Print Form

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research

U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044

Street Address: 1400 Tenth St., Rm 113, Sacramento, CA 95814

☐ County Clerk
County of: _____
Address: _____

From:
Public Agency: City of Pomona
Address: 505 S. Garey Ave.
Pomona, CA 91767
Contact: Vinny Tam
Phone: 909-620-2284

Lead Agency (if different from above):
_____
Address: _____
_____
Contact: _____
Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: 1442 Murchison Ave (MLC Holdings, Inc.)

Project Applicant: MLC Holdings, Inc.

Project Location (include county): 1442 Murchison Ave., Pomona, Los Angeles County, CA

Project Description:

See attached.

This is to advise that the City of Pomona (☒ Lead Agency or ☐ Responsible Agency) has approved the above described project on 12/9/2020 (date) and has made the following determinations regarding the above described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
Pomona City Hall, 505 S. Garey Ave., Pomona, CA 91767

Signature (Public Agency): _____ Title: Senior Planner

Date: 12/14/2020 Date Received for filing at OPR: 12/14/2020

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011

This Notice of Determination has been filed in accordance with the provisions under paragraph 6 of Executive Order N-80-20 and paragraph 8 of Executive Order N-54-20.

NOD Project Description
Project Title: 1442 Murchison Ave (MLC Holdings, Inc.)
Project Location: 1442 Murchison Ave., Pomona, Los Angeles County, CA

In 2014 the City of Pomona adopted a Final Environmental Impact Report (EIR), State Clearinghouse Number: 2012051025, which analyzed the environmental impacts of the City of Pomona's General Plan Update, Corridors Specific Plan, Active Transportation Plan, and Green Plan (hereafter collectively referred to as the GPU EIR). On March 3, 2014, the City Council adopted Resolution No. 2014-26 certifying the GPU EIR as meeting the requirements of CEQA. Additionally, on March 3, 2014, the City Council adopted Resolution No. 2014-27 approving General Plan Amendment (GPA) Number 13-007 to adopt the Pomona General Plan Update and approving the adoption of the Active Transportation Plan and the Green Plan as implementation tools of the General Plan Update.

According to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), "projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies." The applicant proposes the development of a 7.47-acre site with 152 three-story attached townhomes (20 dwelling units per acre), open space as well as associated on-site and off-site improvements. The project site is designated as General Plan Place Type Urban Neighborhood, which contemplates residential uses, General Plan Place Type Activity Center, which contemplates parks and other similar uses, as well as Transect Zones T4-A and T5, which allows residential densities of up to 70 dwelling units per acre and 80 dwelling units per acre, respectively.

The Project includes entitlements for a conditional use permit, tentative tract map, and major oak tree permit. A determination has been made that the project is consistent with the development density established by existing general plan policies for which an EIR was certified, and that no additional environmental review is required, pursuant to CEQA Guidelines Section 15183. The analyses conducted and the conclusions reached in the GPU EIR remain valid, and the project would not cause new significant impacts not identified in the Certified EIR. The proposed project is consistent with the City's General Plan; 1) 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; 2) the proposed project will not have any significant effects upon the environment that were not identified as significant in the GPU EIR; 3) the proposed project will not result in a potentially significant offsite impact or cumulative impact not discussed in the GPU EIR; 4) 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.

Pursuant California Code of Regulation 14, §753.5(e)(3), this Notice of Determination filing is not subject to the California Department of Fish and Wildlife (CDFW) environmental document fee. 14 CCR §753.5(e)(3) stipulates that only one fee is required when an existing certified EIR is used for multiple project approvals that would result in no additional effect to fish and wildlife. This Notice of Determination for the project approval described herein does not required the CDFW fee because the approval relies upon the GPU EIR (State Clearinghouse No. 2012051025).