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# CITY OF POMONA

## COUNCIL REPORT

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*May 20, 2019*

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Anita D. Gutierrez, AICP, Development Services Director

**SUBJECT: INTRODUCTION AND FIRST READING OF CHANGE OF ZONE (ZONE 10882-2018) AS WELL AS CONSIDERATION OF CONDITIONAL USE PERMIT (CUP 10881-2018) FOR A PROPERTY LOCATED AT 1531 AND 1533 WEST ORANGE GROVE AVENUE.**

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### **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. Introduce for first reading an Ordinance approving Change of Zone (ZONE-6154-2016) from R-1-6,000 to R-1-E Overlay for the property located at 1531 and 1533 West Orange Grove Avenue. (Attachment 1).

**ORDINANCE NO. 4262 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CHANGE OF ZONE (ZONE 10882-2018) TO ADD THE R-1-E, SINGLE-FAMILY RESIDENTIAL OVERLAY DISTRICT TO THE EXISTING ZONING DESIGNATION OF R-1-6,000, SINGLE-FAMILY RESIDENTIAL DISTRICT ON A PROPERTY LOCATED AT 1531 AND 1533 WEST ORANGE GROVE AVENUE.**

2. Adopt a resolution approving Conditional Use Permit (CUP-9774-2018) to allow the construction of two detached single-family structures, construction of a six car garage as well as associated site improvements (Attachment 2).

**RESOLUTION NO. 2019-57 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT (CUP 10881-2018) TO ALLOW FOR THE CONSTRUCTION OF A NEW 1,652 SQUARE FOOT SINGLE FAMILY STRUCTURE AND TWO-CAR GARAGE, A 704 SQUARE FOOT ADDITION TO AN EXISTING 800 SQUARE FOOT SINGLE FAMILY RESIDENCE AND NEW SINGLE-CAR GARAGE, AND A 339 SQUARE FOOT ADDITION TO AN EXISTING 1,163 SQUARE**

**FOOT SINGLE FAMILY RESIDENCE ON A PROPERTY LOCATED AT 1531  
AND 1533 WEST ORANGE GROVE AVENUE.**

**EXECUTIVE SUMMARY:**

A request to add the R-1-E, Single-family Residential Overlay District to the existing Zoning designation of R-1-6,000, Single-family Residential District for a property located at 1531 and 1533 West Orange Grove Avenue. The request also includes the proposed construction of a new 1,652 square foot single family structure and two-car garage (Structure C), a 704 square foot addition to the existing 800 square foot single family residence (Structure A) and new single-car garage, and a 339 square foot addition to an existing 1,163 square foot single family residence (Structure B).

**FISCAL IMPACT:**

There are no anticipated short-term or long-term impacts associated with this action.

**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 Friday, May 10, 2019, and mailed to property owners on Wednesday, May 10, 2019 (Attachment 3).

**PREVIOUS RELATED ACTION:**

On April 24, 2019, the Planning Commission reviewed Change of Zone (ZONE 10882-2019) and (CUP 10881-2019). The Planning Commission voted 6-0-0-1 recommending the City Council approve the project. A copy of the Planning Commission staff report of April 24, 2019 is provided for Council consideration (Attachment 4).

**PROJECT BACKGROUND AND DESCRIPTION**

The subject site is located at 1531 and 1533 West Orange Grove Avenue and is 17,490 square feet in area (0.40 acres) (Attachment 5). The property is currently improved with two residences, referred to as Structures A and B for reference. Structure A is an existing 800 square foot single-family home with an attached single-car garage, Structure B is a 1,163 square foot single-family home with a detached two-car garage. These structures will remain in place and will not be demolished. Site photographs of the site are included as Attachment 6.

The applicant is requesting to add the R-1-E, Single-family Residential Overlay District to the existing zoning of the subject property. The R-1-E Overlay District is intended to provide for the development of deep lots where the opening of interior streets is physically impossible. In this case, the subject property does meet the minimum criteria to be considered a deep lot as well as all other applicable development criteria.

The request also includes the proposed construction of a new 1,652 square foot single family structure and two-car garage (Structure C), a 704 square foot addition to the existing 800 square foot single family residence (Structure A) and a new single-car garage, and a 339 square foot addition to an existing 1,163 square foot single family residence (Structure B). The project is designed to include a common drive along the eastern portion of the property that will lead to the rear of the property. Access to the property will be provided via a common driveway along West Orange Grove Avenue. Project plans are included as Attachment 7. The project will result in the subject site being improved with three, detached single-family structures and associated on-site improvements.

### **Applicable Code Sections**

Section .270 R-1-E Overlay - Single-family Residential Overlay District of the Pomona Zoning Ordinance requires a Change of Zone to apply the R-1-E Overlay, Single-family Residential Overlay District over the base zoning district, in this case, R-1-6,000, Single-family Residential District. In addition, a Conditional Use Permit is required to approve the proposed development as detailed in the Project Description section above. As established in Section .270, any proposed development shall conform to the standards of the base zoning district, in this case, R-1-6,000, Single-family residential district.

### **Surrounding Land Use Information**

The zoning, General Plan land use designation and existing uses for the surrounding properties are identified in the following table:

**Table 1. Land Use Summary**

	Existing Land Use	Zoning Designation	General Plan Designation
<b>Subject Site</b>	Single-family Residential	R-1-6,000	Residential Neighborhood
<b>North</b>	Single-family Residential	R-1-6,000	Residential Neighborhood
<b>South</b>	Single-family Residential	R-3	Neighborhood Edge
<b>East</b>	Single-family Residential	R-1-6,000	Residential Neighborhood
<b>West</b>	Single-family Residential	R-1-6,000	Residential Neighborhood

## **ZONING COMPLIANCE ANALYSIS**

### **Site Development Standards**

Based on staff's analysis, the project meets and/or exceeds the minimum development standards of the R-1-E Overlay as well as the R-1-6,000 district. In order to provide the City Council with a comparison of the required development standards and that of the proposed project, staff has prepared the following table for consideration.

**Table 2. Project Summary Table**

<b>Development Standards</b>	<b>Zoning Code Requirements</b>	<b>Proposed Project</b>	<b>Compliance Determination</b>
<b>Lot Area</b>	6,000 sf min.	17,490 sf	Yes
<b>Pop. Density</b>	6,000 sf min. per unit	5,830 sf per unit	Yes, w/Minor Deviation Variance
<b>Lot Width</b>	60' min.	60'	Yes
<b>Lot Depth</b>	175' min.	291.5'	Yes
<b>Front Yard</b>	25' min.	12'-2"	Yes, Legal Non-conforming
<b>Side Yard</b>	5' min.	5'	Yes
<b>Rear Yard</b>	25'	15.88'	Yes, Legal Non-conforming
<b>Coverage</b>	35% max.	34.9%	Yes
<b>Building Height</b>	35' / 2 stories max.	11.63' / 1 story	Yes
<b>Drive Width</b>	20'	12.5' to 20'	Yes, Legal Non-conforming
<b>Off –street Parking</b>	Two covered spaces per unit	Two covered spaces per unit	Yes

## **ISSUES ANALYSIS**

### **Zoning Ordinance Compliance**

Staff has evaluated the proposal in terms of conformance to the development standards of the R-1-E Overlay District and the base R-1-6,000 District. As provided in the Zoning Compliance Analysis section, the project conforms to the applicable development standards of the respective district. Therefore, the granting of the Change of Zone and Conditional Use Permit will not adversely affect the intent and purpose of the Pomona Zoning Ordinance.

### **Land Use Compatibility**

The subject site is located in an area with properties used, zoned, and planned for residential uses. The proposed total of three units on the subject property is compliant with the density permitted for the R-1-6,000 district. Based on these factors, staff finds that the residential project is compatible in the context of the surrounding neighborhood and will be a positive addition to the area with the recommended conditions of approval.

## **GENERAL PLAN CONFORMITY**

The project conforms to the City's General Plan in that the proposed R-1-E Overlay and associated residential development is consistent with the "Residential Neighborhood" place type as identified on the General Plan Land Use Map. The project would also promote the following General Plan goals:

*Goal 6G.G8: Ensure safe, family-oriented, human-scaled, walkable and livable residential neighborhoods.*

*Goal 7B.G6: Maximize property values throughout the City.*

The project will include landscaping throughout the site, pedestrian access to the adjacent sidewalk along Orange Grove Avenue, as well as single family structures designed to incorporate human-scale elements (through the use of varying materials, articulation and massing). The project will maximize development of the site as well as improve it into an aesthetically pleasing development that contributes to the City's housing stock which the General Plan identifies as being under supplied. It is anticipated that the collective improvements being proposed will significantly increase the site's property value. Therefore, the project furthers the goals and objectives of the General Plan by allowing a development that would ensure safe, family-oriented, human-scaled, walkable and livable residential neighborhoods as well as maximize the property value of the subject site.

## **ENVIRONMENTAL REVIEW**

Upon submittal of the project, staff reviewed the proposed project in accordance with the California Environmental Quality Act (CEQA) guidelines. After examining the proposed project, staff has determined that the proposed project meets the criteria for two exemptions. First, the proposed zone change can be found exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment. The change of adding the R-1-E, Single-family residential overlay District to the existing zoning designation of R-1-6,000, Single-family residential would not create any significant environmental impacts. The change of zone would not create any public health or safety hazards and would not have a significant impact on the resources or services within this area, such as water, sanitary services, surrounding roadways and intersections, and surrounding uses. Second, the proposed development of the site meets the criteria for a Class 3 Categorical Exemption pursuant to Section 15303, Class 3 – New Construction or conversion of Small Structures, in that the project is located in an urbanized area and consists of the construction of one new single family structure as well as additions to two existing single family structures. Therefore, based on the above findings, no further environmental review is required and staff is recommending that the City Council adopt both the General Rule Exemption and Categorical Exemption for the proposed project.

## **CONCLUSION**

The proposed project is consistent with the place type designation contained in the City's General Plan and meets or exceeds the minimum development standards of the Zoning

Ordinance. Based on staff's analysis of the issues and the recommended conditions of approval, the proposed development will be compatible with adjacent land uses and will not result in any negative impacts to the surrounding neighborhoods. Further, the project has been designed in a manner that will enhance the aesthetics of the site and complement the existing character of the surrounding area.

Prepared by:

A handwritten signature in blue ink, consisting of a stylized 'V' followed by a horizontal line and a small loop.

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Vinny Tam, AICP  
Senior Planner

**ATTACHMENTS:**

- Attachment No. 1 – Draft City Council Ordinance for first reading to introduce ZONE 10882-2019
- Attachment No. 2 – Draft City Council Resolution for CUP 10881-2019
- Attachment No. 3 – Public Hearing Notice and 400' Radius Map
- Attachment No. 4 – Planning Commission staff report dated April 24, 2019
- Attachment No. 5 – Location Map and Aerial Photograph
- Attachment No. 6 – Site Photographs
- Attachment No. 7 – Conceptual Project Plans