



Staff Report

City of Pomona Zoning Administrator

HEARING DATE: July 16, 2025

FILE NO: DPR-022671-2023

A request for entitlement to develop a housing development project on a 0.49-acre site. The project proposal includes a total of eight (8) residential units located within four (4) separate, two-story buildings. The site is located within the Residential Neighborhood District 1 (RND1) zoning district of the Pomona Zoning and Development Code.

ADDRESS: 1423 S. Gibbs St.

APPLICANT: Ziyi Yang, Architect

PROJECT PLANNER: Carlos Molina, Associate Planner

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

RECOMMENDATION: Approve File No(s). DPR-022671-2023and adopt ZA Resolution No. 25-006 (Attachment 1).

Project Information:

GENERAL PLAN PLACE TYPE:	Residential Neighborhood	ZONING DISTRICT:	Residential Neighborhood District 1 (RND1)
GENERAL PLAN TRANSECT:	T3	SPECIFIC PLAN DISTRICT:	N/A
GENERAL PLAN DENSITY:	20 DU/AC		
NEW HOUSING UNITS:	8	DENSITY BONUS:	Yes
HOUSING UNIT LOSS:	None	CONNCESSIONS:	No
AFFORDABLE UNITS:	1	WAIVERS:	No
Moderate:	1	SB 330 PRE-APPLICATION	No
Low:	None		
Very-Low:	None		

Important Dates:

DATE SUBMITTED: October 23, 2025
DATE DETERMINED COMPLETE: June 1, 2025

Project Request:

The applicant is proposing to develop a housing development project on a 0.49-acre site. The project includes a total of eight (8) residential units located within four (4) separate, two-story buildings (Attachments 2 and 3). The site is located within the Residential Neighborhood District 1 (RND1) of the Pomona Zoning and Development Code. Photos of the existing site conditions are included as Attachment 4.

Community Input and Noticing:

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin on July 3, 2025, and was sent to all property owners and occupants of properties within a 400-foot radius of the subject site on June 26, 2025 (Attachment 5). As of the date of this report's publication, Staff has received one (1) public comment submitted on June 28, 2025 opposing the project due to concerns with potential impacts to street parking.

Project Review:

The site's Residential Neighborhood District designation is intended to accommodate walkable neighborhood environments encompassing a variety of lower-intensity housing options, including single-unit homes, cottage courts, duplexes, triplexes, fourplexes, and other small multifamily developments. The underlying district, Residential Neighborhood District 1 (RND1) includes a zone string of the House Medium 1 (HM1) form module, Neighborhood Yard 1 (N1) frontage module, and the Residential 1 (R1) use module.

As one of the first projects subject to the updated Pomona Zoning and Development Code adopted in August of 2024, the original project proposal was limited in its ability to create a walkable and pedestrian-oriented residential project as intended by the site's zoning district. Following discussions with the applicant regarding the PZDC's general intent, sharing design proposals capable of meeting the applicant's requests, staff and the applicant were able to agree on a final site design. Overall, the site design underwent a total of seven (7) revisions to be deemed compliant with the applicable form, frontage and site rules.

FORM:

The original site design was complaint with the applicable form standards in regard to distance and percentage requirements; however, units were heavily distanced from parking, open space, and trash amenities with units all located within one structure near the right-of-way with parking and open space located to the rear of the site. The final site design utilized the depth of the site to achieve a balanced layout that placed both bike and vehicular parking and trash amenities within the center point of the lot and furthermore broke up the eight (8) units into duplex style buildings separated by landscaped outdoor amenity spaces with permanent seating arrangements. Remaining space not utilized for required amenity space is reserved for functional open space that is accessible by a fully connected pedestrian pathway.

FRONTAGE:

The original site design was challenged by a lack of compliance with primary frontage (along Gibbs St), side street frontage (fire access lane), and outdoor amenity transparency standards. Following the confirmation of compliance with prominent form and site rule requirement regarding the placement of buildings and amenities, the project was able to make the necessary modifications to meet transparency standards. See Attachment 3 for a rendering of the primary frontage facing S. Gibbs Street.

SITE:

Pursuant to Section 600.B. Site Applicability of the PZDC, the project is categorized as "new construction" thereby requiring compliance with all listed site rules. Please note, based on existing physical and zoning conditions of the neighborhood and the proposed residential use, not all listed requirements were triggered. Examples of standards that were not triggered include section 610. Motor Vehicle Use Areas and section 620.B Transition Buffers which are primarily reserved for commercial developments. As proposed, the final site design is compliant with all applicable Site Rules which include Sections 610. Parking and Access, Section 620. Landscaping and Screening, and Section 640. Environmental Protection.

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.

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.

Rezoning Prohibition

As noted above, Government Code Section 65589.5(j)(4) states, *“a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan.”* In this case, the project site is zoned Administrative Professional (A-P) which does not permit the development of residential uses beyond 15 dwelling units per acre, however, the project site is designated as General Plan Place Type or Urban Neighborhood and Activity Center, which contemplate residential uses, as well as Transect Zones T4-A and T5, which allow residential densities of up to 70 dwelling units per acre and 80 dwelling units per acre, respectively. The project is proposing residential density at a rate of 23 dwelling units per acre. Therefore, a change of zone is not required because the proposed project demonstrates consistency with the project site’s General Plan Place Type and Transect Zone designations.

Limitations on Applying Objective Development Standards

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.

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:

The proposed project is subject to the City of Pomona Inclusionary Housing Program (IHP). The IHP requires that all proposed residential developments of three (3) or more units contribute to the City's affordable housing stock. Rental Dwelling Units may meet the inclusionary housing requirements by providing inclusionary units or through payment of an in-lieu fee. The on-site inclusionary housing production requirement is set at 13% of the dwelling units that are included in a rental residential development. The inclusionary units are required to be rented to moderate-income households at the affordable rent. However, an applicant may choose to designate the inclusionary units at lower income categories. The payment of the in-lieu is reserved for for-sale units or for residential developments of less than 30 units; furthermore, the payment of an in-lieu fee would dismiss the project's eligibility for relief under CA Density Bonus law.

To satisfy the city's IHP, the project will be opting to designate the on-site inclusionary units at the Low-Income category, which will allow the project to satisfy both Density Bonus and IHP requirements.

Required Findings:

The findings required in Section 1160.G of the Pomona Zoning and Development Code for a Development Plan Review are contained in the attached resolution (Attachment 1).

Conclusion:

Based on Staff's analysis of the project and the recommended conditions of approval, the proposed development will be compatible with adjacent land uses and will not result in any negative impacts on the surrounding neighborhoods. Further, the project has been designed in a manner that is consistent with the applicable zoning district and will provide additional rental housing options.

Environmental Review:

Staff has determined that this project is eligible for exemption from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the California CEQA Guidelines. The proposed project meets the criteria for a Class-32 (In-Fill Development) Categorical Exemption in that 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. Staff recommends that the Zoning Administrator determine the project to be exempt.

Conditions of Approval:

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

Attachments:

1. Draft Zoning Administrator Hearing Resolution No. 25-006
2. Project Plans
3. Frontage Rendering
4. Photographs – Existing Site
5. Public Notice