



Staff Report

City of Pomona Planning Commission

DATE: February 11, 2025

FILE NOS: TRACTMAP-000181-2025, VAR-000664-2025

A request for a Tentative Tract Map and Variance associated with a proposed Housing Development Project consisting of 21 for-sale condominium units along with associated on-site and off-site improvements on a 0.9-acre site.

ADDRESS: 874 E. Arrow Highway (APNs: 8317-007-0001; 8317-007-0002; 8317-007-0003; 8317-007-0004)

APPLICANT: John Begin, JB Contractors, Inc.

PROJECT PLANNER: Max Pastore, Associate Planner

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

RECOMMENDATION: Adopt PC Resolution No. 26-002 (Attachment No. 1) Approving File No. TRACTMAP-000181-2025; and Adopt PC Resolution No. 26-003 (Attachment No. 2) Denying File No. VAR-000664-2025.

General Plan & Zoning			
General Plan District:	Neighborhood Edge	Zoning District:	Neighborhood Edge District 2 (NED2)
Transect:	T4-B Secondary Corridor	Specific Plan:	None
General Plan Density:	30 dwelling units per acre	Specific Plan District:	None

Proposed Housing			
New Housing Units:	21	Density Bonus Units:	None
Housing Units Loss:	None	Density Bonus Units:	None
Affordable Units:	None (In-Lieu Fee Payment)	Concessions:	None
Moderate Units:	None	Waivers:	None
Low:	None	SB 330 Pre-Application:	None
Very Low:	None		

Important Dates	
DPR/TTM/ENV Date Submitted:	February 12, 2025
VAR Date Submitted:	October 21, 2025
Date Submittal Determined Complete:	December 3, 2025

Project Request

The applicant proposes to develop the subject 0.9-acre site with 21, for-sale market-rate townhouse units with three (3) to five (5) bedrooms within three (3) five-unit buildings and one (1) six-unit building (Attachment No. 3). Each building is three-stories tall with ground floors composed of private garages/living space and upper stories reserved solely as living space. Unit sizes range from 1,952 square feet to 2,246 square feet in size. A recreation building is also included. The development will include a total vehicular parking count of 42 spaces, located within 21 two-car private garages for each unit. Private bicycle parking will also be provided within those private garages. Two (2) bicycle racks will be provided on-site next to the proposed clubhouse. All 21 units will include private open space in the form of upstairs balconies. The primary common open space is a consolidated recreational area along E. Arrow Highway and Lovejoy Street, which will include: an indoor clubhouse; a lanai (covered patio); a cornhole court; and a dog park. The consolidated recreational area will be primarily accessed by all modes from Lovejoy Street.

The applicant has requested one (1) variance for relief from the transparency standards required by the Pomona Zoning & Development Code (Sec. 4100.A. (Transparent Area)).

Project Location

The project site is located along E. Arrow Highway, east of the N. Towne Avenue and E. Arrow Highway intersection, and has street frontage along E. Arrow Highway, Merrywood Drive, Digby Avenue, and Lovejoy Street. The site is mostly vacant with one (1) building, parking lot, and several unprotected trees. The site's existing building was deemed to be not historic by the Historic Preservation Commission on March 5, 2025 (HPC Resolution No. 24-005). The site is surrounded by residential uses to the east, west, and south. Commercial uses neighbor the site to the north, across E. Arrow Highway.

The project site is located within the Neighborhood Edge General Plan place type. This Neighborhood Edge designation includes a T4-B Secondary Corridors transect zone which allows up to 30 dwelling units per acre. The 2014 Pomona General Plan identifies Neighborhood Edge as areas that will accommodate larger scale development that is more suitable for wider, more heavily trafficked roads capable of functioning as buffers for adjacent residential neighborhoods. The T4-B Secondary Corridors transect is intended to accommodate medium to small scale grand boulevard building types including townhomes, multiplexes, and some detached single-family homes.

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

The applicant has not requested to utilize State Density Bonus law that grants benefits to residential developments that propose a percentage of units as affordable. Therefore, the applicant is not entitled to receive benefits which include an increase in permitted density, reduction in site development standards (waivers or concessions), or special parking requirements.

Project Review - Summary

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

A. Form Standards

The intent of form standards is to regulate the placement, scale, and intensity of buildings and structures on a lot. The project is compliant with all the Neighborhood Edge District 2's applicable form standards.

B. Frontage Standards

The intent of frontage standards is to regulate the portions of a lot and exterior building facades that impact the public right-of-way. The following table identifies the proposed application's noncompliance with the Neighborhood Edge District 2's applicable frontage standards. The applicant is requesting a variance (VAR-000664-2025) for relief from the transparency standards required by the Pomona Zoning & Development Code (Sec. 4100.A. (Transparent Area)). Please see the Variance section of the staff report for more information.

Frontage Module:

GENERAL (G1)

	STREETS			MEETS REQUIREMENTS		
	PRIMARY (P)	SIDE (S)	PROVIDED	YES	NO	N/A
TRANSPARENCY	<i>Sec. 4100.</i>					
Ground story transparency	50%	35%	13% (Arrow)/ 12% (Merrywood), 17% (Digby), 9% (Lovejoy)		X ¹	

¹ Based on calculations provided by the applicant, more of the ground floor along Arrow Hwy needs to be glazed (filled with windows) to meet the 50% minimum requirement. Additional glazing is needed along the ground floors of Merrywood, Digby and Lovejoy to meet the 35% minimum requirement. **The applicant has applied for a variance to provide relief from this standard.**

Frontage Module: GENERAL (G1)

	STREETS			MEETS REQUIREMENTS		
	PRIMARY (P)	SIDE (S)	PROVIDED	YES	NO	N/A
Upper story transparency	25%	25%	38% (Arrow F2), 15% (Arrow F3) / 31% (Merrywood F2), 18% (Merrywood F3); 13% (Digby F2), 8% (Digby F3); 37% (Lovejoy F2), 21% (Lovejoy F3)		X ²	

C. Division of Land (Subdivision) Standards

A Tentative Tract Map (TRACTMAP-000181-2025) is requested for the subdivision of the 0.9-acre parcel into condominium spaces for the 21 units, for the drive aisles, and common open space areas. The intent of subdivision standards is to regulate the division of land within the City of Pomona pursuant to the Subdivision Map Act to provide for: the design, subdivision improvement and survey data of subdivisions; the form and content of parcel and tract maps; and the dedication of land, the payment of fees in lieu of dedication of land, or a combination of both, for the acquisition and development of park and recreation sites, streets, and other public rights-of-way and facilities to serve a subdivision. The project is compliant with all applicable subdivision standards.

D. Site Standards

The intent of site standards is to regulate site design, including location and characteristics of access, parking, landscape and other site features on a site. The following table identifies the proposed application’s noncompliance with applicable site standards. For “Ns” listed under “APPLICABLE (Y/N)”, staff is providing relief per Government Code Sec. 65589.5(f)(1) or Senate Bill 330.

² Based on calculations provided by the applicant, more of the upper floors along all streets need to be glazed (filled with windows) to meet the 25% minimum requirement. **The applicant has applied for a variance to provide relief from this standard.**

SITE RULES:

REQUIREMENT	SECTION	APPLICABLE (Y/N)	COMMENTS
LANDSCAPING AND SCREENING	Sec. 620		
Planting Standards	Sec. 620.F	N	As currently designed, the proposed project does not meet the 20% minimum landscape requirement (currently 5,480 SF (14%)) for residential zones as required in Sec. 1300.I. (Residential Standards). However, Planning staff supports relief for this standard through Government Code Sec. 65589.5(f)(1).

E. General Plan Conformance

The project is consistent with the site’s designated Neighborhood Edge and Residential Neighborhood General Plan Place Types as the project promotes the following goals of its place type designation:

- 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 6D.G5: Ensure that new development helps establish an appropriate edge to protect and buffer adjacent stable residential neighborhoods.*
- Policy 7G.G7: Promote attractive community character as viewed from public streets, while providing adequate buffer areas between homes and heavily-traveled roads.*

The proposed project is consistent with the aforementioned goals of the General Plan in that the project will be located on 0.9 acres of currently underutilized vacant land; the project is providing taller, yet scale-appropriate buildings adjacent to existing smaller-scale residential and commercial structures; the development will act as a noise and visual buffer between existing residential neighborhoods to the south of the subject site from a major arterial street type (Arrow Highway); the project will add new residents who are likely to support existing commercial centers located near to the project site; and the project will be designed to complement both adjacent residential and commercial buildings, providing both a common aspect to development on Arrow while differentiating from older styles of development.

Project Review - Full

A full Compliance Summary table with a detailed analysis of the project’s compliance with all applicable standards of the Neighborhood Edge District 2 (NED2) Subdivision Design and Map Standards of the PZDC has been provided below. Note that the requested variance by the applicant is noted in **red text**.

F. Form Standards

The intent of form standards is to regulate the placement, scale, and intensity of buildings and structures on a lot. The following table summarizes the proposed application’s compliance with these standards.

Form Module: LOW-RISE MEDIUM 2 (LM2)

	REQUIRED	PROVIDED	MEETS REQUIREMENTS		
			YES	NO	N/A
Lot Size	<i>Sec. 360.</i>				
Lot Area	n/a	39,211 SF			X
Lot Width					
Front Access (min)	60'	N/A			X
Side/Alley Access (min)	40'	225.63'	X		
COVERAGE	<i>Sec. 370.</i>				
Impervious Coverage (max)	70%	62%	X ³		
Building Coverage (max)	65%	47%	X		
Building Setbacks					
Primary Street lot line (min)	5'	Between 5' and 7.5'	X		
Side Street lot line (min)	5'	N/A			X
Side lot line (min)	0' or 5'	19'	X		
Rear lot line (min)	20'	N/A			X
Alley Setbacks					
Alley lot line (min)	3' or 20'	N/A			X
Alley centerline (min)	13' or 30'	N/A			X
AMENITY	<i>Sec. 380.</i>				
Outdoor Amenity Space	15%	15%	X		
BUILDING	<i>Sec. 390.</i>				
Building Height (max stories/feet)	3/42'	3/30'-4" (37'-8" to top of parapet)	X		
Building Width (max)	150'	132'-10"	X		
Building Break (min)	10'	15'	X		
Building Depth (max)	150'	43'-6"	X		
FENCES AND WALLS	<i>Sec. 620.e.</i>				
Side/rear yard type	Type VI	N/A			X

³ Percentage excludes areas paved with pervious concrete in proposed drive aisles. Without the proposed pervious concrete, the impervious coverage percentage would be 85%.

G. Frontage Standards

The intent of frontage standards is to regulate the portions of a lot and exterior building facades that impact the public right-of-way. The following table summarizes the proposed application's compliance with these standards. For **X**s listed under "NO", the applicant is requesting a variance.

Frontage Module: GENERAL (G1)

	STREETS			MEETS REQUIREMENTS		
	PRIMARY (P)	SIDE (S)	PROVIDED	YES	NO	N/A
BUILD-TO	<i>Sec. 470.</i>					
Applicable stories (min)	All	All	(P/S)			
Build-to depth (max)	10'	10'	5'-10' (Arrow)/7.5'-10' (Merrywood, Digby, Lovejoy)	X		
Build-to width (min)	80%	50%	81% (Arrow)/78% Merrywood), 60% (Digby), 73% (Lovejoy)	X		
Pedestrian amenity allowance	30%	20%				
Active depth (min)	15'	10'	15' (Arrow)/12'(Merrywood), 12' (Digby), 15' (Lovejoy)	X		
PARKING LOCATION	<i>Sec. 480.</i>					
Parking between building & street	Not allowed	Not allowed		X		
LANDSCAPING	<i>Sec. 490.</i>					
Frontage planting area	30%	30%	87% (Arrow)/56% (Merrywood), 88%	X		

Frontage Module: GENERAL (G1)

	STREETS			MEETS REQUIREMENTS		
	PRIMARY (P)	SIDE (S)	PROVIDED	YES	NO	N/A
			(Digby), 61% (Lovejoy)			
Frontage yard fence & wall type allowed (height max)	Type A1 (0')	Type A2 (3')	3' (Arrow)/ 3' (Lovejoy)	X		
TRANSPARENCY <i>Sec. 4100.</i>						
Ground story transparency	50%	35%	13% (Arrow)/ 12% (Merrywood), 17% (Digby), 9% (Lovejoy)		X ⁴	
Upper story transparency	25%	25%	38% (Arrow F2), 15% (Arrow F3) / 31% (Merrywood F2), 18% (Merrywood F3); 13% (Digby F2), 8% (Digby F3); 37%		X ⁵	

⁴ Based on calculations provided by the applicant, more of the groundfloor along Arrow Hwy needs to be glazed (filled with windows) to meet the 50% minimum requirement. Additional glazing is needed along the ground floors of Merrywood, Digby and Lovejoy to meet the 35% minimum requirement. **The applicant has applied for a variance to provide relief from this standard.**

⁵ Based on calculations provided by the applicant, more of the upper floors along all streets need to be glazed (filled with windows) to meet the 25% minimum requirement. **The applicant has applied for a variance to provide relief from this standard.**

Frontage Module: GENERAL (G1)

	STREETS			MEETS REQUIREMENTS		
	PRIMARY (P)	SIDE (S)	PROVIDED	YES	NO	N/A
			(Lovejoy F2), 21% (Lovejoy F3)			
Active wall spacing (max)	25'	25'	Provided/ Provided	X		
ENTRANCES <i>Sec. 4110.</i>						
Street-facing entrance	Required	Required	Provided/ Provided	X		
Entrance spacing (max)	75'	100'	Provided/ Provided	X		
Required entry feature	Required	No	Stoops Provided	X		
Options	Stoop Forecourt Recessed Entry Covered Entry Storefront Bay Market Stall					
GROUND STORY <i>Sec. 4120.</i>						
Ground story height						
Residential (min)	10'	10'	11' (Arrow)/ 11' (Merrywood), 11' (Digby), 11' (Lovejoy)	X		
Non-residential (min)	16'	16'				X
Ground story elevation						
Residential (min/max)	0'/5'	0'/5'	8" (Arrow)/ 8" (Merrywood), 8" (Digby),	X		

Frontage Module: GENERAL (G1)

	STREETS			MEETS REQUIREMENTS		
	PRIMARY (P)	SIDE (S)	PROVIDED	YES	NO	N/A
			8" (Lovejoy)			
Non-residential (min/max)	0'/2'	0'/2'				X

H. Subdivision Standards

SUBDIVISION DESIGN STANDARDS:

REQUIREMENT	SECTION	APPLICABLE (Y/N)	COMMENTS
Conformance with the General Plan	Sec. 1010.A	Y	Compliant
Streets, Alleys, Blocks, and Pedestrian Walks	Sec. 1010.B	Y	Compliant
Lots	Sec. 1010.C	Y	Compliant
Easements	Sec. 1010.D	Y	Compliant
Grading and Erosion/Sediment Control Plans	Sec. 1010.E	Y	Compliant
Utilities	Sec. 1010.F	Y	Compliant

SUBDIVISION MAP STANDARDS:

REQUIREMENT	SECTION	APPLICABLE (Y/N)	COMMENTS
Tentative Map Requirements	Sec. 1020.A.1	Y	Compliant
Boundary Evidence	Sec. 10.20.A.2	Y	Compliant

I. Site Standards

The intent of form standards is to regulate the placement, scale, and intensity of buildings and structures on a lot. The following table summarizes the proposed application's compliance with these standards. For **Ns** listed under "APPLICABLE (Y/N)", staff is providing relief per Government Code Sec. 65589.5(f)(1) or Senate Bill 330.

SITE RULES:

REQUIREMENT	SECTION	APPLICABLE (Y/N)	COMMENTS
PARKING AND ACCESS	Sec. 610		

SITE RULES:

REQUIREMENT	SECTION	APPLICABLE (Y/N)	COMMENTS
Vehicle Access	<i>Sec. 610.A</i>	Y	Compliant. Vehicle access is provided via internal private alleys with one access point at the Lovejoy St cul-de-sac.
Pedestrian Access	<i>Sec. 610.B</i>	Y	Compliant. Pedestrian access is provided to each unit by direct walkways to public sidewalks on all adjoining streets. Pedestrian access is provided to the recreational clubhouse by a direct walkway to Lovejoy St.
Automobile Parking	<i>Sec. 610.C</i>	Y	Compliant. Only 18 parking spaces are required. The project provides 42 parking spaces (2 parking spaces per 21 units within private 2-car garages).
Motor Vehicle Use Areas	<i>Sec. 610.D</i>	Y	Compliant
Bicycle Parking	<i>Sec. 610.E</i>	Y	Compliant. Dwelling units with individually accessed private garages are not required to provide long-term bicycle parking. Projects with fewer than 25 dwelling units are only required to provide 2 short-term bicycle parking spaces. The project provides 2 bike racks along Lovejoy St at the proposed recreational clubhouse.
LANDSCAPING AND SCREENING	<i>Sec. 620</i>		
Parking Lot Landscaping	<i>Sec. 620.A</i>	NA	Not Applicable
Transition Buffers	<i>Sec. 620.B</i>	NA	Not Applicable
Frontage Screens	<i>Sec. 620.C</i>	NA	Not Applicable
Structural Screens	<i>Sec. 620.D</i>	Y	Compliant
Fence and Wall Standards	<i>Sec. 620.E</i>	Y	Compliant
Planting Standards	<i>Sec. 620.F</i>	N	As currently designed, the proposed project does not meet the 20% minimum landscape requirement (currently 5,480 SF (14%)) for residential zones as required in Sec. 1300.I. (Residential Standards). However, Planning staff supports relief for this standard through Government Code Sec. 65589.5(f)(1).
Retaining Walls	<i>Sec. 620.G</i>	Y	Compliant
SIGNS	<i>Sec. 630</i>		
Signs	<i>Sec. 630.</i>	NA	Not Applicable
ENVIRONMENTAL PROTECTION	<i>Sec. 640.</i>		
Outdoor Lighting	<i>Sec. 640.A</i>	Y	Compliant

SITE RULES:

REQUIREMENT	SECTION	APPLICABLE (Y/N)	COMMENTS
Recycling and Solid Waste Disposal	Sec. 640.B	Y	Compliant
Floodplains	Sec. 640.C	NA	Not Applicable
Operational Performance Standards	Sec. 640.D	NA	Not Applicable

Variance Request

The applicant has requested a variance for relief from the transparency standards required by the Pomona Zoning & Development Code (Sec. 4100.A. (Transparent Area)). The applicant is requesting to provide less transparency (9-17%) on the ground floor than the 35-50% that is required. The applicant is also requesting to provide less transparency (8-21%) on the upper floors than the 25% that is required.

The findings required in Section 1160.F. (Variance) of the Pomona Zoning & Development Code for a Variance are contained in the attached resolution (Attachment No. 2) and below.

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.
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.
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.
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.
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.

Per Planning staff’s analysis, the applicant’s variance request does not meet all the required findings needed for Planning Commission approval. Therefore, staff recommends that the Planning Commission deny the Variance request.

The applicant expressed that providing the amount of glazing (windows) needed to meet the PZDC’s transparency standards would conflict with California’s latest Title 24 Building Energy Efficiency Standards—resulting in more

solar heat gain than what Title 24 permits for residential buildings. Planning staff have determined that it would still be possible to meet Title 24, however, doing so would require more expensive windows and wall structuring that would add additional cost to the applicant. Unfortunately, additional cost is not a factor when considering variance findings.

Planning staff also shared an alternative design via 3D model with the applicant during a meeting on April 3, 2025 that demonstrated how the required transparency requirements could be met without any unit loss. Planning staff also shared a copy of this model on April 8, 2025 to help the applicant's architect understand these design alterations (Attachment No. 6). The applicant chose not to incorporate those design changes, and is requesting the variance to deviate from the transparency standards.

As the applicant is not utilizing the California Density Bonus Law (Government Code Sec. 65915–65918) by providing dedicated affordable housing units, the applicant cannot request a waiver or concession for relief.

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. 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.

Given these State regulations, Planning staff supports relief from the 20% minimum landscape requirement for residential zones as required in Sec. 1300.I. (Residential Standards). As currently designed, the project would need to provide an additional 2,362 SF of landscaping to meet the 20% requirement. Based on Planning staff's analysis, it would not be possible to meet that requirement without removing at least two (2) dwelling units. While removing the project's proposed recreation clubhouse could increase overall landscaping by 1,498 SF, the additional square footage still would not be sufficient to meet the 20% requirement and would bring the project out of compliance with the minimum 80% build-to width requirement (Sec. 470.C. (Build-To Width) along E. Arrow Hwy.

C. 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

Per Ordinance No. 4295, any residential development that includes three (3) or more dwelling units is subject to the City's Inclusionary Housing Program. In this case, Residential Developments comprised of for-sale townhomes, condominiums or similar attached dwelling units shall include for-sale moderate-income units equal to 11% of the total number of dwelling units in the residential development. For Sale Dwelling Units may meet the inclusionary housing requirements by providing inclusionary units through payment of an in-lieu fee. The project is compliant with the Inclusionary Housing Program by paying a total in-lieu fee of \$265,563. This total fee is calculated as: $(42,086 \text{ SF}) \times (\$6.31/\text{SF}) = \$265,563$.

Community Input and Noticing

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin on January 30, 2026 and was sent to all property owners and occupants of properties within a 400-foot radius of the subject site on January 29, 2026 (Attachment No. 4).

Environmental Review

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 32, Section 15332 (In-Fill Development). The proposed project is consistent with the City's General Plan and Zoning Ordinance; 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. Therefore, no further action is required.

Conditions of Approval

The Conditions of Approval are contained in the attached resolution (Attachment No. 1).

Conclusion

The proposed project does meet all required subdivision standards. However, the project does not meet all of the variance findings of Section 1160.F. (Variance). Therefore, Planning staff is recommending the Commission approve the Tentative Tract Map application with the conditions and deny the Variance application.

Attachments:

1. Draft Planning Commission Resolution No. 26-002
2. Draft Planning Commission Resolution No. 26-003
3. Photos of site and Surrounding Neighborhood
4. Project Plans
5. Public Hearing Notice & Proof of Publication
6. Planning Transparency Design Alternative