

DRAFT PC RESOLUTION NO. 26-003

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA, DENYING VARIANCE (VAR-000664-2025) REQUEST FOR A REDUCTION IN THE REQUIRED TRANSPARENCY ON A PROPERTY LOCATED AT 874 E. ARROW HIGHWAY IN THE NEIGHBORHOOD EDGE DISTRICT 2 (NED2) ZONING DISTRICT

WHEREAS, the applicant, John Begin, submitted an application for a Variance (VAR-000664-2025) to deviate from transparency standards for a proposed Housing Development Project on a 0.9-acre site located in the Neighborhood Edge District 2 Zoning District;

WHEREAS, a Variance is required per Section.1160.F of the Pomona Zoning and Development Code;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on February 11, 2025 concerning Variance (VAR-000664-2025); 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. The Planning Commission exercising their independent judgment has determined that pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), that the project is categorically exempt pursuant to Section 15332 (In-Fill Development) of the California CEQA Guidelines, in that the proposed development is situated within an existing fully urbanized neighborhood.

SECTION 2. 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 3. Pursuant to Section 1160.F. Variance of the Pomona Zoning and Development Code, the Planning Commission must make five (5) findings in order to approve the Variance. The Planning Commission hereby finds and determines that the project does not meet the findings required for approval of a variance for the following reasons:

1. *The strict or literal interpretation and enforcement of the specified regulation would result in proactive difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Zoning and Development Code.*

The strict and/or literal interpretation and enforcement of the specified regulations does not create compliance conflicts with additional applicable development standards further creating hardships intended to be reduced by the Pomona Zoning and Development Code. Staff has demonstrated, through an alternative design, and through existing projects in neighboring cities, that the transparency standards can be met. Therefore, the project does not meet this finding.

2. *There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the same zoning district;*

The physical characteristics of the site do not create exceptional and extraordinary circumstances and conditions in regard to compliance with applicable development standards that are otherwise not typically an issue with other properties in the same zoning district. There is nothing unique to this site that prevents the applicant from complying with the transparency standards. Therefore, the project does not meet this finding.

3. *The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges by the owners of other properties in the same zoning district;*

The strict or literal interpretation and enforcement of the specified regulations would not deprive the applicant of privileges by the owners of other properties in the same zoning district. The transparency regulations would neither reduce the total number of dwelling units proposed nor reduce the total buildable area on the site. All other properties in the same district would be required to meet the same transparency standards and do share many of the same similar physical constraints as the subject site. Therefore, the project does not meet this finding.

4. *The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.*

The granting of the Variance will neither have a detrimental nor beneficial impact to the public health, safety, or welfare, nor be materially injurious to properties or improvements in the vicinity as the development. Therefore, the project meets this finding.

5. *The proposed Variance is consistent with the goals, policies, plans and exhibits of the General Plan, and the purposes of any applicable specific plan, and the purposes of this Zoning and Development Code.*

The proposed Variance would facilitate a frontage condition that neither deviates from nor is consistent with the goals, policies, plans and exhibits of the General Plan. However, the

proposed Variance would facilitate a frontage condition that deviates from the general intent of the Neighborhood Edge Districts of the Zoning and Development Code—specifically, the intent to have “flexible ground stories for a variety of smaller scale commercial uses” (Sec. 200.C.1.a.). The General 1 (G1) Frontage Module’s transparency requirements of the Neighborhood Edge District 2 (NED2) Zoning District are calibrated to facilitate “somewhat active ground stories, and residential and small commercial primary uses” (Sec. 200.C.2.). Providing the levels of transparency required by the G1 Frontage Module creates a more commercial-ready building condition that doesn’t preclude small commercial primary uses from being added in the future. Therefore, the project does not meet this finding.

SECTION 4. Based on the above findings, the Planning Commission hereby denies Variance (VAR-000664-2025).

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

PASSED AND APPROVED THIS 11TH DAY OF FEBRUARY 2026.

MARCOS MOLINA
PLANNING COMMISSION CHAIRPERSON

ATTEST:

GEOFFREY STARNES, AICP, AIA, LEED AP
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

MARCO MARTINEZ
ASSISTANT CITY ATTORNEY

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

AYES:
NOES:
ABSTAIN:
ABSENT:

"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 Sec. 1094.6 C.C.P."