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# CITY OF POMONA COUNCIL REPORT

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July 15, 2024

To: Honorable Mayor and Members of the City Council

From: Anita D. Gutierrez, City Manager

Submitted By: Rene Guerrero, Public Works Director

**SUBJECT: APPEAL OF STAFF DECISION TO DENY THE ESTABLISHMENT OF  
PREFERENTIAL PARKING DISTRICT ON HARTFORD PLACE**

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## **RECOMMENDATION:**

It is recommended that the City Council discuss the appeal of the Staff decision to deny the establishment of a preferential parking district on Hartford Place. After discussion, the City Council can take one of two actions:

- 1) Option 1: Uphold Staff's decision to deny the request; or
- 2) Option 2: Approve the establishment of a preferential parking district on Hartford Place.

## **EXECUTIVE SUMMARY:**

Pursuant to a petition submitted by the residents of Hartford Place, a cul-de-sac, a request was made to establish a preferential parking district. Staff evaluated the request and determined there was sufficient on-site parking space on the residential driveways and garages to deny the request. Per Pomona City Code Section 58-239(g), residents may appeal Staff's decision to the City Council. This discussion will allow the City Council to receive public comments and testimony for the appeal.

## **SB1439/GOVERNMENT CODE §84308 APPLICABILITY:**

When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$250 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$250 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

### **FISCAL IMPACT:**

Option 1 (upholding City Staff's decision to deny the request) will have no fiscal impact at this time. Option 2 (establish the preferential parking district) will impact the Public Works Paint and Sign Operating budget (208-2562-52750-00000) by approximately \$500 to install the required signage.

### **PREVIOUS RELATED ACTION:**

On December 11, 2023, the City Council requested that Staff bring this item back to the City Council to consider the request after a review of the pertinent City Municipal Code.

### **DISCUSSION:**

The Hartford Place residents (Residents) submitted a petition to implement preferential parking district program on Hartford Place, a cul-de-sac with four single-family residential homes. The roadway classification is a local street. In recent years, the Residents have noticed an increase in the amount of vehicles parked on Hartford Place belonging to the inhabitants of a single-family home and ADU at 927 and 929 Lewis St., respectively. There is an existing pedestrian access gate at the rear of the property at 927-929 Lewis St., with direct access to and from the Hartford Place cul-de-sac. The occupants of the Lewis St. property consistently park their vehicles on the Hartford Place cul-de-sac and utilize this rear access gate.

Upon receipt of the request from the Residents to consider a preferential parking district, Staff evaluated the concerns and observed that each home with direct access to the Hartford Place cul-de-sac has on-site driveway space sufficient to accommodate, at least, two vehicles. In addition, each of the homes have 2-car garages that can accommodate vehicles. Thus, it has been determined that reasonably convenient parking is available to the residents and a preferential parking district is not necessary.

The Residents requesting a preferential parking district were notified of Staff's decision to deny their request (Attachment No. 1). Per Pomona City Code Section 58-239(g), residents may appeal Staff's decision to the City Council and have chosen to do so (Attachment No. 2). The City Council can consider the following options:

#### Option 1: Uphold Staff's decision to deny the request:

It is Staff's opinion that each residential property has sufficient on-site driveway and garage space, and therefore, there is not a shortage of reasonably available and convenient parking for the residents Hartford Place. Establishing preferential parking districts without proper findings may lead to undesirable outcomes and potential neighbor disputes.

#### Option 2: Establish the preferential parking district on Hartford Place:

As outlined in Pomona City Code Section 58-239(g), residents may appeal the decision to City Council. If the City Council chooses to overturn the decision and establish the preferential parking district on Hartford Place, all adjacent dwelling units will be allowed to receive one regular permit

and one guest permit, a maximum of two total permits per unit, due to the already limited parking space in the cul-de-sac. Residents will need to provide appropriate documents and pay applicable fees before issuance of parking permits.

It should be noted that occupants of the 927-929 Lewis St. property would be excluded from obtaining permits for the preferential parking district because they do not have “direct access” to Hartford Place per the definition of “adjacent dwelling unit” in Pomona City Code Section 58-239(b). The location of the pedestrian access gate to the rear of the 927-929 Lewis St. property requires the occupants to cross through a small portion of the private property at 937 Hartford Place. There is no existing access easement in place. As such, this property is not considered an adjacent dwelling unit and does not qualify for preferential parking permits.

Prepared by:

Ron Chan, Principal Traffic Engineer

**ATTACHMENTS:**

Attachment No. 1 – Staff Email Denying Request on May 7 and May 13, 2024

Attachment No. 2 – Appeal Letter Received on May 13, 2024