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# CITY OF POMONA

## COUNCIL REPORT

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*July 15, 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: ADOPTION OF AN ORDINANCE FOR A CHANGE OF ZONE (ZONE 11492-2019) FOR A PROPERTY LOCATED AT 261 S. CASWELL STREET**

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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 of an Ordinance approving Change of Zone No. 11492-2019 from M-1 to R-1-6,000 (Attachment 1).

**ORDINANCE NO. 4264 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CHANGE OF ZONE (ZONE 11492-2019) TO CHANGE THE ZONE FROM M-1 (LIGHT INDUSTRIAL) TO R-1-6,000 (SINGLE FAMILY RESIDENTIAL) FOR A PROPERTY LOCATED AT 261 S. CASWELL STREET**

### **EXECUTIVE SUMMARY:**

The request is to change the zoning of the subject property from M-1 (Light Industrial) to R-1-6,000 (Single Family Residential) for a property located at 261 S. Caswell Street. The request also includes the proposed construction of a new two-story single family dwelling approximately 2,323 square feet in size with a 451 square foot attached two-car garage.

### **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 July 5, 2019, and mailed to property owners on Wednesday, July 3, 2019 (Attachment 2).

#### **PREVIOUS COUNCIL ACTION:**

There are no previous City Council actions.

#### **PREVIOUS RELATED ACTION:**

On June 12, 2019, the Planning Commission reviewed Change of Zone No. 11492-2019 and Variance No. 11494-2019. The Planning Commission voted 7-0-0-0 approving the Variance and recommending that the City Council to approve Change of Zone No. 11492-2019. A copy of the Planning Commission staff report of June 12, 2019 is provided for Council consideration (Attachment 3).

#### **ENVIRONMENTAL IMPACT:**

Staff has determined that the proposed project meets the criteria for 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. Therefore, staff is recommending that the City Council adopt the General Rule Exemption for the proposed project as it relates to the Change of Zone.

#### **PROJECT BACKGROUND AND DESCRIPTION**

The subject site is located at 261 S. Caswell Street and is 3,150 square feet in area (0.07 acres) and is considered legal nonconforming due to lot size. The property is currently vacant and adjacent to a public alley and parking lot to the north as well as single family residences in the R-1-6,000 District to the south, east and west (Attachment 4).

The applicant is requesting to change the zoning of the subject property from M-1 (Light Industrial) to R-1-6,000 (Single Family Residential) (Attachment 5). The subject property is the only remaining lot that is both vacant and designated M-1 within the immediate neighborhood. The applicant has concurrently submitted a request for a Major Variance, to deviate from the population density and the front and rear yard setback requirements of the R-1-6,000 District. The change of zone and variance is necessary to accommodate the construction of the new single family dwelling.

The proposed two-story single family dwelling is 2,323 square feet in size and will have an attached 451 square foot two-car garage. The project is designed to include a kitchen, living room, dining room, and office on the first floor and four bedrooms, a reading room and balcony on the second floor. The façade will have smooth stucco siding with decorative stone in the main entryway and a clay tile roof with overhanging eaves and exposed rafter tails. Other distinct features consist of wrought iron railing and a carriage house garage door.

#### **Applicable Code Sections**

Section .571 of the Pomona Zoning Ordinance establishes the procedures for Changes of Zone for individual parcels of property. The Planning Commission shall make a recommendation to

the City Council regarding the request for Change of Zone. Staff has analyzed the project based on compliance with the proposed zoning of R-1-6,000 Single-Family Residential District, Section .260.

Section .560 of the Pomona Zoning Ordinance establishes the procedures for Variances. In order to approve the proposed project the Planning Commission would need to make the necessary findings as outlined in Section .560.

### **Surrounding Land Use Information**

The zoning, General Plan land use designation and existing uses for the surrounding properties are identified Table 1:

*Table 1. Land Use Summary*

	Existing Land Use	Zoning Designation	General Plan Designation
<b>Subject Site</b>	Vacant lot	M-1	Urban Neighborhood, T-4 A Typical Transect
<b>North</b>	Alley, Parking lot beyond	M-1	Urban Neighborhood T-4 A Typical Transect
<b>South</b>	Single-family Residential	R-1-6,000	Urban Neighborhood T-4 A Typical Transect
<b>East</b>	Single-family Residential	R-1-6,000	Urban Neighborhood T-4 A Typical Transect
<b>West</b>	Single-family Residential	R-1-6,000	Urban Neighborhood T-4 A Typical Transect

## **ZONING COMPLIANCE ANALYSIS**

### **Site Development Standards**

Based on staff's analysis, the project meets and/or exceeds the minimum development standards of the R-1-6,000 district with the exception of population density and front and rear yard setbacks. Due to size of the lot being only 3,257 square feet, the site is incapable of meeting the minimum population density of 6,000 square feet of lot area per dwelling unit and the minimum front and rear yard setback requirements. The R-1-6,000 District requires a minimum front yard setback of 25 feet, a side yard setback of five feet and a rear yard setback of 25 feet. The project provides a front and setback of 12 feet and a rear yard setback of 4'6". The project complies with the minimum side yard requirements and provides a five foot and eight foot setback, respectively. Project plans are included as Attachment 6 showing the proposed layout. Staff has prepared Table 2 for comparison of the required development standards and that of the proposed project:

**Table 2. Project Summary Table**

<b>Standard</b>	<b>Zone Requirement</b>	<b>Proposed Project</b>	<b>Compliance Determination</b>
<b>Lot Area</b>	6,000 sf min.	3,257 sf	Legal, non-conforming
<b>Pop. Density</b>	6,000 sf min. per unit	3,257 sf per unit	Yes, with Major Variance
<b>Lot Width</b>	60' min.	61'	Yes
<b>Lot Depth</b>	100' min.	53'	Legal, non-conforming
<b>Front Yard</b>	25' min.	9'6"	Yes, with Major Variance
<b>Side Yard</b>	5' min.	5' / 8'	Yes
<b>Rear Yard</b>	25'	4'6"	Yes, with Major Variance
<b>Coverage</b>	35% max.	41%	Yes, with Minor Deviation
<b>Building Height</b>	35' / 2 stories max.	20'/2 stories	Yes
<b>Roof Pitch</b>	3:12	4:12	Yes
<b>Roof Overhang</b>	16"	16"	Yes
<b>Min. Drive Width</b>	10'	17'	Yes
<b>Off-Street Parking</b>	Two covered spaces per unit, with Minimum 20' x 20' inside dimensions	Two Covered Spaces	Yes
<b>Landscaping</b>	20%	647 sf; 20%	Yes

## **ISSUES ANALYSIS**

### **Zoning Ordinance Compliance**

Staff has evaluated the proposal in terms of conformance to the development standards of the 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 will not adversely affect the intent and purpose of the Pomona Zoning Ordinance.

### **Land Use Compatibility**

The existing neighborhood is predominantly single family homes with the exception to the north which is light industrial and a parking lot; however, those uses are separated by a public alley. It is not expected that the Change of Zone to R-1-6,000 would adversely impact the adjacent residential neighborhood as the zoning will be a compatible continuation of the existing surrounding zoning pattern of development. Further, future development of the lot would have been difficult if the lot were to remain zoned for Light Industrial as it is constricted by its lot area and the use would be incompatible with the adjacent single family residences.

## **GENERAL PLAN CONFORMITY**

The subject site and the immediate area surrounding the site have a General Plan place type designation of Urban Neighborhood. This place type encourages neighborhoods with significant existing housing to maintain their existing predominantly single-family character. The proposed change of zone from M-1 (Light Industrial) to R-1-6,000 (Single Family Residential) conforms and is supported by the Urban Neighborhood place type. In addition, the change of zone and proposed single family development would promote the following General Plan goals:

*Goal 6G.G1: Pomona's neighborhoods are diverse and each neighborhood's character should be preserved and enhanced.*

*Goal 6G.G9: Ensure continuity in development scale and character with careful transitions between areas of differing use, position and density.*

*Goal 7B.G5: Maximize property values throughout the City.*

*Goal 7F.G4: Ensure high quality new development and redevelopment throughout the city that is designed appropriately to add value to its surrounding context.*

## **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 with the exception of population density and front and rear yard setbacks. 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:

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Assistant Planner

## **ATTACHMENTS:**

- 1) Draft City Council Ordinance
- 2) Public Hearing Notice and 400' Radius Map
- 3) Planning Commission Staff Report Dated June 12, 2019
- 4) Location Map and Aerial Photograph
- 5) Site Photographs
- 6) Project Plans

