



Staff Report

HEARING DATE: July 29, 2025

FILE NO: DPR-000941-2024

A request for a Development Plan Review to develop two vacant parcels approximately 0.48 acres in area into a 4-story residential development with 35 units and on-site amenities.

ADDRESS: 1377 N. Garey Avenue

APPLICANT: Sarah Johnson, Pathways to Tomorrow

PROJECT PLANNER: Alina Barron, Senior Planner

ENVIRONMENTAL REVIEW: This project may be considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section Class 32, Section 15332 (In-Fill Development) of the California CEQA Guidelines.

RECOMMENDATION: Approve File No. DPR-000941-2024 and adopt ZA Resolution No. 25-004 (Attachment 1).

Executive Summary

The applicant, Sarah Johnson representing Pathways to Tomorrow, is proposing to develop the subject property with a 4-story, 35-unit residential structure (Attachment 2). All residential units will be deed-restricted to be 100% affordable and will be restricted to low-income tenants (with up to a maximum of 20% moderate) for a 55-year period. Based on Staff's analysis of the project, the proposed development complies with California State Density Bonus Law (Government Code Sec. 65915-65918.) and is consistent with City's General Plan goals and policies.

Recommendation

Based on Staff's analysis of the project and the recommended conditions of approval, the proposed development will be compatible with adjacent land uses and will not result in any negative impacts on the surrounding neighborhoods. Further, the project has been designed in a manner that is consistent with the applicable specific plan segment and will provide additional affordable rental housing options. As such, staff recommends the Zoning Administrator approve File No. DPR-000941-2024 and adopt ZA Resolution No. 25-004.

Project & Property Information

Property Details			
Address:	1377 N. Garey Avenue	City Council District:	District 1 - Martin
Assessor's Parcel Number:	8339-027-015	Applicant:	Sarah Johnson,

	8339-027-016		Pathways to Tomorrow
Lot Size:	20,424 SF (0.48 AC)	Property Owner:	1377 N GAREY AVE LLP

General Plan & Zoning			
General Plan District:	Neighborhood Edge	Zoning District:	Specific Plan Area
Transect:	T4-B	Specific Plan:	Pomona Corridors
General Plan Density:	40 dwelling units per acre	Specific Plan District:	Downtown Gateway Segment

Proposed Housing			
New Housing Units:	35	Density Bonus Units:	None
Housing Units Loss:	None	Concessions:	Yes
Affordable Units:	35	Waivers:	Yes
Moderate Units:	None	SB 330 Pre-Application:	No
Low:	35		
Very-Low:	None		

Important Dates	
Date Submitted:	August 19, 2024
Date Determined Complete:	September 18, 2024
Deadline To Make A Decision:	3 of 5 Public Meetings remain per Senate Bill 330

Request

The applicant is proposing to develop the subject site with a 4-story, 35-unit residential structure with 19 onsite parking spaces. The proposed housing development will consist of a single rectangular structure located at the southernmost property line of the site. The development will feature 16 two-bedroom units, 19 one-bedroom units, a variety of private amenities for residents including a large outdoor communal patio, gym, community room, on-site laundry, outdoor bicycle storage, and a lounge on each floor of the 4-story structure. See Image 1.1 for a rendering of the proposed development.

Image 1.1. Garey Avenue Elevation



The housing development reflects a contemporary architectural design with varying exterior colors and finishes. Each elevation contains varying depth, window size & type, and alcove balconies. Design materials include stucco and metal panels varying in color.

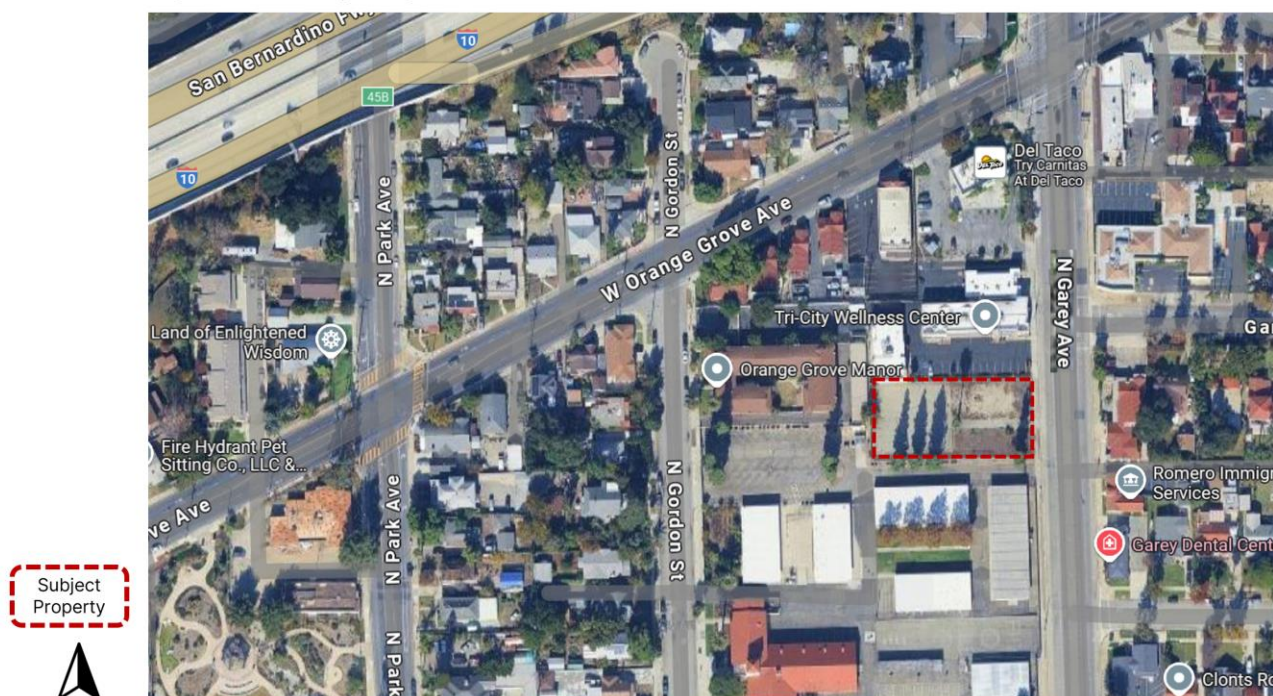
Additionally, the project contemplates the placement of

onsite public art to satisfy the City of Pomona Art in Public Places Program, which requires 1% of the building valuation to be spent toward Public Art.

Project Location

The project site, highlighted in red in Fig.1.1., is located along N. Garey Avenue, south of W. Orange Grove Avenue and north of Lincoln Elementary School. The site is currently undeveloped and consists of landscaping and a concrete slab (Attachment 3). The project site is surrounded by multi-family to the west, commercial to the north and east, and the south borders Lincoln Elementary School.

Fig.1.1. Site Aerial Image, Google 2025



The project site has a General Plan place type designation of Neighborhood Edge and transect designation of T4-B which allows up to 40 dwelling units per acre. The 2014 Pomona General Plan identifies the Neighborhood Edge as areas that will accommodate larger scale development that is more suitable for wider, more heavily trafficked roads and will function as buffers for residential neighborhoods behind them. Additionally, this place type is intended for

Grand scale buildings, compatible with medium scale multi-family housing and townhomes in areas to have a more residential character.

State Density Bonus (Government Code Sec. 65915-65918)

The applicant has requested to utilize State Density Bonus law that grants benefits to residential developments that propose a percentage of units as affordable. Any applicant who meets the requirements of the state law is entitled to receive benefits which include an increase in permitted density, reduction in site development standards, and special parking requirements.

To satisfy Density Bonus law, the applicant is proposing the dedication of 100% of the units to low-income affordability levels. Under new legislation, local governments by law are required to grant 80% density bonus to housing projects in which all units (other than a manager's unit) are restricted to very, low, and moderate income residents, with a maximum of 20% restricted to moderate income units.

The project site is located within the Transect T4-B, which allows for up to 19 units at 40 units dwelling units per acre (du/ac). The project is proposing to utilize an 80% increase in density to propose 35 units at 74 du/ac, as permitted by law. See Table 1 for the calculation of allowable density units and Table 2 for the proposed number of units and proposed density.

Table 1. Density Bonus Calculation

Project Site Area		Allowable Density		Base Allowable Units
0.48 acre	x	40 du/ac	=	20
Base Allowable Units		Density Bonus		Allowable Density Bonus Units
20	x	80% (0.80)	=	16

Table 2. Proposed Density

	Proposed Project Density
Housing Density	74 du/ac
Unit Count	35 units

Per Density Bonus law, all density calculations resulting in fractional units shall be rounded up to the next whole number. Additionally, the granting of a density bonus shall not require, or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.

A. Incentives/Concessions

Density Bonus law requires that a City shall grant one or more incentives or concessions to each project which qualifies for density bonus. The number of required incentives or concessions a City is required to allow is based on the percentage of affordable units the project is proposing. Based on the level of affordability offered by the applicant, the proposed project is eligible to receive four incentives/concessions. As an eligible project, the applicant has requested the following incentives/concessions for the proposed project:

Incentives/Concessions Requested

#	Development Standard	Requirement	Proposed Project
1	Minimum Unit Size*	1 BR – 600 SF 2 BR – 800 SF 3 BR – 1,000 SF	1 BR: +/- 467 SF 2 BR: +/- 562 SF
2	Public Open Space & Open Space Type	Public Open Space	Private Common Open Space in- lieu of Public Open Space
3	Side Yark Setback w/ windows	10 FT minimum	5 FT w/ balcony overhang
4	Required Parking	43 parking spaces required	19 spaces provided

B. Waivers

In addition to incentives/concessions, local governments are not permitted to apply any development standards which physically precludes the construction of the project at its permitted density and with the granted incentives/concessions. The City may waive or reduce said standards to accommodate the development at the request of applicant. Waivers (or the reduction in a development standards) do not count as incentives or concessions. There is no limit to the available number of waivers or reductions that may be requested or granted. As an eligible project, the applicant has requested the following three (3) waivers:

#	Development Standard	Requirement	Proposed Project
1	Building Height	3 stories maximum	4 stories
2	Building Massing, Length(L), Height (H)	3L:2H: to 5L:2H	2L:1H
3	Frontage Coverage	Garey Avenue: 70% minimum	66%

In Staff's analysis, the three (3) requested waivers were determined to be physical constraints on the development should the applicant provide the required standard maximum or minimums. The increased height of the building was determined to be necessary for the allowable density. The increased height effected the project's ability to meet standard minimum frontage coverage due to fire access requirements and the increased height did not allow for building massing to be satisfied.

C. Parking

In addition to concessions and incentives, upon the developer's request, the City may not require more than the following parking ratios for a density bonus project (inclusive of parking for persons with disabilities).

Bedroom Count	Parking Requirement
Studio	1 space

1 Bedroom	1 space
2 Bedroom	1.5 spaces
3 Bedroom	1.5 spaces
4 Bedroom	2.5 spaces

Though the applicant has requested a concession for the number of parking spaces required, the concession is requested from the following ratios:

Unit Type	Unit Count	Parking Calculation	Parking Required
1 Bedroom	19	19 x 1	19
2 Bedroom	16	16 x 1.5	24
Total Requirement			43

Staff Analysis

Staff has analyzed the request against applicable specific plan standards. A summary of this analysis, along with key issues and resolutions, are provided below for consideration.

A. Pomona Corridors Specific Plan

Pursuant to Section 2.0.5 of the PCSP, a Development Plan Review hearing is required for new development within the plan area. A Compliance Summary table with a detailed analysis of the project's compliance with the applicable standards of the Downtown Gateway Segment of the PCSP has been provided below. Note that any requested incentives/concessions and waivers by the applicant are noted in **red text**.

PCSP, Downtown Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
2.2.1 Use Types	Permitted Residential 1. Multi-Family w/Common Entry 2. Multi-Family w/Individual Entries 3. Attached Single Family	Multi-Family w/Common Entry	Compliant
2.2.3 Minimum Residential Unit Size	1 BR – 600 SF 2 BR – 800 SF 3 BR – 1,000 SF	1 BR: +/- 467 SF 2 BR: +/- 562 SF	Concession #1
2.3.1 Building Height	Minimum: 1 story & 20 feet Maximum: 3 Stories	4 Stories	Waiver #1
2.3.2 Special Building Height Limits	Holt/Mission/Garey: 4 stories maximum	N/A	N/A

	Adjacent to Housing: required		
2.3.3 Building Length	Maximum: 300 feet	69 feet	Compliant
2.3.4 Special Building Length Limits	Limited Corner Building: 120 feet maximum	N/A	N/A
2.3.5 Building Massing- Length(L): Height(H)	Along Garey Avenue 3L:2H: to 5L:2H	2L:1H	Waiver #2
2.4.1 Building Orientation to Streets & Public Open Space	Required	Oriented to Garey Avenue	Compliant
2.4.2 Private Frontage Types	Types Permitted: <ul style="list-style-type: none"> Shop-Front articulation length 50ft max Corner Entry Arcade Grand Portico Forecourt Common Lobby Entry Stoop Edge Treatment: Fenced Edge Treatment: Terraced Edge Treatment: Flush Limited Types: <ul style="list-style-type: none"> Front Vehicular Door 	Common Lobby Entry	Compliant
2.4.3 Front Yard Setback	On Garey Avenue Minimum: 5 feet Maximum: 15 feet	10 feet	Compliant
2.4.4 Side Yard Setback	Minimum w/living space windows: 10 feet Minimum w/out living space windows: 0 feet	5 feet on south side P/L	Concession #2
2.4.5 Rear Yard Setback	Minimum: 10 feet	47 feet	Compliant
2.4.6 Alley Setback	Minimum: 5 feet	N/A	N/A
2.4.7 Frontage	Minimum Garey Ave: 70%	Garey Ave: 66%	Waiver #3

Coverage	Minimum on Other Streets: 70%	N/A	N/A
2.4.8 Space Between Buildings	Minimum: 20 feet	N/A	N/A
2.4.9 Build-to Corner	Required	N/A	N/A
2.5.1 Improvements to Existing Streets	Grand Boulevard Improvements: Required along Garey Avenue	Provided	Compliant
2.6.1 Provision of Public Open Space	Residential Open Space: 150 SF per unit Required: 5,250 SF	Provided: 3,108 SF of Common Amenity Space Provided (15% of project site)	Concession #3
2.6.4 Public Open Space Types	Permitted: <ul style="list-style-type: none"> ○ Park ○ Linear Green ○ Square ○ Plaza ○ Mid-Block Green ○ Courtyard Plaza ○ Passage/Paseo ○ Pocket Park/ Playground 	Common Amenity Space Provided: <ul style="list-style-type: none"> ○ Lounge ○ Laundry Facilities ○ Gym ○ Outdoor Patio ○ Community Room ○ Garden Space 	Concession #3
2.6.3 Provision Of Private Open Space	Residential: Attached & Multi-Family 60 SF per unit Required: 2,100 SF	2,107 SF	Compliant
2.6.5 Private Open Space Types	Permitted: <ul style="list-style-type: none"> ○ Courtyard ○ Private Yard ○ Rooftop Deck or Garden ○ Balcony 	Balcony	Compliant
2.6.6 Setback Area Landscape Types	A. Perimeter Block Setback Areas Permitted: <ul style="list-style-type: none"> ○ Sidewalk Extension ○ Boulevard Landscaping – Required ○ Neighborhood Street Landscaping 	<i>Conditioned to be reviewed through Landscape Plan Check Submittal.</i>	<i>Conditioned to be reviewed through Landscape Plan Check Submittal.</i>

	<p>B. Interior Block Setback Areas</p> <ul style="list-style-type: none"> ○ Groundcover- Required ○ Moderate or Heavy Screening-Required 		
2.7.1 Provisions of Parking	<p>Residential Uses:</p> <ul style="list-style-type: none"> ○ Spaces per studio unit 1 minimum / 1 maximum ○ Spaces per 1br unit 1.5 minimum / 1.5 maximum ○ Spaces per 2br unit 2 minimum / 2 maximum ○ Spaces per additional unit beyond 2 bedroom .5 spaces ○ Guest spaces per 4 units 1 minimum / 1.2 maximum ○ Location: on Site <p>Unit Count: 1 BR: 19 2 BR: 16</p> <p>Parking Required per the Pomona Corridors Specific Plan: 61 parking spaces 9 guest parking spaces</p> <p>Parking Required per CA State Density Bonus: 43 parking spaces</p>	19 Parking Spaces	Concession #4
2.7.2 Parking Types	<p>Permitted Types:</p> <ul style="list-style-type: none"> ○ Surface Lot – Rear ○ Structure – Wrapped (All Levels) ○ Partially Submerged Podium ○ Structure - Underground 	Surface Lot - Rear	Compliant

B. General Plan Conformance

The project is consistent with the following General Plan Place Type of Neighborhood Edge and promotes the following goals:

Goals 6D.G1: Improve the physical character, economic vitality, and mobility function of the City's most visible and well-traveled corridors.

Goals 6D.G4: Promote the success and improvement of existing corridor development.

Goals 6B.G10: Promote the transitioning of the most visible and highly traveled streets that lead Downtown into the City's most prominent and grand corridors.

Policy 7F.P4: Establish an appropriate relationship between public space and private development with building entrances oriented towards streets, utilizing shopfronts, porches, patios or outdoor spaces that overlook or interact with front yards or sidewalks.

HE Policy 1.4 Encourage affordable housing through both regulatory mandates and incentive programs.

The project is consistent with the Pomona General Plan and all applicable requirements of the Pomona Corridors Specific Plan. The project site General Plan Place Type, Neighborhood Edge is intended for grand scale buildings adjacent to residential neighborhoods. The proposed project will intensify the Garey Avenue corridor located, the Downtown Gateway Segment of the Pomona Corridors Specific Plan and develop two vacant parcels with an affordable housing development providing the City with needed housing opportunities.

State Housing Requirements/Restrictions

On October 9, 2019, Governor Newsom signed into law the Housing Crisis Act of 2019 also known as Senate Bill 330 ("SB 330"). SB 330 creates new state laws regarding the production, preservation and planning for housing. It amends the State Housing Accountability Act, Permit Streamlining Act and Planning and Zoning Law all under Title 7 of the California Government Code. The bill (and subsequent amendments) establish a statewide housing emergency for ten (10) years from January 1, 2020 to January 1, 2030.

A. Process

SB 330 aims to increase certainty in the development process, speeding the review of new Housing Development Projects, preserving existing affordable housing and preventing certain zoning actions that reduce the availability of housing. Specifically, SB 330 does the following:

1. Vesting. Creates a new vesting process for fees, zoning and land use ordinances, policies, and standards in place at the time that a preliminary application is submitted, with limitations;
2. Historic Properties. Requires that the historic status or designation of any site be determined at the time an application for a discretionary action is deemed complete;
3. Design Standards. Prohibits imposing or enforcing non-objective design review standards established after January 1, 2020;
4. Time Limits. Shortens required permit review timeframes and limits the number of public hearings for housing projects that meet all applicable objective zoning standards;
5. Downzoning Restrictions. Prohibits legislative actions that reduce total zoned capacity for housing (i.e. "downzoning") in the City and clarifies the circumstances under which Housing Development Projects may have their density reduced under the Housing Accountability Act;
6. Housing Loss. Prohibits approval of a Housing Development Project that results in a net loss of housing units; and
7. Protected Units and Tenant Protections. Creates new housing replacements, eviction protections, relocation assistance, and right-of-return requirements.

8. Rezoning Prohibition. Local agencies are prohibited from requiring an applicant to rezone a site if the housing development project is consistent with objective general plan standards and criteria.

B. Rezoning Prohibition

As noted above, Government Code Section 65589.5(j)(4) states, *"a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan."* In this case, the project site is zoned Administrative Professional (A-P) which does not permit the development of residential uses beyond 15 dwelling units per acre, however, the project site is designated as General Plan Place Type or Urban Neighborhood and Activity Center, which contemplate residential uses, as well as Transect Zones T4-A and T5, which allow residential densities of up to 70 dwelling units per acre and 80 dwelling units per acre, respectively. The project is proposing residential density at a rate of 23 dwelling units per acre. Therefore, a change of zone is not be required because the proposed project demonstrates consistency with the project site's General Plan Place Type and Transect Zone designations.

C. Limitations on Applying Objective Development Standards

Furthermore, Government Code Section 65589.5(j)(4) states, *"If the local agency has complied with paragraph (2), the local agency may require the proposed housing development project to comply with the objective standards and criteria of the zoning which is consistent with the general plan, however, the standards and criteria shall be applied to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project."* According to State regulations, the City may only apply applicable development standards to the extent that they accommodate the allowed density for the subject site. If the application of an objective development standard would not accommodate the allowed density for the subject site, the City would be limited from applying that standard.

D. Disapproving Housing Development Projects

In addition, SB 330 establishes specific written findings that must be made in order to disapprove a housing development project. A local agency shall not disapprove a housing development project ... unless it makes written findings, based upon a preponderance of the evidence in the record, as to one of the following:

1. The jurisdiction has adopted a housing element pursuant to this article that has been revised in accordance with Section 65588, is in substantial compliance with this article, and the jurisdiction has met or exceeded its share of the regional housing need allocation pursuant to Section 65584 for the planning period for the income category proposed for the housing development project, provided that any disapproval or conditional approval shall not be based on any of the reasons prohibited by Section 65008. If the housing development project includes a mix of income categories, and the jurisdiction has not met or exceeded its share of the regional housing need for one or more of those categories, then this paragraph shall not be used to disapprove or conditionally approve the housing development project. The share of the regional housing need met by the jurisdiction shall be calculated consistently with the forms and definitions that may be adopted by the Department of Housing and Community Development pursuant to Section 65400. In the case of an emergency shelter, the jurisdiction shall have met or exceeded the need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. Any disapproval or conditional approval pursuant to this paragraph shall be in accordance with applicable law, rule, or standards.
2. The housing development project or emergency shelter as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific

adverse impact without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

3. The denial of the housing development project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.
4. The housing development project or emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

The housing development project or emergency shelter is inconsistent with both the jurisdiction’s zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article. For purposes of this section, a change to the zoning ordinance or general plan land use designation subsequent to the date the application was deemed complete shall not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter.

Inclusionary Housing Regulations

The proposed project is subject to the City of Pomona Inclusionary Housing Program (IHP). The IHP requires that all proposed residential developments of three (3) or more units contribute to the City’s affordable housing stock. Rental Dwelling Units may meet the inclusionary housing requirements by providing inclusionary units or through payment of an in-lieu fee. The on-site inclusionary housing production requirement is set at 13% of the dwelling units that are included in a rental residential development. The inclusionary units are required to be rented to moderate-income households at the affordable rent. However, an applicant may choose to designate the inclusionary units at lower income categories. The payment of the in-lieu is reserved for for-sale units or for residential developments of less than 30 units; furthermore, the payment of an in-lieu fee would dismiss the project’s eligibility for relief under CA Density Bonus law.

To satisfy the city’s IHP and California State Density Bonus requirements, will provide on-site inclusionary units at the Low-Income category, which will allow the project to satisfy both Density Bonus and IHP requirements.

Community Input and Noticing

On April 14, 2025, the applicant held a community meeting and provided a presentation on the proposed project (Attachment 4). This presentation provided residents with information regarding amenities, renderings of the proposed development, and estimates of resident affordability levels.

A copy of the public hearing notice was sent to the owners and occupants of properties within a 1,000-foot radius of the subject site for the original hearing date of July 16, 2025. During the Zoning Administration Hearing of July 16, 2025, the item was continued to a date certain, July 29, 2025, with courtesy mailers sent out sent to the owners and occupants of properties within a 1,000-foot radius of the subject site (Attachment 4). As of the date of this staff report, staff has received three emails in opposition to the proposed project (Attachment 5).

Environmental Review

Staff recommends the Zoning Administrator determine that this project may be considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the California CEQA Guidelines. The proposed project meets the criteria for a Class 32 (In-Fill Development) Categorical Exemption in that the proposed project site is less than five (5) acres; 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; and the site can adequately be served by all required utilities and public services.

Attachments:

1. ZA Resolution No. 25-007
2. Project Plans
3. Site Photographs
4. Public Hearing Notice
5. Submitted Public Comment