



CITY OF POMONA COUNCIL REPORT

April 23, 2018

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Mario Suarez, AICP, Development Services Director

Subject: **ADOPTION OF A GENERAL PLAN AMENDMENT RESOLUTION (GPA 8024-2017), INTRODUCTIONS AND APPROVALS OF FIRST READING OF A ZONING CODE AMENDMENT (CODE 8025-2017) AND A CHANGE OF ZONE (ZONE 7828-2017) FOR THE “RIO RANCHO III PROJECT”(PROJECT) AT 1901 S. WHITE AVE.; APPROVALS OF CONDITIONAL USE PERMIT (CUP 8026-2017) AND TENTATIVE TRACT MAP (TRACTMAP 8027-2017) FOR THE PROJECT; CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) WITH STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPTION OF A MITIGATION AND MONITORING AND REPORTING PROGRAM (ENV 8028-2017) FOR THE PROEJCT.**

OVERVIEW

Recommendation –That the City Council open the public hearing and after receiving testimony and public comment close the public hearing and take the following actions:

1. Adopt a resolution certifying the FEIR (ENV 8028-2017) for the Project, including adoption of Findings of Fact and Statement of Overriding Considerations and Mitigation and Monitoring and Reporting Program.
2. Adopt Resolution approving General Plan Amendment (GPA 8024-2017) to change the designation from *Transit Oriented District: Neighborhood* to *Residential Neighborhood* for the properties at 1901 S. White Avenue.
3. Introduce for first reading an Ordinance approving Zoning Code Amendment (CODE 8025-2017) to create and adopt the Small Lot Residential zone.
4. Introduce for first reading an Ordinance approving Change of Zone (ZONE 7828-2017) from C-4 (Highway Commercial) to Small Lot Residential for the properties at 1901 S. White Avenue.
5. Adopt a resolution approving Conditional Use Permit (CUP 8026-2017) to build 10 or more units on the properties at 1901 S. White Avenue.

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6. Adopt a resolution approving Tentative Tract Map No. 74606 (TRACTMAP 8027-2017) to create a new 110-unit residential development on the properties at 1901 S. White Avenue.

Fiscal Impact – These actions will complete necessary steps to close escrow on the 1901 S. White property held by the City’s Successor Agency. The sale has been approved by the Oversight Board and Department of Finance at a price of \$12.2M. The proceeds will be distributed to public agencies in accordance with State law. In addition, the property and the value of improvements will be added to the property tax roll and annual property tax assessments will be used to reduce outstanding Successor Agency debt until satisfied.

Public Noticing Requirements – Pursuant to Section .571(D) of the Zoning Ordinance, a notice of public hearing is required to be published in a newspaper of local circulation, and sent to property owners within a 400-foot radius of the project site, at least ten days prior to the date of the public hearing. A notice was published in the Inland Valley Daily Bulletin on Saturday, April 14, 2018, and mailed to property owners on Monday, April 13, 2018.

Previous Related Action – On March 14, 2018, the Planning Commission reviewed the General Plan Amendment (GPA 8024-2017), Zoning Code Amendment (CODE 8025-2017), Change of Zone (ZONE 7828-2017), Conditional Use Permit (CUP 8026-2017), Tentative Tract Map 74606 (TRACTMAP 7828-2017), and Environmental Impact Report (ENV 8028-2017). The Planning Commission voted 4-1 to recommend that the City Council approve the project. A copy of the Planning Commission staff report for March 14, 2018 and draft meeting minutes are provided for Council consideration (Attachment E).

Environmental Determination - Pursuant to the provisions of the California Environmental Quality Act, CEQA, found in the California Public Resources Code, a Final Environmental Impact Report (FEIR) has been prepared for this project (see Attachment B). The FEIR determined that there are two unavoidable, potentially significant impacts to Transportation/Traffic. To approve the project, the City Council must adopt Findings of Fact and a Statement of Overriding Considerations. A complete discussion of the environmental effects and proposed mitigation measures is included in the Environmental Analysis/Determination section below.

EXECUTIVE SUMMARY:

There are six actions required to entitle the proposed “Rio Rancho III” 110 unit project as follows:

1. The Pomona General Plan needs to be amended to change the site’s land use designation from Transit Oriented Development to a scaled down Neighborhood Residential designation.
2. A new “small lot” Residential Neighborhood Zone needs to be created in the current Zoning ordinance to meet the Project’s lot requirements.

3. The City's zoning map requires amendment to include the Project site in the new proposed zone.
4. A Conditional Use permit needs to be approved for the project.
5. An EIR clearance for the Project with appropriate findings needs to be approved.
6. Approval of the Tentative Tract map reflective of the proposed Project will complete the needed actions.

PROJECT DESCRIPTION AND BACKGROUND

The proposed Rio Rancho III Residential Project (Project), including development of all facilities proposed within the Project site which includes on- and off-site supporting improvements (see Attachment F – Project Plans and Site Photographs). Primary uses proposed by the Project include:

- 110 Single-Family Dwelling Units and supporting facilities on a site totaling +/-11.90 acres;
- On-site parking totaling 360 spaces – comprising 220 garage spaces (one 2-car garage/dwelling unit), 86 driveway spaces, and 54 guest parking spaces; and
- Site amenities including two private recreation areas and dog park.

The Project consists of three vacant lots bordered by State Route 71 to the west, Lexington Avenue to the north, White Avenue to the east, and graded but undeveloped commercial lots to the southeast (see Attachment C – Project and Regional Location Map). Access to the project will be from the northerly terminus of Rancho Valley Drive.

A six foot high wall with growing vines and a ten foot landscaped buffer exists along the Project site's northerly frontage adjacent to Lexington Avenue. In addition, there is an existing sewer lift station that abuts approximately 100 feet along Lexington Avenue. This station is not part of the Project and will not be altered by the project; it is screened from the Project site by perimeter walls.

An existing freeway-oriented pylon sign for the Rio Rancho Towne Center commercial/retail center abuts the Project site's northwesterly corner. This pylon sign is not a part of the Project and will not be altered. Finally, a Sanitation Districts of Los Angeles County (LASCD, Sanitation Districts) easement traverses the southerly and westerly portions of the Project site. Current Project design concepts indicate this LACSD easement would remain clear of all structures.

APPLICABLE CODE SECTIONS

The General Plan may be amended by Resolution pursuant to provisions of Section 8 (Implementation), page 171 of the General Plan. Article 6, Section 65350-65362 of the State Government Code also establishes criteria for a General Plan Amendment. This includes completing consultation with Native American Tribes listed with the Native American Heritage Commission. The final action is with the approval by the City Council to change the existing

land use designation of the subject parcels from “*Transit Oriented District: Neighborhood*” to “*Residential Neighborhood*.”

The Pomona Zoning Ordinance (PZO) may be amended by Ordinance pursuant to Sections 65853-65857, inclusive, of the State Government Code. This proposal includes adding a new section to the existing Zoning Ordinance related to Small Lot Residential subdivisions. Approval by the City Council is required to add the new Small Lot Residential regulations to the PZO.

The City’s Official Zoning map may be amended pursuant to Section .571 of the PZO with criteria for a Change of Zone. A map amendment requires approval by the City Council to change the existing zone from C-4 (Highway Commercial) to the new Small Lot Residential zone.

A Conditional Use Permit (Section .580 of the PZO) is required for the construction of 10 or more dwelling units on a property.

Tentative Subdivision Map may be approved by the City Council under the authority of the State subdivision map act (State Government Code Section 66452).

SURROUNDING LAND USE INFORMATION

The project site is east of State Route 71 and south of an existing single-family neighborhood. More single-family homes are west of State Route 71. The Rio Rancho Town Center commercial development, including a Target store, is to the south and southeast. Vacant property adjoining the project site to the south is proposed for development of a 150-room hotel. Martin Luther King Jr. Memorial Park and Lexington Elementary School are east of the project site, across White Avenue. The project properties are all vacant.

The following table summarizes the surrounding land uses, zoning and general plan designations of the project area.

Land Use Summary Table

	Existing Land Use	Zoning Designation	General Plan Designation
Project Site	Vacant	Existing: C-4 (Highway Commercial) Proposed: Small Lot Residential	Existing: “ <i>Transit Oriented District: Neighborhood</i> ” Proposed: “ <i>Residential Neighborhood</i> ”
North	Single Family Residential	R-1-6,000	” <i>Residential Neighborhood</i> ”
South	Rio Rancho Town Center commercial shopping center	C-4 (Highway Commercial)	“ <i>Transit Oriented District: Core</i> ” & “ <i>Transit Oriented District: Neighborhood</i> ”

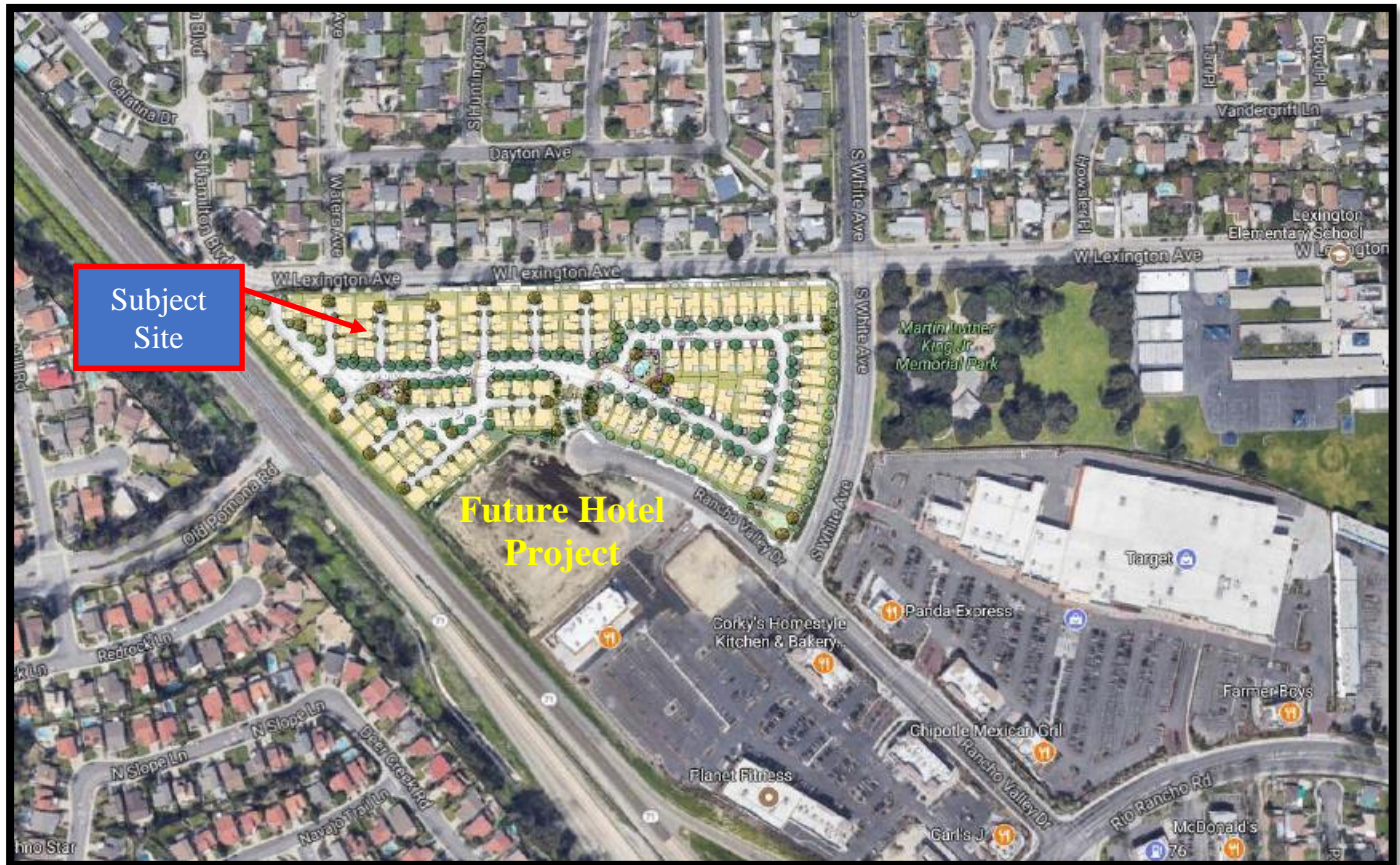
1901 S. White Ave.

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	Existing Land Use	Zoning Designation	General Plan Designation
East	Park and public school	O (Publicly Owned Land)	“Open Space”
West	Single Family Residential	Phillips Ranch Specific Plan	“Residential Neighborhood”

Aerial View with Project Inserted – Location Map – North direction is facing up



ZONING COMPLIANCE ANALYSIS

Site Development Standards

The proposed project site is 11.90 acres in area and will contain 110 housing units (Attachment F – Project Plans and Site Photographs). Section 3.0 of the FEIR provides additional details:

“Within the Project site, proposed residential uses are oriented internally along a central east-west private roadway, with connecting north-south oriented drive aisles. Sidewalks are provided throughout the Project site, on one or both sides of the Project streets. Project site amenities include two private recreation areas, one each in the westerly and easterly portions of the Project site. Additionally, a dog park is proposed at the southeasterly corner of the Project site. Proposed recreation areas, and common

landscaped areas within the Project would also function as water quality treatment areas.”

“Preliminary architectural design concepts depict varied single-family residential styles.... Building materials would include stucco exteriors with concrete tile roofs with vertical and horizontal siding, corbels and enhanced rafter tails, decorative pop outs and window trim, stone veneer, and wrought iron accents. Residences would be a maximum of three stories or 35 feet in height, with varied floorplan types, ranging from approximately 1,950 square feet (three-bedroom models) to approximately 2,750 square feet (five-bedroom models). All Project architectural designs would be subject to review and approval by the City.”

The proposed Small Lot Residential, development standards are listed for the new proposed zone as attached in Exhibit A of Draft City Council Ordinance amending the existing Zoning Code (See Attachment H).

The following table summarizes the Rio Ranch III project as it relates to the new proposed Small Lot Residential Zone:

Project Summary Table

Development Standard	Small Lot Residential Zone	Proposed Project	Compliance Determination
Lot Area	10 acres minimum	11.90 acres	Yes
Development Density	7-10 du/acre	9.24 du/acre	Yes
Lot Size	2,200 – 4,600 sf (net)	2,214 – 4,523 sf	Yes
Lot Dimensions	Min. width: 38 ft. Min. depth: 46 ft.	Min. width: approx. 40 ft. Min. depth: approx. 46 ft.	Yes
Min. Dwelling Unit Size	3 bedroom: 1,900 sf 4 bedroom: 2,070 sf 5 bedroom: 2,300 sf	3 bedroom: 1,950 sf 5 bedroom: 2,750 sf	Yes
Building Coverage	Max. 70% including accessory structures	Approx. 65% or less	Yes
Height	Max. 35’ or 3 stories	2 stories, 30’9”	Yes
Front Setback	Min. 10’ from public street Min. 5’ from the narrowest frontage along the easement or alley providing access to the lot for homes on lots not facing a public street	No homes front public streets. 5’ from all internal streets, easements and alleys.	Yes
Side Setback	(1) No minimum side yard,	3’ proposed on most lots, 5’	Yes

Development Standard	Small Lot Residential Zone	Proposed Project	Compliance Determination
	<p>provided that structures and structure separations comply with applicable Building Code and Fire Code standards.</p> <p>(2) Where side yards are provided, side yards of abutting lots should be equidistant from the common property line, and shall be a minimum of three feet on each side of the common property line.</p> <p>If Zero lot line configurations are proposed, the side yard opposite the Zero lot line yard shall be a minimum of six feet.</p> <p>(3) Accessory structures shall meet or exceed minimum side yard setback(s) for the primary residential use.</p> <p>(4) Zero lot line side yards shall not be located along the subdivision perimeter.</p> <p>(5) For corner lots, the side yard adjacent to the side street, easement or alley shall be a minimum of five feet.</p>	<p>proposed in some cases.</p> <p>Side yards are equidistant in most cases with some lots have 3' on one side and 5' on the other (see lots 81-83 for example).</p> <p>No zero lot line configurations proposed.</p> <p>No accessory structures proposed.</p> <p>Corner lots: All have at least 5' setbacks</p>	
Rear setback	Min. 5'	Min. 5'	Yes
Building Separation	Min. 6'	Min. 6'	Yes
Parking	2 car garage per unit plus 1 guest space which may be accommodated in driveways and within designated areas on interior streets	<p>2 car garage per unit</p> <p>54 spaces on-street or in distributed parking areas</p> <p>Lots 1-29, 31-44 have 2 spaces on each driveway</p> <p>Total guest parking: 140 spaces</p>	Yes

Development Standard	Small Lot Residential Zone	Proposed Project	Compliance Determination
Private Open Space	Min. 100 sf/unit, min. dimension 5'	Lots 1-44 have enclosed rear yards greater than 400 sf. Lots 45-110 have patios ranging from 113-188 sf. Min. 10' dimension for all spaces.	Yes
Common Open Space	Min. 5% of the gross site area. Min. dimension 10' Min. 25% of the area to be landscaped A maximum of 20% of the common open space may be paved surface including a swimming pool, walks, patios, terraces, courts and fountains	Approximately 0.74 acres, or approximately 6.2% of the gross site area, provided in common lots A-D, O-R. Min. dimension 10' No landscaping or recreational facility details yet provided.	Yes, pending landscaping and recreational facility details.*

*Can be enforced via conditions of approval.

Project Interior Circulation, Access & Parking

Access to the subject site will be from the Rancho Valley Drive to the south. Rancho Valley Drive connects to Rio Rancho Road which is a Major Arterial according to the Mobility and Access chapter of the General Plan. White Avenue to the east and Lexington Avenue to the north are Collector streets (Attachment F) but do not connect directly to the new private streets in the project.

The applicant proposes that the project will be a gated community with access controlled at the entrance on Rancho Valley Drive. Staff recommended removal of the gate in order to conform the Project to connectivity standards which have been historically applied to other housing projects in the City. The Planning Commission recommended that the gate be retained in the project design. This condition is further reviewed later in this staff report in the discussion of the General Plan Residential Neighborhood land use designation (bottom paragraph – see page 11).

Each dwelling unit is designed with a two car garage. On-street parallel parking, and a series of guest parking areas, provide a total of 54 parking spaces for guests. Four of the five guest parking areas are concentrated in the westerly portion of the site where the housing is grouped into clusters with short driveways. The easterly portion of the project is a more traditional single-family style lot configuration with driveways long enough to accommodate 86 cars (2 per driveway) in addition to those in the garage.

In order to improve pedestrian access from the site to the nearby commercial areas, the Planning Commission recommended that the applicant work with staff to find one or more locations for additional pedestrian access from the site. The applicant proposed a new pedestrian gate near the southeast corner of the site that allows the new residents more direct access to White Avenue and the nearby commercial areas.

Landscaping and Sustainability

The site plan has basic landscaping details for the front yards of the homes and common areas. As outlined in the table above, the project will provide room for private open space on each proposed lot and common open space for the project to meet the proposed standards of the new Small Lot Residential zone.

Staff recommends as a condition of approval that the project provide a full landscaping plan prior to issuance of building permits, with sufficient details to ensure that the project fully complies with the drought resistant planting and water efficient irrigation systems for front yard landscaping on each lot and common open space areas.

The project incorporates sustainability features in the form of water infiltration installations beneath common-area lots A, B, C, M, N and P as shown on the Conceptual Utility Plan, sheet 8 of the Tentative Tract Map (Attachment F). These infiltration areas will help reduce rainwater runoff and provide initial filtration of the water before it flows to the City's stormwater system.

There are mature trees along the south side of Lexington Avenue on the project site. Although staff had recommended that a sidewalk be installed along the south side of Lexington, this would have required removing most, if not all, of the existing landscaping. The Planning Commission recommended that since a sidewalk already was in place along the north side of the street, retaining the landscaping was preferable to installing an additional sidewalk. The Planning Commission also recommended that the applicant perform a one-time maintenance of this landscaping to improve its appearance, which the applicant agreed to do. This landscaping is in a Landscape Maintenance District (LMD), Zone E, so the homeowner's association (HOA) in the project will be assessed for continuing maintenance of the landscaping.

Lighting and Security

Street lights are proposed throughout the project on the Conceptual Utility Plan, sheet 8 of the Tentative Tract Map (Attachment F). Each of the house plans also has wall-mounted lights above the garage and near the front door as shown on the elevations.

ISSUES ANALYSIS

Issue 1: General Plan

As noted in the text of the City's General Plan the plan is intended to be a living document and, as such, will be subject to site-specific and comprehensive amendments. Amendments also may be needed from time to time to conform to state or federal law passed since General Plan

adoption, and to eliminate or modify policies that may become obsolete or unrealistic due to changed conditions... There are no specific findings required for a General Plan Amendment.

The applicant is proposing a General Plan Amendment from *Transit Oriented District: Neighborhood* (TOD:N) to *Residential Neighborhood*. The existing designation of *Transit Oriented District: Neighborhood* was applied for the following reasons, according to the General Plan:

“A major existing anchored activity center, significant potential for change, and close proximity to major freeway access make this location an excellent opportunity for larger scale infill development and redevelopment. Near term investment will take advantage of significant vacant and underutilized land, providing the pioneering investment that will begin to transition this area from retail center to transit oriented district. SR-71 will be a significant barrier to successfully integrating the entire district. Careful planning and conscientious street design will be critical to the ultimate success of the district. To complement the new, urban intensity that this district can accommodate, improved transit service will connect this center with other transit oriented districts and neighborhoods throughout the City.

The vitality, safety, and identity of the neighborhood will primarily stem from new streets and pedestrian ways providing connectivity to the shopping core. This new pattern of pedestrian scaled blocks will be highlighted by special public spaces distributed along them. A mix of building types lining the new streets will be artfully designed, built close to the sidewalk, and feature entrances facing the public thoroughfares. Building massing and façade composition will emphasize variety and street-side interest. Facades will feature articulated windows and doorways, building forecourts, terraced urban gardens, front stoops, and bay windows.”

The intent of the existing designation is to orient buildings to the street, take advantage of the nearby commercial center, and promote the use of transit in favor of single-occupant cars. The proposed project faces inward but otherwise follows the concepts of the TOD:N in the following ways:

- The project is an infill project near the major commercial center.
- The project is located adjacent to SR-71 and transit lines on White Avenue and is approximately ¼ mile from Rio Rancho Road and transit lines on that street.
- The location promotes use of transit and bicycles and is easy walking distance to nearby commercial, reducing reliance on single-occupant vehicles.
- The existing street network doesn’t need to be altered to accommodate the new project.

The focus in the General Plan for TOD development is generally commercial in character or a mixed-use style. The proposed project doesn’t fit these criteria and is one reason why the applicant proposes to change the General Plan Land Use designation from *Transit District: Neighborhood* to *Residential Neighborhood*.

Residential Neighborhoods are described in the General Plan as having “a mix of densities, street network types, housing types, and architectural styles.” The project site is in Transect T5 of the General Plan which allows up to 80 dwelling units per acre. The proposed density of the project is 9.24 dwelling units per acre on the 11.90 acre site. Transect T5 anticipates a combination of land uses including “smaller scale multifamily housing limited to locations that are adjacent to stable residential neighborhoods.” The project is not multifamily housing but the clustered housing on the westerly half of the site increases the density to the level of multifamily development while still providing opportunities for home ownership. The project includes a dense street network and clustered housing type. The design of the project will provide an appropriate transition from the existing single-family development to the north and the large commercial shopping center to the south. The project also provides close access to transit lines on Rio Rancho Road and to the regional transportation network via SR-71 and SR-60.

The proposed project is consistent with these Goals of Residential Neighborhoods:

- Goal 6G.G6—“Ensure that new residential development is well-integrated into adjacent neighborhood street patterns and provided with pedestrian connections.” The project is an infill lot located adjacent to an existing single family neighborhood. The site fits into the existing street network without requiring any alterations to the network. The site is also located near commercial development on Rio Rancho Road, providing easy pedestrian access not only to the commercial area but to transit lines.
- Goal 6G.G8—“Ensure safe, family-oriented, human-scaled, walkable and livable residential neighborhoods.” The proposed project will provide homes sized for families, with 3-5 bedrooms. Recreational open space is provided in the development to serve the new homes. The clustered nature of much of the project and the overall density makes the project very walkable and human scaled.

If approved, the project will conform to the General Plan Land Use designation.

Residential development projects larger than 5 acres, designated Residential Neighborhood, are required to have either a Specific Plan or Master Plan. However, elsewhere the Code stipulates that a Specific Plan application must be a minimum project area of 15 acres. Further, the term “Master Plan” as it would apply to the Project is not defined within the General Plan or the Zoning Code. Typically, a Master Plan presents the Project within the context of the surrounding land uses and facilities, and indicates planned connections to existing services. In this regard, the Project submittal materials in total, including the Tract map, infrastructure plans and architectural concepts serve as the Project Master Plan.

The project does have design characteristics that are potentially inconsistent with some General Plan policies for the Residential Neighborhood designation. Policy 6G.P3 encourages new developments to “look for ways to provide multiple access points, through-streets and interconnectivity for all neighborhoods” to promote the pedestrian environment. Policy 7D.P18 encourages new developments to “provide an integrated pattern of streets and pedestrian paths that provide connections between neighborhoods.” Gated entrances are “discouraged” and new projects should “avoid” cul-de-sacs. The proposed project has a gated entrance and cul-de-sacs.

The project only has a single access point, to Rancho Valley Drive, rather than connecting to the existing streets to the north. Staff encouraged the applicant to redesign the project with some connection to the existing street network and without a gated entrance. However, the applicant chose to submit the current project design. As noted earlier, the Planning Commission recommended that the gate be retained.

It should be noted that none of the streets to the north align with the project in a way that allows direct connectivity. White Avenue runs along the eastern side of the project. Waters Avenue terminates near the westerly boundary. Hamilton Boulevard connects to the Lexington Avenue at the westerly property boundary. No east-west streets terminate at the project. In addition, the site is somewhat isolated from the community by State Route 71 to the west and the large shopping center to the south. Although the project provides no new connections to the existing street network, the project will not interrupt pedestrian flows as the existing street network will not change.

There are existing sidewalks along the north side of Lexington Avenue, and both sides of White Avenue adjacent to the project, that provides a pedestrian path around the project site and connection to the commercial areas south of the project.

Policy 7F.P8 promotes designs where “garages do not dominate streetscapes” and provides the following criteria:

- Minimize the façade width of single-family homes so that no more than 50% of the façade is occupied by the garage.
- Orient garage doors 90 degrees from the street.

All the garages in the project either face the new private street network or the alleys serving the clustered development. Several of the house plans have 50% or more of the façade is occupied by the garage, but to a significant extent this is a result of the small lot sizes proposed. As noted in the Project Summary Table, lot sizes will range from 2,214 – 4,523 square feet and lot widths will range from approximately 40 - 46 feet. The project has been designed specifically to take advantage of the Small Lot Residential zoning proposed for the site; this will inevitably result in a non-traditional site plan. All the houses in the project face inward to the site; none face existing public streets fronting the site. Since the project is a self-contained community and no houses face the public streets fronting the site, the potential inconsistency with the General Plan Policy does not appear to be significant.

The project is consistent with multiple Goals and Policies of the General Plan. By being located close to major streets and the Rio Rancho Town Center shopping area, the project promotes a “walkable and accessible street environment” (Goal 7D.G20) for its residents. The project will be required to use high-quality materials and shows excellent design (Goal 7F.G4). By implementing the new Small Lot Residential Zone, the project will “promote diversity in parcel and home sizes, with careful transitions between developments at different scales and densities” (Policy 7F.P2).

In summary, as conditioned, the potential inconsistencies with the General Plan do not appear to be significant, and overall the project conforms to the Goals and Policies of the General Plan.

Issue 2: Zoning Ordinance Compliance

In order to support the project proposal, the applicant is proposing that the Zoning Ordinance be amended with the adoption of a new Small Lot Residential zone (see Appendix F of Attachment B – Final Environmental Impact Report). The new Small Lot Residential zone establishes zoning standards for a new type of residential development with lot sizes smaller than typical single-family lots.

The Planning Commission expressed concern about the need for a new zone rather than using one of the existing zones. None of the existing single-family zones allow for the type of development proposed. The R-1 zones allow lots as small as 6,000 square feet. Although this is a single-family project, the lots will be quite small, ranging in area from 2,214 to 4,523 square feet. Fifty nine of the 110 residential lots will be less than 3,000 square feet, seven will be larger than 4,000 square feet, and the remaining 44 lots will be between 3,000 and 4,000 square feet. The PD (Planned Development) zone cannot be used for several reasons. First, that zone has a minimum lot size of 4,500 square feet; as noted above, the project has considerably smaller lots than that. Second, the PD zone has minimum side yard setbacks of 5 feet whereas 3-foot setbacks are proposed on many properties in the project. Finally, total building coverage cannot exceed 30% of the project excluding streets in the PD zone, whereas the project has coverage of over 50%. The Planned Residential Development (PRD) zone overlay allows smaller lot sizes, but that zoning cannot be used for two reasons. First, the project has to be within a Specific Plan Area, which the site is not. Second, if the proposed lots are less than 7,200 square feet in area, “an area equal in area to any reduction in lot area below seven thousand two hundred square feet shall be provided elsewhere within the PRD project in the form of permanent open space and/or recreational facilities (excluding streets and parking areas).” For the proposed project, this would require approximately 3,000 to 5,000 square feet of open space per lot. Since the project has 110 lots, between 300,000 and 500,000 square feet of open space would have to be provided—6.9 to 11.5 acres of the 11.90 acre site. This is an amount of open space the applicant is not prepared to provide as an offset for the ability to build higher density single-family housing.

The draft language of the new Small Lot Residential zone lists the intent:

A. INTENT AND PURPOSE. The purpose of the “Small Lot Residential Zone” is to provide an alternative to standard single-family tracts by allowing for a range of single-family residential products within a “Small Lot” development concept. A “Small Lot” development is defined as a subdivision allowing for single-family residential densities of seven to ten dwelling units per acre. This range of densities provides for single-family residential home ownership at densities not otherwise permitted under the City’s other single-family zone districts. The further intent of the Small Lot Zone is to facilitate viable residential development of the City’s irregularly-shaped and physically constrained infill properties. Lots in small lot subdivisions are divided into individual, fee simple parcels,

each with one independent dwelling unit. Each individual unit must have direct access to a public street/alley or easement access through a recorded subdivision map.

The Small Lot Residential Zone is an interim measure intended to facilitate projects such as this pending completion of the more comprehensive update of the Zoning Ordinance. It is anticipated that elements of the Small Lot Residential Zone will eventually be incorporated into the Zoning Ordinance and be applicable to a broader array of properties in the future.

Small Lot zoning is not a completely new concept. The City of Los Angeles has adopted standards to allow this type of development and the concept is being studied by Glendale and Burbank. The intent is to provide another option to the development community to provide for-sale units at a more affordable price than traditional development.

The new zoning will promote development of this isolated, irregularly shaped property that lies at the border between high intensity commercial development to the south and the existing single-family neighborhood to the north. It will provide a transitional development intensity appropriate to this location. It also provides additional home ownership opportunities. Since the zoning will change from commercial to residential, it helps the City fulfill its housing obligations under the Regional Housing Needs Assessment (RHNA).

Staff has evaluated the proposed site design and has determined that the proposed development is in conformance with the development standards of the new Small Lot Residential Zone as noted in the Project Summary Table above.

Issue 3: Land Use Compatibility

The project consists of an infill development of a vacant site. The small-lot single family homes proposed provide an appropriate transitional development style between the existing single-family neighborhood to the north and the commercial development to the south. The project will incorporate a series of traditional home styles, described as “Early California Ranch”, “Craftsman” and “European Cottage” in the development plans. These house styles blend well with the existing single-family neighborhood to the north. The project will use high quality materials. Therefore, the proposed project will be designed to be compatible with the surrounding land uses.

Issue 4: Conditional Use Permit

The project is subject to a Conditional Use Permit since more than 10 residential dwelling units are proposed on the site per Municipal Code Section .58011. The appropriateness of the site for residential development has been described in the previous sections. Before a conditional use permit may be granted, the City Council must make the following findings:

1. That the proposed use at the particular location will contribute to the general wellbeing of the neighborhood or community;

2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity or detrimental to the use, valuation or enjoyment of property or improvements in the vicinity;
3. That the site for the proposed use is of adequate topography, size and shaped to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to allow said use with the land and uses in the neighborhood and make it compatible thereto;
4. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use;
5. That the granting of such conditional use permit will not adversely affect the General Plan of the city, or any other adopted plan of the city and conforms to the provisions of the zoning ordinance.

Before a conditional use permit may be granted to construct ten or more dwelling units on a lot, the City Council must make the following additional findings:

1. The building height, size, scale, location and relationship of the proposed development shall be compatible with and not detrimental to both the existing or proposed surrounding development;
2. The grading of the site and the vehicular access is compatible with and not detrimental to existing and proposed surrounding development.

The project will provide additional housing, helping the City meet its commitments in the Housing Element. It will convert undeveloped land into a productive land use. It will provide new home ownership opportunities in a location close to transit, promoting a more walkable City. The project will meet all City Codes and standards and will have appropriate conditions of approval that will ensure that the project will not be detrimental to the health, safety or general welfare of the community. As discussed in the Project Summary Table, the Zoning Ordinance Consistency section and Land Use Compatibility section, the project will have development characteristics that are compatible with and not detrimental to either existing or proposed surrounding development. Since the site is level and all buildings are at-grade, grading activities will be minimal. Vehicular access will be via new private streets, fire lanes and access ways inside the site, and will connect to the larger street network via Rancho Valley Drive. If the Zoning Code and Zoning Map Amendments are approved, the project will be consistent with the provisions of the zoning ordinance. As discussed previously, the project will be consistent with the General Plan. Therefore, the project complies with the necessary findings for a Conditional Use Permit. Conditions of approval for the project are attached to the Conditional Use Permit resolution (see Attachment A).

Issue 5: Tentative Tract Map

The applicant is also proposing a Tentative Tract Map (No. 74606) to subdivide the property into 110 residential lots as well as a series of common-area lots for open space, water treatment, private streets, fire lanes and access drives. The City Council has approving authority when a final parcel and tract subdivision map is required under the state subdivision map act. Public

Works and Planning staff have reviewed the Tentative Tract Map and find that it is consistent with the standards for such maps pending approval of the General Plan, Zoning Code and Zoning Map Amendments and the Conditional Use Permit. Conditions of approval for the tentative tract map are attached to that resolution (see Attachment A).

ENVIRONMENTAL ANALYSIS/DETERMINATION

Pursuant to the provisions of the California Environmental Quality Act, CEQA, found in the California Public Resources Code, a Final Environmental Impact Report (FEIR) has been prepared for this project (see Attachment B). The purpose of a FEIR is to identify potential significant effects on the environment of the project, to indicate the manner in which those potential significant effects can be avoided or reduced to levels less than significant, and to identify the significant effects that are unavoidable. Where significant effects are identified, the FEIR will typically identify “mitigation measures” which, if implemented, could reduce potential significant effects to levels less than significant. For effects that cannot be reduced to less than significant levels, the FEIR identifies these as unavoidable effects and the City has the option of adopting a “statement of overriding considerations.”

The EIR provided detailed analysis and discussion of the following topics:

- Air Quality
- Greenhouse Gases
- Land Use
- Noise
- Population and Housing
- Public Services and Utilities
- Transportation / Traffic

The other issues on the City’s environmental checklist were determined not to have the potential for significant environmental effects and are addressed in the Initial Study (Appendix A of Attachment B). If an EIR identifies one or more potentially significant environmental effect (even if they can be mitigated), the lead agency must make findings for each effect and support the findings with substantial evidence in the record. The substantial evidence is provided in the Draft EIR (DEIR) and Final EIR (FEIR).

The DEIR determined that there are two unavoidable effects associated with the project, dealing with Transportation\Traffic, as listed in Table 1.10-1 on pages 1-39 and 1-40 of the DEIR (See Rio Rancho II Residential Project DEIR: <http://www.ci.pomona.ca.us/index.php/development-services-home/planning>).

1. Intersection/Roadway Segment/Turn Lane Impacts

Under one or more of the Project Traffic Impact Analysis (TIA) scenarios, (Existing Conditions, Opening Year Conditions, or Horizon Year Conditions), Project contributions to traffic impacts at the following TIA Study Area (Study Area) facilities/locations would be cumulatively considerable, and impacts would be cumulatively significant and unavoidable:

- SR-71 Northbound (NB) Ramps / Rio Rancho Road Intersection (Study Area Intersection No. 3);

- Rancho Valley Drive/Auto Center Drive/Rio Rancho Road Intersection (Study Area Intersection No. 7);
- Roadway Segment of Rio Rancho Road from Rancho Valley Drive to SR-71 NB (Study Area Roadway Segment No. 4); and
- Westbound (WB) Left Turn Lanes at SR-71 SB Ramps at Rio Rancho Road (WB Turn Lanes at Study Area Intersection No. 2).

2. Congestion Management Plan (CMP) Facilities Impacts

The SR-71 NB Ramps / Rio Rancho Road intersection and the WB left turn lanes at SR-71 SB Ramps at Rio Rancho Road are Congestion Management Program (CMP) facilities. Impacts to these CMP facilities are coincident with impacts to other Study Area facilities. Consistent with other analyses presented herein, Project contributions to traffic impacts at the affected CMP facilities would be cumulatively considerable, and traffic impacts would be cumulatively significant and unavoidable.

Should the City Council wish to approve the project, a Statement of Overriding Considerations will need to be adopted by the City Council to enable the project to proceed despite the potentially significant, unavoidable environmental impacts.

Mitigation measures (see pages 4-1 through 4-11 of the FEIR – Attachment G) are proposed for the following FEIR Topical Issues:

- Traffic and Circulation (mitigation measures 4.2.1-4.2.6)
- Air quality (mitigation measures 4.3.1-4.3.4)
- Noise (mitigation measure 4.5.1)
- Biological resources (mitigation measure BIO-1)
- Cultural resources (mitigation measures CR-1 and CR-2)

With adoption of these mitigation measures, potential environmental impacts will be reduced to less than significant levels for the issues other than Traffic and Circulation. It should be noted that the mitigation measures are in addition to the conditions of approval placed on the project. The combination of the mitigation measures and conditions of approval address all traffic-related impacts other than the two cited previously.

Public Comments & Responses: The Draft EIR was circulated for a 45-day public review/comment period that initially ran from November 20, 2017 to January 4, 2018. Due to the fact that this period fell over the Christmas holiday, the review period was extended to January 18, 2018. The Planning Division received comments (see pages 3-1 through 3-21 of the FEIR – Attachment G) from the following:

- State of California, Governor's Office of Planning and Research;
- County Sanitation Districts of Los Angeles County; and
- South Coast Air Quality Management District.

No substantive issues raised by the commenting agencies could not be explained or responded to by the environmental consultant. A brief review of the comments received will be provided at

the presentation of this agenda item.

PUBLIC COMMUNICATIONS

Community Meetings. The applicant engaged with the neighborhood on two occasions. The first community meeting was held on October 4, 2017 and the second meeting was held on October 11, 2017. The meetings were held at Garey High School in the cafeteria and the project was presented with a questions/answers session with all in attendance. In addition, the applicant indicates that they “*walked through the community and met additional neighbors on December 7th.*”

The applicant’s notes indicate that “*about twenty people attended the meetings (along with a number of children). Everyone in attendance had generally positive things to say about the project. There was no opposition. Everyone liked the project site plan and, in particular, the architectural style of the homes. A few people asked about the lot sizes, however, all of them were happy the project was not going to consist of apartments or attached condominiums. The neighbors were supportive of the existing wall remaining on W. Lexington Avenue, and wanted to keep the landscaping, although they commented that the landscaping had been neglected and is overgrown. A few attendees stated that the anticipated pricing of the homes was out of reach for them; however, they felt that the higher prices would be beneficial to their own property values. Every person in attendance commented about the intermittent homeless encampments at the property. They are looking forward to the project being developed to remove the attraction of the isolated, vacant land.*”

Public Hearing Notice. A copy of the public hearing notice was published in the Inland Valley Daily Bulletin on Friday April 13, 2018 and was sent to the owners of properties within a 400-foot radius of the subject site on April 12, 2018 (Attachment D). The applicant also conducted an outreach campaign with residents within the neighborhood, holding a meeting with the public on October 4, 2017.

CONCLUSION

The project as proposed will be consistent with the proposed new General Plan and Zoning designations with appropriate conditions. The proposed project is compatible with the existing single-family neighborhood to the north and provides a reasonable transition to the commercial development south of the site. The project will create home ownership opportunities on an undeveloped, infill site in close proximity to transit lines and freeways. The Planning Division recommends that the City Council adopt Findings of Fact and a Statement of Overriding Considerations to certify the Environmental Impact Report, and approve the General Plan Amendment, Zoning Code Amendment, Change of Zone, Conditional Use Permit, and Tentative Tract Map (Attachment A).

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- Attachments –
- A. Resolution to Adopt Findings of Fact, a Statement of Overriding Considerations and to Certify ENV 8028-2017; Draft City Council Ordinances for first reading to introduce GPA 8024-2017, CODE 8025-2017, and ZONE 7828-2017; Resolutions to approve CUP 8026-2017 and TRACTMAP 8027-2017
 - B. Draft City Council Ordinance – CODE 8025-2017
 - C. Draft City Council Ordinance – ZONE 7828-2017
 - D. Draft City Council Ordinance – GPA 8024-2017
 - E. Draft City Council Resolution – CUP 8026-2017
 - F. Draft City Council Resolution – TRACTMAP 8027-2017, No. 74606)
 - G. Final Environmental Impact Report (SCH#2016121030)
 - H. Draft Small Lot Residential Development Standards
 - I. Vicinity Map/Aerial Photo
 - J. Public Hearing Notice
 - K. Planning Commission Meeting Staff Report, dated March 14, 2018
 - L. Project Plans