

PC RESOLUTION NO. 21-024

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING TENTATIVE TRACT MAP NO. 83313 (TRACTMAP 15269-2021) FOR CONDOMINIUM PURPOSES IN ASSOCIATION WITH THE DEVELOPMENT OF 38 RESIDENTIAL UNITS AS WELL AS ASSOCIATED ON-SITE AND OFF-SITE IMPROVEMENTS ON A PROPERTY LOCATED AT 528 EAST GROVE ST. (APN 8367-011-007)

WHEREAS, the applicant, Crestwood Communities, has submitted an application for a Tentative Tract Map No. 83313 (TRACTMAP 15269-2021) for condominium purposes in association with the development of 38 residential units as well as associated on-site and off-site improvements on a property located at 528 E. Grove St. (APN 8367-011-007);

WHEREAS, the subject property is currently located within the R-1-7,500, 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" 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, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on October 13, 2021, concerning the requested Tentative Tract Map No. 83313 (TRACTMAP 15269-2021);

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. Pursuant to the Guidelines for Implementation of the Environmental Quality Act (CEQA), 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.

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. 83313 (TRACTMAP 15269-2021). 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 Zone T3, which allow residential densities of up to 20 dwelling units per acre. The proposed use and density are consistent with the sites' designated General Plan Place Type and Transect Zone. 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 3.58 acres in area. The proposed development, which includes 38 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 Zone T3, which allow residential densities of up to 20 dwelling units per acre. The proposed project density of 10.61 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. 83313 (TRACTMAP 15269-2021) 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

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 October 13, 2021, and as illustrated in the stamped approved plans dated October 13, 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 Planning Division 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 October 13, 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 November 2, 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.

Site Development & Maintenance

6. 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.
7. 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.

8. 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.
9. 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.

Plan Check, Permitting, and Certificate of Occupancy

10. 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.
11. Prior to the issuance of any building permits, the applicant shall complete the following items:
 - a. The installation of fences will require the submittal of a “Fence and Wall Permit” application for review and approval by the Planning Division. Block wall/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 extent feasible. The applicant shall coordinate with the adjacent property owner(s) and make reasonable attempts to construct one common property line wall. All proposed fencing shall comply with Pomona Zoning Ordinance (PZO) Section .503-I, as applicable.
 - b. A Landscape Plan Check application in substantial conformance to the conceptual landscaping plan shall be submitted to and approved by the Planning Division. The plan should further conform to the State Model Water Efficient Landscape Ordinance and applicable portions of PZO Section .503-J. 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 or designee.
 - c. 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.

- d. All proposed outdoor amenities shall be incorporated into the building plan check submittal, subject to review and approval by the Development Services Director or designee.
12. Prior to the issuance of a Certificate of Occupancy, the applicant shall complete the following items:
- a. A Landscape Installation Certificate of Completion shall be submitted to the Planning Division prior to issuance of a Certificate of Occupancy.
 - b. 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.
13. If proposed, the installation of signage shall require the submittal of a "Sign Permit" application for review and approval by the Planning Division.

Art In Public Places

14. 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.

iv. 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 prior to building permit issuance.

v. 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.
3. 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.

Biological Resources Conditions

15. General Plan Policy 7E.P12. Conduct presence/absence biological surveys for sensitive plant and animal species during the appropriate time of year and time of day in natural areas prior to any construction activities proposed adjacent to or in natural areas. If no special-status species are detected during these surveys, then construction-related activities may proceed. If listed special-status species are found in the construction zone, then avoid these species and their habitat or consult with U.S. Fish and Wildlife prior to the commencement of construction.
16. 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.

Cultural and Tribal Resources Conditions

17. 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.
18. Pomona General Plan Policy 7F.P42. A qualified paleontologist/archaeologist [shall] monitor all grading and/or excavation where there is a potential to affect cultural, archaeological, or paleontological resources.
19. Pomona General Plan Policy 7F.P43. New development [shall] donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located in Pomona or Los Angeles County, whenever possible.
20. 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.
21. 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.

Noise and Vibration Conditions

22. Temporary noise barriers and/or blankets with a minimum height of six feet shall be constructed along all project site boundaries, while still allowing for site access along E. Grove Street, as appropriate. The existing six-foot masonry wall that surrounds the project site on the east, south, and west can satisfy this requirement upon approval by the City Planner. Alternatively, 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.
23. Electrically powered equipment instead of internal combustion equipment shall be used where feasible.
24. 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 5 feet above ground level.
25. 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.
26. 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.

27. There shall be no activity conducted on the subject site that exceeds the noise and vibration parameters of Pomona City Code Section 18-301, et seq., and City Council Ordinance No. 3939 at any time, or such other ordinance enacted related to noise and vibration.
28. Pursuant to Pomona General Plan Policy 7G.P3, noise-emitting construction equipment or activities require the City to implement measures to restrict such nuisance noise. The following measures are appropriate for reducing potential construction noise impacts:
 - a. Mufflers. All construction equipment, fixed or mobile, should be operated with closed engine doors and should be equipped with properly operating and maintained mufflers consistent with manufacturers' standards and capable of reducing noise levels by at least 15 dBA.
 - b. Stationary Equipment. All stationary construction equipment should be placed so that emitted noise is directed away from the nearest sensitive receivers and enclosed with materials capable of reducing noise levels by at least 10 dBA.
 - c. Equipment Staging Areas. Locate all construction areas for staging and warming up as far as possible from adjacent residential buildings and sensitive receivers.

DEVELOPMENT SERVICES DEPARTMENT – BUILDING & SAFETY DIVISION

29. This project must comply with 2019 California codes
30. The undergrounding of utility facilities is required. (PMC 62-31)
31. 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)
32. 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.
33. 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.
34. 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.

35. 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.
36. 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.
37. Project must comply with EV charging requirements as designated on the California Green Building Standards.
38. 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.
39. Park and Recreation Improvement Fee shall be \$675 per dwelling unit for new construction. (Ordinance 3506)
40. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
41. Fence and wall plan required.

PUBLIC WORKS DEPARTMENT

Tract Map Requirements

42. 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 issuance of the building permits, to guarantee the construction of all public improvements for the proposed subdivision.
43. Tentative Tract Map shall conform to the requirements of the Subdivision Map Act and to City Ordinance No. 2779.

44. On the final map, the area currently dedicated as easement [A] for street purposes and shown inside the property boundary (blue border line) shall be rededicated to the City of Pomona for roadway purposes, as a lettered lot.
45. 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 unreasonable 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.

46. Prior to the tract map approval the Title Company must submit a Final Subdivision Guarantee to the Public Works Engineering Department.
47. 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.
48. The final map shall be recorded prior to the issuance of the first Certificate of Occupancy. 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.
49. 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

50. 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.
51. 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.
 52. 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.
 53. 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.
 54. 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.
 55. 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.

56. 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 two (2) driveway approaches along Grove Street 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. New sidewalk, curb and gutter to replace (i) the existing driveway approaches proposed for removal and (ii) all damaged cracked and uplifted sections along Grove Street property frontage.

- c. In the event that project related hardscape, wet and/or dry utility pavement cuts are needed along Grove Street property frontage, street repaving shall occur in accordance with the City standard A-26-02; at the minimum, from gutter line to street centerline and along the lot frontage.
- d. Street Lights - To address site access safety and required City standard upgrades, the following are required:
 - i. A lighting analysis must be prepared and submitted to the Public Works Department for review and approval. The study area will be along Grove Street project frontage, to ensure the roadway illumination design meets the IES RP-8 requirements; the owner is responsible for the compliance (design & installation) with all mitigation measures.
 - ii. The installation of the new street lights shall comply with the City standards. A separate public street lights improvement plan is required for more than three (3) new street lights installation.
 - iii. The existing street light shall be refurbished with an LED luminaire, per City standards.
- e. 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.
- f. Parkway drains installed in compliance with the City standards.
 - i. The proposed catch basin currently located within the Edwin Avenue sidewalk area shall be relocated on private property. The parkway drain discharging to Edwin Avenue shall be privately maintained and a note to this effect shall be added on the grading plan and on the public street plan.
- g. Existing and proposed sewer, water and storm drain infrastructure, including laterals and easements.
- h. 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.
- i. Undergrounding of the existing (within the property boundary) 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.
- j. 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.
- k. 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.
57. 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.
58. 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.
59. 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.
60. Traffic: Applicant/Developer is responsible for the implementation and installation of the following traffic mitigation measures:
- a. Towne Avenue (NS) at Grove Street (EW) - Install signage on the eastbound approach to prohibit left turns during the AM and PM peak periods (7-9 AM and 4-6 PM).
 - b. Install red curb markings on East Grove Street along the entire project site frontage to maintain adequate stopping sight distance at the project driveways.
61. 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.
62. 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.

63. Prior to issuance of the building permits, Applicant/Developer is responsible for paying the project's development tax fee.
64. 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 Number 8367-011-007.
65. 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.
66. 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.
67. 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

68. All work in the public right-of-way and City easements is subject to review, approval, and permitting requirements of Public Works Department.
69. Prior to the issuance of the building permits, 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.
70. 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.

- 71. Permittee shall pay fees associated with and possess the City of Pomona Business License.
- 72. 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

- 73. The increased water demand and wastewater generation for this proposed site shall be calculated. These calculations shall be submitted directly to the WRD for review and acceptance. A full plumbing plan with hydraulic calculations shall be submitted to the Building Department.
- 74. Any proposed public infrastructure shall be identified per a separate plan and submitted to the Public Works Department for the review, routing and approval process. Required easements for the necessary water meters, fire services or other public utilities shall be captured on the final map or through a separate document.

LOS ANGELES COUNTY FIRE DEPARTMENT

Final Map Requirements

- 75. 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.
- 76. The Private Driveways proposed as private streets for access throughout the development shall be labeled as "Private Driveway" on the Final Map. The portion of the private driveway intended for fire apparatus access shall be identified as "Fire Lane" on the Final Map. 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.

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77. Fire hydrant improvement plans shall be submitted for review and approval prior Final Map clearance.

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

PASSED AND APPROVED THIS 13TH DAY OF OCTOBER, 2021

ALFREDO CAMACHO-GONZALEZ
PLANNING COMMISSION CHAIRPERSON

ATTEST:

ATA KHAN
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

MARCO A. MARTINEZ
DEPUTY CITY ATTORNEY

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

AYES:
NOES:
ABSTAIN:
ABSENT:

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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.