



City of Pomona

ZONING ADMINISTRATOR STAFF REPORT

DEVELOPMENT SERVICES | URBAN DESIGN DIVISION

FEBRUARY 5, 2025

FILE NO: DEVELOPMENT PLAN REVIEW – DPR-022550-2023
A request to develop 15 rental housing units on 1.07 acres.

ADDRESS: 1518 Arroyo Avenue (APN 8355-021-035)

APPLICANT: Arroyo Holdings, LLC.

PROJECT PLANNER: Ata Khan

ENVIRONMENTAL REVIEW: This project is exempt for the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the California CEQA Guidelines

RECOMMENDATION: Approve File No(s). DPR-022550-2023 and adopt Draft Resolution No. 25-001.

Project Information:

GENERAL PLAN DISTRICT:	Residential Neighborhood	ZONING DISTRICT:	R-1 and SB 330 Overlay (Vested Zoning)
TRANSECT:	T3	SPECIFIC PLAN DISTRICT:	N/A
GENERAL PLAN DENSITY:	20 DU/AC		
NEW HOUSING UNITS:	15	DENSITY BONUS:	No
HOUSING UNITS LOSS:	None	CONNECTIONS:	No
AFFORDABLE UNITS:	None	WAIVERS:	No
MODERATE:	None	SB 330 PRE-APPLICATION:	Yes (9/27/23)
LOW:	None		
VERY-LOW:	None		

Important Dates:

Date Submitted: 10/5/2023
Date Determined Complete: 11/4/2023
Deadline to make a Decision: 4 of 5 public meetings remaining per SB 330

Project Background:

The applicant, is requesting to develop a vacant parcel with 15 rental housing units. The development would represent in-fill construction in a mostly built-out residential neighborhood. The project was submitted first as a SB 330 Vesting Application, which was Deemed Complete in September 2023, and vested the project against the standards in place at that time. Therefore, existing zoning does not apply to the review of this project, and it has been reviewed for compliance with the SB 330 Overlay District.

Design Review:

Per the SB 330 Overlay District, since the project is the equivalent of approximately 18 dwelling units per acre, the R-3 zoning standards apply for design review (This excludes 0.24 acres of the adjacent parcel with an existing single unit).

Standard	Requirement	Project Description	Note
Lot Area Per Unit	1,500 square feet	Rental, no subdivision	Compliant
Unit Sizes	900sf 1br, 1000 sf 2br, 1200 sf 3br	2br 1400 sf	Compliant
Height	2.5 floor (per General Plan/SB 330 Overlay District)	2.5 floor	Compliant
Front Yards	25 feet	Existing Front Yard of 25 Feet Not Affected	Compliant
Side Yards	0.5 x Adjacent Building Wall (14'-6")	5'-9", 6'-0"	Compliant via SB 330 Overlay District relief provision
Rear Yards	15 feet or Adjacent Building Wall, whichever less	18'-9"	Compliant
Building Separation	15'	At least 15'	Compliant
Common Open Space	400 sf x 15 = 6,000 sf	6,870 sf	Compliant
Private Open Space	100 sf/unit, 8' min., ground floor; 70 sf/unit 6' min, above ground	100 sf ground floor, at least 70 sf above ground	Compliant
Parking	2 garage spaces/unit; 1 guest per 4 units	2 garage spaces/unit; 4 guest parking	Compliant

Land Development Issues:

None.

Transportation Issues:

None.

Solid Waste Issues:

None.

Building and Safety Issues:

None.

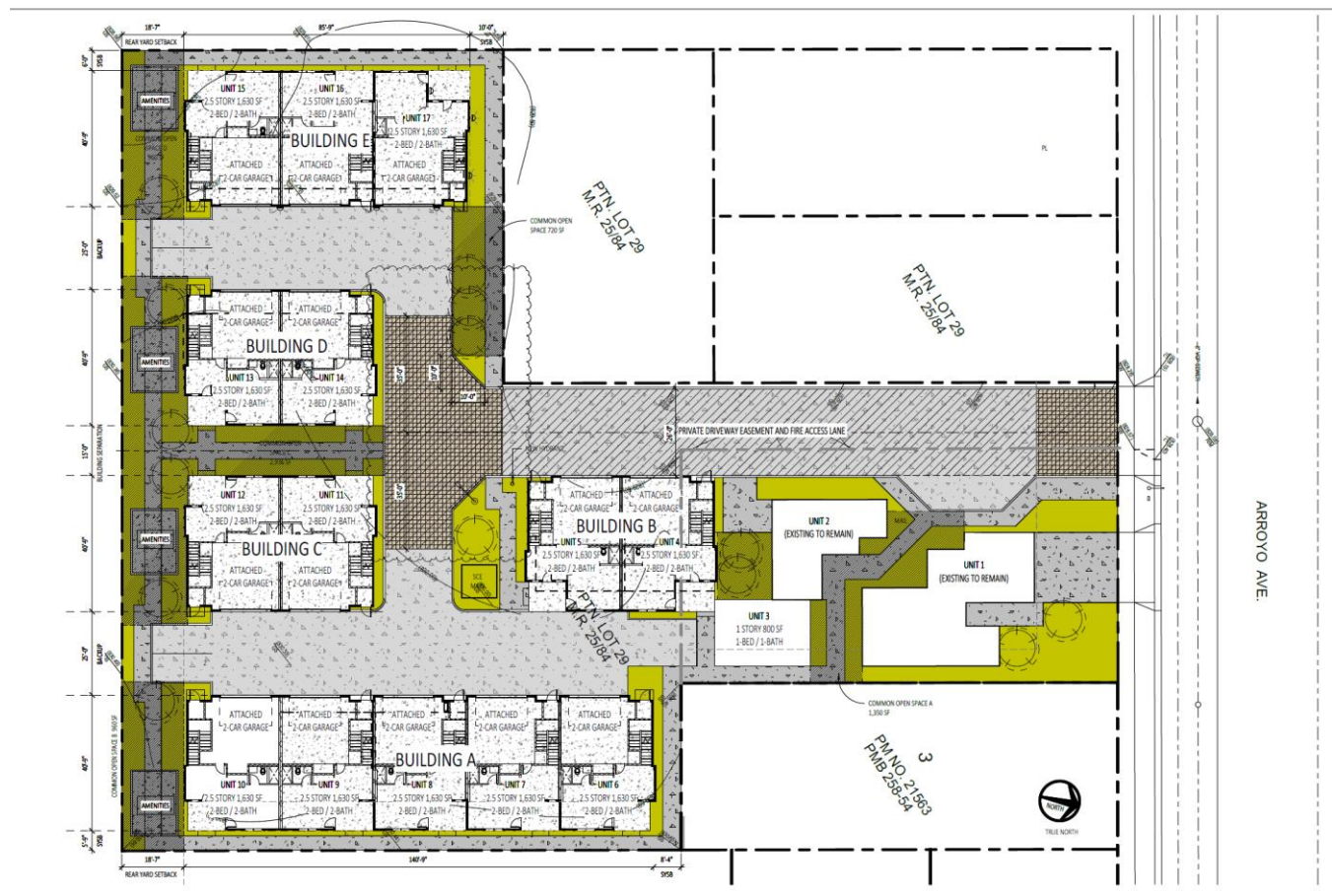
Water Resource Issues:

None.

Fire Issues:

None.

Proposed Site Plan:



Elevation:



Proposed Landscape Plan:



Landscape Concept Statement:

All proposed plants are drought-tolerant & low maintenance plants. 70% Low-water use plants, 30% Medium-water use plants
New irrigation system to be connected to domestic potable water meter w/ reduced pressure back flow preventer & submeter
All groundcover & shrub area to be irrigated with Techline pressure compensating dripline with check valves
All trees to be irrigated with sub-surface bubbler with check valves

Scale: 1/16" = 1'-0"

Inclusionary Housing:

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, the project is required to provide a minimum of 13% set aside units that are restricted to moderate income levels for a term of not less than 55 years.

Density Bonus Regulations:

The applicant is not seeking Density Bonus provisions.

State Housing Requirements/Restrictions

Summary of Senate Bill 330 ("SB 330"). On October 9, 2019, Governor Newsom signed into law the Housing Crisis Act of 2019 also known as 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.

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.

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.

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.
5. 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.

Conditions of Approval:

The Conditions of Approval are contained in the attached resolution (Attachment 1).

Required Findings:

The findings required in the SB 330 Overlay District are contained in the attached resolution (Attachment 1).

Environmental Review:

Staff has determined that this project is exempt for the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the California CEQA Guidelines.

Attachments:

1. Draft Zoning Administrator Resolution No. 25-001
2. Site Plans and Elevations
3. Proof of Public Hearing Notification