

**RESOLUTION NO. 2017-xx**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DENYING MAJOR CERTIFICATE OF APPROPRIATENESS FOR A REQUEST (MAJCOA 6988-2017) TO REMOVE A 70-FOOT TALL DEODAR CEDAR TREE ON PROPERTY LOCATED AT 366 WEST ALVARADO STREET WITHIN THE WILTON HEIGHTS HISTORIC DISTRICT**

**THE CITY COUNCIL OF THE CITY OF POMONA DOES RESOLVE AS FOLLOWS:**

**WHEREAS**, on May 22, 2017, Christian Irias, submitted an application requesting an appeal of major certificate of appropriateness (MAJCOA 6988-2017) for removal of an existing cedar deodar tree for property located at 366 W. Alvarado Street;

**WHEREAS**, the property located at 366 W. Alvarado Street is owned by Christian Irias and located within the Wilton Heights Historic District;

**WHEREAS**, for removal of a mature tree, Section .5809-13.F of the Zoning Ordinance requires that the Historic Preservation Commission consider an application for a major certificate of appropriateness;

**WHEREAS**, the Historic Preservation Commission has, after giving notice thereof as required by law, held a public hearing on May 3, 2017, concerning the request to remove an existing mature 70-foot tall cedar deodar tree and not approved a Resolution either for approval or denial; and

**WHEREAS**, the City Clerk has, subject to requirements of the Historic Preservation Ordinance placed the application on the June 19, 2017 City Council agenda, for the requested appeal of non-action; and

**WHEREAS**, the City Council has carefully considered any pertinent testimony and the staff report offered in the case presented at the City Council meeting.

**NOW, THEREFORE, BE IT HEREBY RESOLVED:**

**SECTION 1.** The City Council determines that the approval of major certificate of appropriateness (MAJCOA 6988-2017) for the property located at 366 W. Alvarado Street is exempt from the California Environmental Quality Act (CEQA) in that the project involves the minor alterations to land (Section 15304).

**SECTION 2.** Section .5809-13.F.6 of the Zoning Ordinance requires the Historic Preservation Commission or City Council on appeal to make findings for approval of a Major Certificate of Appropriateness. The City Council hereby makes the following findings:

1. The proposed change will not adversely affect any significant historical, cultural, architectural, or aesthetic features of the concerned property or the historic district in which it is located.

The removal of one (1) Cedar Deodar tree from the front yard of the property will adversely affect the historical, cultural, architectural, or aesthetic features of the Wilton Heights Historic District. The tree is a large established iconic tree in the neighborhood that adds an aesthetic value to the overall neighborhood.

2. The proposed change is compatible in architectural style with existing adjacent contributing structures in an historic district.

The proposal involves the removal of one (1) tree and will adversely change the architectural style of existing contributing structures within the Wilton Heights Historic District as the homes will not benefit from a large tree that has existed in the neighborhood context for many decades.

3. The proposed change is consistent with the architectural style of the building as specified in the Design Review Subsection 5 of the Ordinance.

The removal of the tree located in the front yard of the subject single family residential property will not alter or detract from the existing buildings on the site or the surrounding neighborhood. One new tree is required to be planted at an appropriate location on the property. The remaining landscaping on the property will not be degraded by the loss of the tree.

4. The scale, massing, proportions, materials, textures, fenestration, decorative features, and details proposed are consistent with the period and/or compatible with adjacent structures.

Removal of the tree will impact the architectural features of historical structures on the subject property or within the surrounding neighborhood as the tree itself is of a size and scale that helps define a large urban forest within the context of a historic neighborhood.

**SECTION 3.** Based on the above findings, the City Council hereby denies major certificate of appropriateness (MAJCOA 6988-2017) for the removal of a 70-foot cedar deodar tree located at 366 W. Alvarado Street.

**SECTION 4.** The City Clerk shall attest and certify to the passage and adoption of this Resolution and it shall become effective immediately upon its approval.

**APPROVED AND PASSED THIS 19th DAY OF JUNE, 2017.**

**ATTEST:**

**CITY OF POMONA:**

\_\_\_\_\_  
Eva Buice, City Clerk

\_\_\_\_\_  
Tim Sandoval, Mayor

**APPROVED AS TO FORM:**

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Arnold Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF POMONA

I, EVA BUICE, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Pomona held on the 19th day of June, 2017 by the following vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

\_\_\_\_\_  
Eva Buice, City Clerk

“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 California Code of Civil Procedure Section 1094.6.”