

ORDINANCE NO. 4348

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE ZONING MAP, HISTORIC OVERLAY (H-OVERLAY) TO INCLUDE A LOCALLY DESIGNATED LANDMARK AT 290 HERITAGE COURT

WHEREAS, the applicant, Mario Suarez, submitted an application requesting single historic landmark designation (SHISTORIC 000606-2024) for the property located at 290 Heritage Court;

WHEREAS, the Historic Preservation Commission has, after giving notice thereof as required by law, held a public hearing on September 4, 2024, concerning the requested historic landmark designation and approved a Resolution recommending City Council approval;

WHEREAS, for designation of a single historic landmark, Section .800.C.(2)(a) of the Pomona Zoning & Development Code states that any Eligible Historical Resource may be designated an Historic Landmark by the City Council pursuant if it meets the criteria for listing in the National Register of Historic Places, the California Register of Historical Resources, or Local Historic Landmark Designation Criteria;

WHEREAS, all designated historic landmarks and historic districts will include a zoning map amendment to include an (-H) overlay abbreviation as described in Pomona Zoning & Development Code Sec. 800.D.2. Zoning District;

WHEREAS, pursuant to the California Government Code (Sec. 65853 through Sec. 65859), the City Council may, by ordinance, and upon written recommendation of the Historic Preservation Commission for historic landmark designations, change the zoning boundaries or classification of any property within the City, whenever the public necessity, convenience, general welfare, or good zoning practice so requires; and

WHEREAS, the City Council has carefully considered any pertinent testimony and the staff report offered in the case presented at the City Council meeting.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pomona as follows:

SECTION 1. The City Council determines that the approval of the Zoning Map Amendment to include the Historic Overlay (H-Overlay) on a locally designated historic property is not defined as a project per CEQA. Section 15060 of the Guidelines exempts actions from CEQA that would not result in either an indirect or direct impact on the environment and that do not meet the Section 15378(a) definition of a project. Section 15378(a) defines a project as one that has the potential for resulting in a physical change to the environment. No physical change to the environment is anticipated with the historic landmark designation.

SECTION 2. In Accordance with the Pomona Zoning and Development Code Section 1150.F, the City Council as the approving authority hereby finds and determines that the following:

- a. *The proposed Zone Change is consistent with the goals, policies, plans and exhibits of the General Plan;*

The proposed Zone Change is consistent with the following General Plan Goal pertaining to Community Design, Historic Preservation: 7F.G8 – Protect historic and cultural resources from demolition, inappropriate alterations and incompatible development.

- b. *The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;*

The proposed Zone Change is the application of the Historic Preservation Overlay, with no change in the base zoning or land use permissions, thus would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

- c. *The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses; and*

The proposed Zone Change is the application of the Historic Preservation Overlay which will assist in maintaining the locally designated historic landmark.

- d. *The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*

There is no proposed development request with this Zone Change Amendment.

SECTION 3. Based on the above findings, the City Council hereby approves the Zoning Map Amendment for the application of the Historic Overlay (H-Overlay) for the property located at 290 Heritage Court and directs the Development Services Department, Planning Division to make revisions to the Zoning Map.

SECTION 4. The City Clerk shall certify to the passage of this Ordinance, and shall cause same to be posted as required by law, and this Ordinance shall take effect thirty (30) days after its adoption.

PASSED, APPROVED AND ADOPTED this 18th day of November, 2024.

CITY OF POMONA:

Tim Sandoval
Mayor

APPROVED AS TO FORM:

Sonia Carvalho
City Attorney

ATTEST:

Rosalia A. Butler, MMC
City Clerk

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES
CITY OF POMONA

I, ROSALIA A. BUTLER, MMC, CITY CLERK of the City of Pomona do hereby certify that the foregoing Ordinance was introduced for first reading at a regular meeting of the City Council of the City of Pomona held on October 21, 2024 and was adopted at second reading at a regular meeting of the City Council of the City of Pomona held on November 18, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Rosalia A. Butler, MMC
City Clerk