

PC RESOLUTION NO. 24-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING MODIFICATION OF CONDITIONAL USE PERMIT (CUP-019791-2022) TO DEVELOP AND SUBDIVIDE TWO VACANT PARCELS, TOTALING +/- .58 ACRES INTO 8 DETACHED, THREE-STORY DWELLINGS FOR A PROPERTY WITHIN THE PHILLIPS RANCH SPECIFIC PLAN, URBAN RESIDENTIAL/NEIGHBORHOOD ACTIVITY CENTER LOCATED AT 12 VILLAGE LOOP ROAD (APN: 8711022087, 8711022088).

WHEREAS, the applicant, Matt Waken, has submitted an application for Modification of a Conditional Use Permit (CUP-019791-2022) to develop two vacant parcels, totaling +/- .58 acres into 8 detached, three-story dwellings as well as associated on-site and off-site improvements;

WHEREAS, the applicant has concurrently submitted Tentative Tract Map (TRACTMAP-019793-2022) to subdivide two parcels into 12 parcels, with eight residential lots, two dedicated to open space, and two dedicated to private roadways;

WHEREAS, the subject property is currently located within the "Urban Residential Neighborhood Activity Center District (UR-NAC) within the Phillips Ranch Specific Plan (PRSP);

WHEREAS, the subject site is designated as an "Urban Neighborhood" and "Activity Center" place type in the T4-A transect zone by the City's General Plan;

WHEREAS, on September 9, 2015, a Conditional Use Permit (CUP-14-056) was approved for the development of a 124 detached two- and three-story single-family residential units and two 3,000-square foot neighborhood-serving commercial structures;

WHEREAS, on October 19, 2015, the City of Pomona City Council approved and adopted Ordinance No. 4210, for to amend the Phillips Ranch Specific Plan (PRSP) by replacing the Neighborhood Commercial (N- C) designation with a new designation identified as Urban Residential Neighborhood Activity Center (URNAC) for a property located at 2- 16 Village Loop Road;

WHEREAS, the applicant seeks to modify the existing Conditional Use Permit in order to propose the expansion of the existing residential development, by subdividing the two parcels originally contemplated for the two commercial structures12 parcels to develop eight detached three-story dwelling units, two private streets, and two parcels dedicated to open space.;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on February 14, 2024 concerning Conditional Use Permit (CUP-019791-2022); 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, as follows:

SECTION 1. Based upon the facts and information contained in the application, together with all written and oral reports included for the environmental assessment for the application, the Development Services Director finds that the proposed project is exempt from further environmental review pursuant to State CEQA Guidelines, Section 15332 (In-Fill Development) based on the following findings of fact:

- A. In 2014, the City of Pomona adopted a Final Environmental Impact Report (EIR) associated with the discretionary project, which analyzed the environmental impacts of the City of Pomona's General Plan Update (GPU), Corridors Specific Plan, Active Transportation Plan, and Green Plan. In conjunction with the certification of the GPU and PCSP EIR, a Mitigation Monitoring and Reporting Program (MMRP) was adopted. The proposed project site was previously studied under this Certified Final EIR.
- B. Pursuant to the provisions of CEQA (Public Resources Code, Section 21084 et. seq.), the guidelines include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Section 15332 (In-Fill Development Projects) exempts projects characterized as in-fill development meeting conditions described in this section. These conditions and their applicability to the proposed project are outlined as follows:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The density, design, and infrastructure plan of the proposed development are consistent with the General Plan place type of Urban Neighborhood, adopted Specific Plan, and all applicable regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The proposed project site is within the City of Pomona boundary, is approximately .58 acres, and is surrounded by residential and open space.

(c) The project site has no value as habitat for endangered, rare or threatened species.

The proposed project site is not identified in the adopted 2014 GPU Final EIR as a biological resource for threatened or endangered species nor is located within a Significant Ecological Area as designated by the County of Los Angeles. Thus, the project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Based on the adopted 2014 GPU Final EIR, the proposed project does not exceed the thresholds of significance outlined in Chapter 4, Environmental Impact Analysis related to traffic, noise, air quality, or water quality. Furthermore, a preliminary soils report concluded that the site is suitable for residential development.

(e) The site can be adequately served by all required utilities and public services.

As conditioned by the City of Pomona Public Works & Water Resources Department the site will be adequately served by all required 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 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 4. Pursuant to Section .580.B of the Zoning Ordinance, the Planning Commission must make the five findings listed below in order to grant Modification of Conditional Use Permit (CUP-019791-2022). Based upon a 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 use at the particular location will contribute to the general well-being of the neighborhood or community.*

The proposed project will contribute to the general well-being of the neighborhood and community, in that the existing site is currently undeveloped and the proposed use will offer for-sale detached single-family dwellings. The neighboring uses are comprised of single-

- family residences, Phillips Ranch Park, and Decker Elementary School.
2. *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;*

The proposed development will be a compatible continuation with the existing residential uses surrounding the project site and with the adjacent park and elementary school. The proposed project will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity; instead, it will have a positive affect on the existing uses by improving the aesthetics, safety, and overall functionality of the site by providing a high quality design project that encourages an active pedestrian friendly environment that is sensitive to nearby and land uses.

3. *The site of the proposed use is of adequate topography, size and shape 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 is of adequate topography, size and shape to accommodate the proposed project and meets the development standards and conditions required by the "Urban Residential Neighborhood Activity Center" of the PRSP.

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

The traffic generated by the proposed project will not exceed the capacity of nearby streets and right-of-ways by which the subject site will take ingress/egress. Village Loop Road, which is of appropriate width and has the capacity to accommodate additional traffic generated by the proposed development project.

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 consistent with the General Plan place type of "Urban Neighborhood" in the T4-A transect zone. Further, the T4-A Transect Zone prescribes the typical development type as:

- *A mix of building types compatible with medium scale multi-family housing as well as townhomes, and other smaller scale multifamily housing in locations that are adjacent to stable residential neighborhoods.*
- *Establish areas that can successfully transition into mixed-use neighborhoods with a strong residential character by supporting high quality, multi-family housing.*

- *Improve neighborhoods exhibiting substandard conditions and declining private investment.*
- *Strive to provide parks, school, and neighborhood-serving commercial uses within a convenient distance from all homes.*
- *Ensure that new residential development is well-integrated into adjacent neighborhood street patterns and provided with pedestrian connections.*
- *Promote attractive community character as viewed from public streets, while providing adequate buffer areas between homes and heavily-traveled roads.*

The project is an appropriate transition to the established single-family residential properties to the south, east, and east, including Phillips Ranch Park and Decker Elementary School located to the north of the subject site. With the conditions of approval, the proposed residential development will positively affect the general welfare of the community and improve the aesthetics of the immediate neighborhood.

SECTION 5. Based on the above findings, the Planning Commission hereby approves Conditional Use Permit (CUP-019791-2022), subject to the following conditions:

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 February 14, 2024 and as illustrated in the stamped approved plans. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Commission as part of a modification to the approved plans. Any minor modifications that do not affect the overall intent of the approved project, may be reviewed and approved by the Development Services Director.
2. The proposed project is for the modification on the proposed project's portion of the development and the following conditions shall apply only to the subject project area. The previous approved Conditional Use Permit is subject to the issued conditions of approval.
3. This approval shall lapse and become void if construction has not commenced under a valid building permit, within two (2) years from the date of this approval (February 14, 2026). The Planning Division may extend this period for a maximum of two, one (1) year extensions upon receipt of an application for a Time Extension request submitted by the applicant at least thirty (30) days before the expiration date of this approval.

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 the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The City shall promptly notify the applicant of any Action brought and the City shall cooperate with applicant in the defense of the Action.
5. In case of violation of any of the conditions of approval or City law, the property owner and tenant will be issued a Notice of Correction. If said violation is not remedied within a reasonable period of time and/or 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.
6. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti must substantially match the existing structure. In the event that the paint finish of the abated areas is noticeable distinguishable from the rest of the structure, the property owner shall paint portion of the building to minimize the disparity, subject to the approval of the Development Services Manager. Original surface materials installed and designed to not accept paint material such as stone, metal, brick, faux stone, veneers, etc. shall be restored to original finish with methods accepted and agreed to by the Development Services Director.
7. No temporary signs related to any activity on the premise shall be placed or allowed to remain within landscape areas, public right-of-way areas adjacent to the subject site (e.g. telephone poles, traffic signs, and city trees) or other portion on the exterior of the building. The only temporary signs allowed shall be properly permitted banners signs by permit per the City's sign ordinance. Signs placed in any window of the premises shall

comply with the City's sign ordinance.

8. The property owner shall provide regular maintenance and cleaning of all exterior walkways, patios, sidewalks, and landscaped parkways in compliance with Pomona City Code 62-351 et seq.
9. The project is subject to a twenty (20) calendar day appeal period. Written appeals may be filed with the City Clerk within twenty (20) calendar days by one or more City Council members or the applicant. The appeal shall be filed with the City Clerk within twenty (20) calendar days from the date of action by the Planning Commission.

Plan Check Submittal:

10. The applicant shall include all conditions of approval from Conditional Use Permit (CUP-019791-2022) on the title sheet of construction plans prior to plan check submittal. Plans shall be consistent with all required development standards in the Pomona Zoning Ordinance (PZO) as applicable.
11. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and electric 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, utilities and/or equipment must be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas, and comply with required setbacks.
12. The installation of any fences will require the submittal of a "Fence and Wall Permit" application for review and approval by the Planning Division. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Planning Division. Double walls shall be avoided to the greatest extent feasible. The applicant shall coordinate with the adjacent property owner(s) and make reasonable attempts to construct one common property line wall. If coordination with the adjacent property owner(s) cannot be accomplished, the applicant shall construct up to a six (6) foot high decorative wall located entirely within the subject property. Prior to construction of any new walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private property and construction of a new common wall shall include approval by the adjacent property owner(s). The plans shall identify materials, seep holes, and drainage.
13. The applicant shall conform to Ordinance No. 4295-Inclusionary Housing.

14. If applicable, 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: 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.
 - iv) Payment of an In-lieu Contribution.
 - v) Rather than place an approved Public Art on the Project site, the Applicant may choose to pay an In-lieu Contribution. The In-lieu Contribution shall be submitted to the City and deposited into the Public Art Fund before issuance of any building permit for the Project.
 - vi) 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.

vii) Pursuant to City of Pomona Ordinance No. 3506, prior to issuance of any grading or building permits, the applicant or developer shall pay the following Development Impact "Miscellaneous Fees". Traffic Signal & Control Device Program; Road & Highway Improvement Program; Parks & Recreation improvement program; and Public Safety Improvement Program.

Site Development & Maintenance:

15. 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.
16. 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.*, or such other ordinance enacted related to noise and vibration.
17. The construction area shall be kept clean at all times prior to, during, and after construction.
18. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint and film 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 Director.
19. 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.
20. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of CUP-019791-2022. Prior to removing or replacing any landscaped areas, check with the Planning Division. Substantial changes may require approval by the Development Services Director.
21. Lighting of the premises shall be maintained so that a minimum of one foot-candle of illumination for all exterior portions of the site is maintained during all hours of operation.

Said lights shall be property directed and shielded to prevent any stray light on adjacent properties.

BUILDING & SAFETY

22. This project must comply with 2022 California Building Codes.
23. The undergrounding of utility facilities is required. (PMC 62-31)
24. The design must be reviewed and stamped by an architect or engineer licensed in the State of California – (Business and Professions code Sections 5537, 5538 and 6737.1)
25. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2022 California Building Codes.
26. All grading shall conform to the 2022 California Building Code, and all other relevant laws, ordinances and resolutions governing grading as adopted by the City of Pomona. The applicant shall obtain a grading permit from the Building & Safety Division prior to commencing any grading or site excavation.
27. Geotechnical and/or soils reports required in order to obtain a grading permit shall be submitted to the Building Official for review and approval prior to issuance of a grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by the City of Pomona.
28. All proposed work shall comply with the 2022 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
29. Proposed project shall comply with the 2022 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
30. Project must comply with **EV Charging** requirements as designated on the California Green Building Standards. Section 5.106.5.3
31. Project must comply with **Grading and Paving** requirements designated on the California Green Building Standards. Section 5.106.10. These include the following:
 - a. Swales
 - b. Water collection and disposal systems.
 - c. French drains.

- d. Water retention gardens.
 - e. Other measures which keep surface water away from other buildings and aid in ground water recharge.
 - f. **Exception:** Additions and alterations not altering the drainage path.
32. 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.
33. Development Impact Fees shall be according to Ordinance #4309 and Resolution #'s 2021-57 & 2021-89. For more information contact The Department of Planning (909) 620-2191
34. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
35. Fence and wall plan shall be required.

WATER RESOURCES

WATER

36. There currently exists water mains adjacent to the proposed project site:
- a. Onsite eight-inch (8") private water main within Cascades Street.
 - b. Twelve-inch (12") MLCSP main within Village Loop Road.
37. 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.
38. Water calculations shall include fire and domestic water demands. These calculations shall be submitted to the WRD. The static pressure within the proposed project area ranges from 50-60 psi.
39. Contact the Los Angeles County Fire Department Units regarding this project and their proposed requirements for the building, sprinklers, and general land development. Please verify each requirement from the Fire Department and their applicable comments.

40. Per City billing records there are currently four existing 2” domestic meters serving the site. There are also two existing 4” DCDA’s serving the sites. Identify if these existing meters will be used within the proposed development.
41. A low-lead (0.25%) reduced pressure principle assembly (RPPA) is required for any existing or proposed meter. An above-ground low-lead (0.25%) double check detector assembly (DCDA) is required for onsite fire demand services.

SEWER

42. There currently exists onsite private eight-inch (8”) sewer mains within Cascades Street.
43. There is an existing sewer lateral serving the existing site. Verify if the existing sewer lateral has the capacity to serve the proposed development. Identify if this existing lateral will be used for the proposed development.
44. Sewer discharge calculations are required for this development. Submit all calculations to the WRD.

STORMWATER

45. Within Village Loop Road there exists a twenty-four (24”) RCP storm main.
46. The applicant/developer shall calculate the new stormwater discharge rate for this development.
47. Submit stormwater improvement, onsite capture, and treatment details within the proposed building plans. Identify those stormwater design details within the submitted grading plan.
48. Additional stormwater requirements may be developed for this project. There may be additional stormwater pollution prevention plan (SWPPP) and standard urban stormwater mitigation plan (SUSMP) documents required for this project.
49. City of Pomona stormwater best management practices (BMPs), low-impact development (LID) design, and soil erosion control plan may be required for the proposed project.

PUBLIC WORKS

IMPROVEMENT PLAN 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 (non-City) property owners as indicated on the Conditional Use Permit [CUP] 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, CUP 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 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. 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.
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 project involves a New Development that creates 10,000 or more square feet of impervious surface. The project is therefore classified as a Priority Project in accordance with the Los Angeles Region NPDES Permit No. CAS004004, Order No. R4-2021-0105. 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. CAS004004, Order No. R4-2021-0105, 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 and for the elements that are required to be included in the SUSMP.

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. The site geotechnical investigations shall comply with the Los Angeles County Guidelines GS200.1, 6/30/2021 Revision.

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 BMPs for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.

56. Prior to the issuance of the grading permit, Applicant/Developer shall submit **public street improvement plans, if applicable**, to include the following items and are responsible for the construction thereof:
- a. In the event that project related hardscape, wet and/or dry utility pavement cuts are needed along Village Loop Road property frontages, ARHM (Asphalt Rubberized Hot Mix) overlay paving shall occur in accordance with the City standard A-26-02, Case III (Paving Moratorium).
 - b. Site runoff shall be intercepted on site and directed to the public storm drain system by use of parkway drains designed and built in compliance with the City standards. Stormwater sheet flow over the driveway approach is not allowed.
 - c. Existing sewer, water and storm drain infrastructure, including laterals.
 - d. 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. *No obstructions taller than 30 inches are allowed within the visibility triangles and within the sight distance restricted areas.*

- e. Undergrounding of all proposed overhead utility lines located along the property frontages 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.
 - f. 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.
 - g. 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 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.
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. Prior to issuance of the building permits applicant/developer is responsible for paying the **development tax** associated with the proposed project.
61. Prior to issuance of the building permit, 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.
62. Prior to the issuance of the building permit, Applicant/Developer is responsible for the payment of any/all applicable City **water, sewer and stormdrain impact fees** and shall make proof of payment of the **Los Angeles County Sanitation District fees** associated with the proposed development.

63. 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.
64. 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.
65. 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>

PW 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.

66. Prior to the issuance of the building permits or the approval of the final map, whichever occurs first, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: street paving, sewer, water and storm drain improvements.
67. 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.
68. Permittee shall pay fees associated with and possess the City of Pomona Business License.
69. 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.

LACFD

70. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
71. The required fire flow for this development is **2000** gallons per minute at 20 psi for a duration of 2 hour, over and above maximum daily domestic demand.
72. Install one new public fire hydrant. (Location: shown on the Site Plan, Village Loop Road by Lot 6).
73. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. The required fire hydrant shall be installed, tested, and accepted prior to construction

SECTION 4. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

APPROVED AND PASSED THIS 14TH DAY OF FEBRUARY, 2024



ALFREDO CAMACHO
PLANNING COMMISSION CHAIRPERSON

ATTEST:



ATA KHAN
PLANNING COMMISSION SECRETARY

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APPROVED AS TO FORM:



MARCO A. MARTINEZ
ASSISTANT CITY ATTORNEY

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

AYES: Camacho, Brown, Urey, Ontiveros, Kercheval.

NOES: None.

ABSTAIN: None.

ABSENT: Miranda Meza, VanderMolen,

"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."