

**ORDINANCE NO. 4248**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA  
APPROVING A CHANGE OF ZONE (ZONE 7828-2017) TO REZONE THREE  
PROPERTIES FROM C-4 TO SMALL LOT RESIDENTIAL FOR THE  
PROPERTIES AT 1901 S. WHITE AVENUE**

**WHEREAS**, the applicant, LVD Rio Rancho III, LLC, has submitted an application for a Change of Zone (ZONE 7828-2017) to rezone three properties from C-4 (Highway Commercial) to Small Lot Residential on the 11.90 acre site at 1901 S. White Avenue;

**WHEREAS**, the applicant has concurrently submitted an application for a General Plan Amendment (GPA 8024-2017) to change the designation from Transit Oriented Neighborhood: District to Residential Neighborhood; Zoning Code Amendment (CODE 8025-2017) to add the Small Lot Residential Zone to the zoning ordinance; Conditional Use Permit (CUP 8026-2017) to build 10 or more units on the property; Tentative Tract Map (TRACTMAP 8027-2017, No. 74606) for the development of a 110-unit residential subdivision; and an Environmental Impact Report (ENV 8028-2017) for the project;

**WHEREAS**, the subject properties are located within the C-4 (Highway Commercial) Zoning District;

**WHEREAS**, the subject properties are designated "Transit Oriented District: Neighborhood" by the City's General Plan;

**WHEREAS**, the Planning Commission of the City of Pomona, after giving notice thereof as required by law, held a public hearing on March 14, 2018 concerning the requested Change of Zone (ZONE 7828-2017) and carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing;

**WHEREAS**, the City Council of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on April 23, 2018, concerning the requested Change of Zone (ZONE 7828-2017); and

**WHEREAS**, the City Council of the City of Pomona, at its regularly scheduled public meeting on April 23, 2018, approved the introduction and first reading of an Ordinance for Change of Zone (ZONE 7828-2017);

**WHEREAS**, the City Council of the City of Pomona has considered at second reading the requested Change of Zone (ZONE 7828-2017); and

**WHEREAS**, the City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Pomona, California, as follows:

**SECTION 1.** In accordance with the California Environmental Quality Act, CEQA, a Draft Environmental Impact Report (DEIR) was prepared for the proposed project and released to the public on November 20, 2017, for 60-day review period, comments received have been reviewed and responded to in the Final Environmental Impact Report (FEIR). All required notifications were provided pursuant to CEQA (Public Resources Code Section 21092.5) and all comment letters were incorporated into the Final EIR.

**SECTION 2.** Based on consideration of the whole record before it, including but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the City Council hereby finds that the proposed Change of Zone is in the public interest and in the interest of the furtherance of the public health, safety, and welfare and is consistent with the goals, objectives, policies, and programs of the Pomona General Plan.

**SECTION 3.** The City Council hereby approves Change of Zone (ZONE 7828-2017) to rezone 3 properties from C-4 (Highway Commercial) to the Small Lot Residential for the properties at 1901 S. White Avenue (APNs 8344-024-935, 8344-024-937, and 8344-024-938).

**SECTION 4.** The City Clerk shall attest and certify to the passage and adoption of this Ordinance and shall cause same to be posted as required by law, and this Ordinance shall take effect thirty (30) days after its final adoption.

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018**

**ATTEST:**

**CITY OF POMONA:**

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

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ANDREW JARED  
ASSISTANT 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 Ordinance was introduced at a regular meeting of the City Council of the City of Pomona held on the 23<sup>rd</sup> day of April, 2018, and adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2018 by the following vote:

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

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Eva Buice, City Clerk

Exhibit A.



Figure 4.1-3  
Existing and Proposed Zoning