractive community character as viewed from the public streets, while providing adequate buffer areas between homes and heavily-travel roads.

Goals 6G.G9: Ensure continuity in development scale and character with careful

transitions between areas of differing use composition and density.

There is no applicable specific plan for the project site.

2. *The design or improvement of the proposed subdivision is consistent with the general plan and applicable specific plan.*

The design and improvements of the proposed subdivision are consistent with the General Plan in that on-site improvements, such as driveways, sidewalks and drainage facilities will be designed and constructed in accordance with City standards. In addition, the project design, which is intended for multiple-family residential development, provides for satisfactory pedestrian and vehicular circulation. There is no applicable specific plan for the project site.

3. *The site is physically suitable for the type of development.*

The site is physically suitable for the type of development proposed in that the property is relatively flat and approximately 3.60 acres in area. The proposed development, which includes 33 residential units as well as associated on-site and off-site improvements, meets the applicable development standards of the Small Lot Residential Zone.

4. *The site is physically suitable for the proposed density of development.*

The site is physically suitable for the proposed density of development in that the site is designated as General Plan Transect Zones T3 and T4-B, which allow residential densities of up to 20 dwelling units per acre. The proposed project density of 9.2 dwelling units per acre is within the allowable density range.

5. *The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The proposed project will comply with the policies and regulations of the Pomona City Code and General Plan and with all local or regional plans, policies, regulations, and any requirements by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Based on these factors, the proposed subdivision will not cause substantial environmental damage or injure wildlife or their habitat.

6. *The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the subdivision and the type of improvements are not likely to cause serious problems to public health because the building and infrastructure improvements shall be constructed to conform to all City standards. The adopted City standards relating to the Uniform Building Code and Grading Code are designed to protect the public health and welfare and have been approved by the City.

7. *The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.*

The design of the subdivision or type of improvements will not conflict with easements acquired by the public at large.

**SECTION 4.** Based upon the above findings, the Planning Commission hereby approves Tentative Tract Map No. 83141 (TRACTMAP 13947-2020) 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 Tentative Tract Map or any portion thereof:

**DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION**

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 27, 2021, and as illustrated in the stamped approved plans dated December January 27, 2021. 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 or January 27, 2023, in accordance with Pomona Subdivision Ordinance section 29-49, et seq. The Planning Commission may extend this period not to exceed an aggregate of three years 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 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 or by February 16, 2021.

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 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 Tentative Tract Map.
6. 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, and 5, of this Tentative Tract Map 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. The Applicant shall be responsible for the reimbursement of fees incurred for the City Attorney to review the CC&R's.
7. The applicant shall make a reduction of all approved resolutions related to the project, which shall be placed on the title sheet of construction plans prior to Plan Check submittal.

8. Within thirty (30) days of approval of this Tentative Tract Map, the property owner shall execute a trespass authorization letter with the City to allow the Police Department to enforce trespassing on the subject property.
9. Prior to, during, and until construction is completed, the subject property shall be maintained clean and free of debris, trash and clutter at all times, and monitored on a regular basis to ensure compliance with this condition and report any unauthorized trespassing onto the property to the property owner and Police Department. Failure to comply with this condition shall be grounds for revocation of this Tentative Tract Map.
10. General Plan Policy 7E.P13. Conduct nesting bird surveys prior to any construction activities, including projects proposed to remove/disturb native and ornamental landscaping and other nesting habitat for native birds during bird breeding season from March 1 through August 31 (as early January 1 for some raptors). If no nesting birds are detected during these surveys, then construction-related activities may proceed. Active nests within and adjacent to the construction zone should be avoided and provided a minimum buffer as determined by a biological monitor (CDFW recommends a 300 foot nest avoidance buffer or 500 feet for all active raptor nests) or consult with the U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife prior to the commencement of construction.
11. General Plan Policy 7F.P41. In the event scientifically valuable paleontological or archaeological materials are identified on the subject site, those materials shall be donated to a responsible public or private institution with a suitable repository, located within Pomona, or Los Angeles County, whenever possible.
12. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:
  - a. Historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
  - b. Historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
  - c. Prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates; groundstone artifacts, including mortars, pestles, and grinding slabs;
  - d. Dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone,

groundstone, and fire affected rocks.

13. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.
14. Temporary noise barriers and/or blankets with a minimum height of six feet shall be constructed along the entire western project site boundary and along the segment of the eastern project site boundary that abuts 912 Casa Hermosa Drive and 845 West Orange Grove Avenue. The temporary noise barriers and/or blankets may be constructed of material with a minimum weight of two pounds per square foot with no gaps or perforations. Temporary noise barriers and/or blankets may be constructed of, but not limited to, 5/8 inch plywood, 5/8-inch oriented strand board, and hay bales. Example product sheets are included in Appendix F.
15. A sign shall be provided at the yard entrance, or other conspicuous location, that includes a telephone number for project information, and a procedure where a field engineer/construction manager shall respond to and investigate noise complaints and take corrective action if necessary in a timely manner. The sign shall have a minimum dimension of 48 inches wide by 24 inches high. The sign shall be placed five feet above ground level.
16. If a noise complaint(s) is registered, the contractor shall retain a City-approved noise consultant to conduct noise measurements at the use(s) that registered the complaint. The noise measurements shall be conducted for a minimum of one hour and shall include one-minute intervals. The consultant shall prepare a letter report summarizing the measurements and potential measures to reduce noise levels to the maximum extent feasible. The letter report shall include all measurement and calculation data used in determining impacts and resolutions. The letter report shall be provided to code enforcement for determining adequacy and recommendations, as well potential revocation of the variance if measures are inadequate.
17. Prior to the issuance of a Certificate of Occupancy, the applicant shall record against the title of the property in the County Recorder's office and a copy filed with the Director of Development Services, the RF Exposure Study prepared by Hammett & Edison, Inc. and dated November 25, 2019.

**DEVELOPMENT SERVICES DEPARTMENT – BUILDING & SAFETY DIVISION**

18. This project must comply with 2019 California codes
19. The undergrounding of utility facilities is required. (PMC 62-31)
20. 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)
21. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2019 California Building Codes.
22. All grading shall conform to the 2019 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.
23. 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.
24. All proposed work shall comply with the 2019 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
25. Proposed project shall comply with the 2019 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
26. 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.
27. Park and Recreation Improvement Fee shall be \$675 per dwelling unit for new construction. (Ordinance 3506)
28. Demolition site plan and erosion control is required. (separate permit required) AQMD clearance required prior to permit issuance.



29. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
30. Fence and wall plan required.

## **PUBLIC WORKS DEPARTMENT**

### **Tract Map Requirements**

31. The development's tentative tract map shall be recorded as one final map and developed as one tract. Financial security for all public improvements shall be posted prior to the approval of the final map, to guarantee the construction of all public improvements for the proposed subdivision.
32. Tentative Tract Map shall conform to the requirements of the Subdivision Map Act and to City Ordinance No. 2779.
33. The final map shall include the necessary dedication(s) along the Orange Grove Avenue property frontage to ensure a minimum 40 feet right-of-way width for the northerly half of Orange Grove Avenue.
34. All existing and proposed easements for water/storm drain/sewer lines, ingress/egress, footings and traveled ways must be clearly shown on the final map; the completion of any/all proposed easement vacations needs to be performed as part of the final map. Prior to recordation, the Applicant/Developer shall demonstrate to the satisfaction of the City Engineer that the proposed subdivision will not unreasonably interfere with the use of any easement holder of property. Any omission or misrepresentation of these documents may require the final map to be resubmitted for further consideration.

Provide copies of all recorded instruments referenced in the easements section pertaining to the project's legal description.

35. Prior to the tract map approval the Title Company must submit a Final Subdivision Guarantee to the Public Works Engineering Department.
36. All subdivisions must have centerline ties and survey property monuments set by a licensed Professional Civil Engineer or Land Surveyor as shown on the recorded subdivision. All final monuments shall be set by the Engineer of record within one year of the final map recordation; adequate monumentation bond is required prior to the final map approval.

37. Prior to the issuance of the first building permit, the final map shall be recorded to reflect the lot lines, easements and Fire Department access. Mylar copies of the final map with the Los Angeles County Recorder's Office official stamp must be submitted to the Public Works Engineering Department.
38. Applicant/Developer shall ensure that a condominium association is established for the purpose of maintaining all driveways, common areas, private utilities and joint use of parking and access for the benefit of all individual condominium units. The association documents, including any necessary Covenants, Conditions and Restrictions (CC&Rs) shall be approved by the City Attorney and recorded on the grant deed prior to approval of the first Certificate of Occupancy.

#### **Improvement plans requirements**

39. 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' scale 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.
40. Prior to issuance of the grading permit the Applicant/Developer shall submit written notifications 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.
41. 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.

42. Prior to issuance of the grading permit, the Applicant/Developer shall submit a soils and geologic report to address the soil's stability, infiltration rate and geological conditions of the site.
43. 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. Applicant/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.
44. 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.

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 to the City.

45. Prior to the approval of the final map, Applicant/Developer shall submit public street improvement plans to include the following items and is responsible for the construction thereof:
- a. Removal of three (3) driveway approaches along Orange Grove Avenue and construction of two new driveway approaches, per City standards and ADA requirements. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
  - b. Removal of the block wall installed behind the Orange Grove Avenue sidewalk, as it encroaches in the public right-of-way.
  - c. Removal of the chain link fence installed along the Casa Hermosa Drive lot frontage, which encroaches in the public right-of-way.
  - d. New sidewalk, curb and gutter to replace (i) the existing driveway approaches proposed for removal and (ii) all damaged cracked and uplifted sections along Orange Grove Avenue and Casa Hermosa Drive property frontages.
  - e. In the event that project related hardscape, wet and/or dry utility pavement cuts are needed along Orange Grove Avenue, Casa Hermosa Drive and alley property frontages, street repaving shall occur in accordance with the City standard A-26-02, Case III (pavement moratorium).
  - f. To address site access safety and required City standard upgrades, the following modification shall be made to the public streetlights: Refurbish one (1) street light luminaire with an LED luminaire on Orange Grove Avenue and one (1) at the Casa Hermosa Drive cul-de-sac, for a total of two (2) LED luminaires.
  - g. Street Landscaping:
    - i) The parkway-landscaped areas along the project frontages shall be sprinklered and maintained by the property owner, as required by the City's Municipal Code Section 46-496; a note to this effect shall be added to the public street improvement plan.
    - ii) The parkway landscaped area shall be designed to comply with the City standard A-34-11 (Intersection Sight Distance) and a note to this effect shall be added on the public street improvement plan.
  - h. Parkway drains installed in compliance with the City standards.
  - i. Existing and proposed sewer, water and storm drain infrastructure, including laterals and easements.
  - j. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries, and a note to this effect shall be added to the public street improvement plan.

- k. Undergrounding of the existing (along Orange Grove Avenue and alley) 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.
  - m. 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.
46. 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.
47. 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.
48. 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.
49. Traffic:
- a. Install 25' of red curb on both sides of the project driveways.
  - b. Install (AC-powered) flashing yellow LED Edgelite pedestrian crossing warning signs at the Lewis Street and Orange Grove Avenue crosswalk.
50. Prior to the issuance of the building permits or the approval of the public water and public sewer plans, whichever occurs first, Applicant/Developer is responsible for the payment of any/all applicable 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.

51. 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.
52. Prior to issuance of the building permits, Applicant/Developer is responsible for paying the project's development tax fee.
53. 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 8344-009-006, -009, and -010.
54. 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.
55. 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.
56. Prior to the issuance of the Certificate of Occupancy Applicant/Developer is responsible for the project's compliance with the USPS Delivery Growth Management Program; related information is available at <https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/residential-delivery.htm>

#### **Public Works Improvements Permit**

57. All work in the public right-of-way and City easements is subject to review, approval, and permitting requirements of Public Works Department.
58. Prior to the approval of the final map, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: water, sewer, storm drains, street paving and striping, driveway approaches, curb and gutter, sidewalk, overhead lines undergrounding, parkway landscaping, street lighting and traffic improvements.

59. 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.
60. Permittee shall pay fees associated with and possess the City of Pomona Business License.
61. 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/Developer.

## **WATER RESOURCES DEPARTMENT**

### **Water**

62. There is currently an exists the following infrastructure adjacent to the proposed project site:
  - a. Orange Grove Ave. - Ten-inch (10") STLP water main, that may not be connected for service to this project, and eight-inch (8") ACP water main
  - b. Casa Hermosa Dr - Eight-inch (8") ACP
  - c. Ashport St. - Eight-inch (8") DIP
63. The existing localized approximate static pressure for the proposed project area is 45 - 55 psi. The existing water infrastructure shall be shown on the plans.
64. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
65. Any private on-site water improvements shall be the owner's responsibility and not the City's.
66. Within the City's billing system, there is record of an existing (1.5") water service for the proposed project site. Identify if the existing water service connection will be used for the proposed development. WRD will provide additional comments regarding any proposed or existing service/meter to be used for the project.

67. The edge of all new 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 City Standard Numbers 11 and 12. 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.
68. The City may install meters less than or equal to two-inches (2") in size. Contact the Public Works Department for information regarding meter installation fees.
69. Any public water infrastructure located on private property shall be installed within a City of Pomona easement, and will be maintained by the City.
70. Contact the Los Angeles County Fire Department regarding this project and their proposed requirements for the building, sprinklers and general land development.
71. All newly installed water lines shall be disinfected per the City of Pomona Water Division Standard Specifications for Water Facility Construction before connection to the existing water main.
72. Approved low lead (0.25%) backflow devices (list the manufacturer and model) are required for the following service lines to the site:
  - a. Reduced pressure principle assembly (RPPA) devices are required for dedicated irrigation service lines to the proposed site, and
  - b. Reduced pressure principle assembly (RPPA) devices are required for all domestic services; and
  - c. Double check detector assembly (DCDA) devices for all fire sprinkler service lines.

## **Sewer**

73. There is currently an exists the following infrastructure adjacent to the proposed project site:
  - a. Orange Grove Ave.- Eight-inch (8") OTH sewer main owned by Los Angeles County Sanitation Districts and an eight-inch (8") VCP sewer main owned by the City of Pomona.
74. All proposed sewer main onsite shall be privately maintained. The sewer lateral from the public main to the site is considered private and shall be maintained by site owners.
75. Per as-built records, there appears to be an existing (8") sewer lateral serving the proposed project site. Identify if the existing sewer connection will be used for the proposed development.



76. Due to the additional discharge volume anticipated by this development, the applicant developer shall conduct a flow meter study for the existing sewer main. Please submit a flow test report for the existing manhole closest to the proposed point(s) of connection. This flow test report shall be submitted to the WRD for review and acceptance.
77. New sewer laterals must be constructed per Standard Drawing Numbers S5 and S6. Construction shall also comply with pavement repair Standard Drawing No. A-26-02 per the Public Works Standards.
78. The physical sewer separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.

## **LOS ANGELES COUNTY FIRE DEPARTMENT**

### **Final Map Requirements**

79. The Final Map shall be submitted to our office for review and approval prior recordation.
80. 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 an all-weather access surface to be clear to sky.
81. The Private Driveway proposed as private street for access throughout the development shall be labeled as "Private Driveway/Fire Lane" on the Final Map. The portion of the private driveway intended for fire apparatus access shall be identified as "Fire Lane", including the Fire Department Turnaround. All widths and dimensions shall be clearly delineated with a reciprocal access agreement is required for all private driveways. Compliance required prior to Final Map clearance.

### **Water**

82. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
83. 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.
84. Relocate one existing public fire hydrant. (Location: as shown on the Tentative Map).

85. Install one new public fire hydrant. (Location: as shown on the Tentative Map).
86. The required fire flow for this development is 500 gpm for 2hours @ 20psi.
87. Fire hydrant improvement plans for the new required fire hydrants shall be submitted to the Land Development Unit for review and approval prior to the clearance of the Final Map.

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

**PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2021**

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ALFREDO CAMACHO-GONZALEZ  
PLANNING COMMISSION CHAIRPERSON

**ATTEST:**

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ANITA D. GUTIERREZ, AICP  
PLANNING COMMISSION SECRETARY

**APPROVED AS TO FORM:**

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MARCO A. MARTINEZ  
DEPUTY CITY ATTORNEY

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

AYES:  
NOES:

PC Resolution No. 21-  
Tentative Tract Map No. 83141 (TRACTMAP 13947-2020)  
875 W. Orange Grove Avenue  
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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.