



# Staff Report

## City of Pomona Zoning Administrator Hearing

**DATE:** May 20, 2026

**FILE NOS:** **DPR-000039-2025**

A request for a Development Plan Review (DPR) for a Housing Development Project to develop a Residential Care Facility for the Elderly consisting of 29 rental units on a vacant 0.26-acre lot, as well as associated on-site and off-site improvements. The project consists of a 3-story building with shared amenities, such as day activity rooms, bathroom facilities, and a dining room, as well as ancillary office space for staff and 6 parking spaces.

**ADDRESS:** **1190 E. Pasadena Street** (APN: 8323-016-022)

**APPLICANT:** Gavin Levy

**PROJECT PLANNER:** Alan Fortune, Associate Planner

**ENVIRONMENTAL REVIEW:** This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15182 of the California CEQA Guidelines.

**RECOMMENDATION:** Adopt ZA Resolution No. 26-004 (Attachment No.1) approving File No. DPR-000039-2025.

General Plan & Zoning			
<b>General Plan District:</b>	Neighborhood Edge	<b>Zoning District:</b>	Specific Plan Area
<b>Transect:</b>	T-4B	<b>Specific Plan:</b>	Pomona Corridors
<b>General Plan Density:</b>	40 DU/AC; 3 floors max	<b>Specific Plan District:</b>	City Gateway Segment

Proposed Housing			
<b>New Housing Units:</b>	29	<b>Density Bonus Units:</b>	19
<b>Housing Units Loss:</b>	0	<b>Concessions:</b>	2
<b>Affordable Units:</b>	29	<b>Waivers:</b>	5
<b>Moderate:</b>	0	<b>SB 330 Pre-Application:</b>	No
<b>Low:</b>	29		
<b>Very Low:</b>	0		

### Project Request

The applicant, Gavin Levy, is requesting a Development Plan Review (DPR-001018-2024) for a Housing Development Project to develop a Residential Care Facility for the Elderly (RCFE) consisting of 29 rental units on a 0.26-acre lot, as well as associated on-site and off-site improvements. The project consists of a 3-story building with shared

amenities, such as day activity rooms, bathroom facilities, and a dining room, as well as ancillary office space for staff and 6 parking spaces. The application was submitted on January 13, 2025. Project Plans have been provided as Attachment No. 3.

The proposed project consists of 29 "shared units" consisting of individual bedrooms with separate communal dining and bathroom facilities. The RCFE, also known as an Assisted Living Facility, will be subject to the licensing and operational requirements of Title 22 and the California Department of Social Services. All units will be for-rent with all units (100%) that will be deed-restricted to be inclusionary units to Low Income-qualifying tenants. The project is a Density Bonus project, and is exceeding the maximum allowable dwelling unit densities per the Pomona General Plan. As a Density Bonus project, the development is requesting relief from particular development standards (allowed by State Law).

The proposed shared units range in size between 192 - 203 SF. Amenities include two shared day room of approximately 490 SF, a dining room at approximately 700 SF, shared bathroom facilities, and outdoor common open space. The area of the proposed common open space is approximately 1,792 SF, consisting of a private yard and garden at the rear. The proposed project consists of the in-fill development of a vacant lot. Project renderings have been provided as Attachment No. 4.

Primary vehicular access is provided to the site through one vehicular driveway on Pasadena Street. The primary entrance to the building is oriented toward Pasadena Street with separate dedicated pedestrian access leading to a common lobby and access to all residential units, as well as a separate pedestrian entrance at the side yard. Six parking spaces are provided and to be utilized by building staff as well as 24 long-term bicycle parking spaces and four short-term bicycle spaces.

## Project Location

The site is located on the south side of Pasadena Street approximately 120' east of the intersection of with Signal Drive. Site Photographs have been provided as Attachment No. 2. The site is located within the City Gateway Segment of the Pomona Corridors Specific Plan (PCSP) and has a General Plan Place Type designation of Neighborhood Edge, with a corresponding Transect Zone of T4-B, allowing development up to 40 dwelling units/acre and a maximum of three floors. As a Density Bonus Project, the development is exceeding allowable density.

Though not fronting Holt Avenue, the subject property, as well as all adjacent properties, including across the street on the north side of Pasadena Street, are located within the Pomona Corridors Specific Plan. The property is in a neighborhood primarily consisting of multi-family residences, including directly across the street and neighboring properties to the west. Properties to the east are through lots (fronting Holt Avenue) consisting of commercial developments of a sewing machine repair store and glass repair and retail. The property neighboring to the south (also fronting Holt Avenue) is a multi-tenant automobile repair facility. Nearby to the southwest at the corner of Clark and Holt Avenues is commercial shopping center and Hoa Binh Pomona Supermarket.

## State Density Bonus (Government Code Sec. 65915-65918)

The applicant has requested to utilize State Density Bonus law that grants benefits to residential developments that propose a percentage of units as affordable. Any applicant who meets the requirements of the state law is entitled

to receive benefits which include an increase in permitted density, reduction in site development standards, and special parking requirements.

To satisfy Density Bonus law, the applicant is proposing the dedication of 100% of the rental units as inclusionary units resulting in twenty-nine (29) low-income rate units. Pursuant to CA Gov. Code Section 65915(d)(2)(D), the proposed development is eligible for five (5) concession/incentives and unlimited waivers/reductions. The applicant is requesting one (1) concession/incentive and five (5) waivers/reductions.

The project is also located within an identified "Very Low Vehicle Travel Area" of Los Angeles County. Pursuant to California Government Code Sections 65915(d)(2)(D) and 65915(f)(3)(D)(iii), if the housing development is located in a very low vehicle travel area, the City shall not impose any maximum controls on density; the project is also eligible to receive a height increase of up to three additional stories or 33 feet. The project site is located with the T4-B General Plan Transect Zones, which allows for a maximum of 40 dwelling units per acre (du/ac) and a maximum of 3 floors. The approximate 0.26 acres (11,513 SF) allows for a maximum of 10 base units that could be built on this property. The proposed 29 units across the 0.26 acre subject site is approximately 111 du/ac and is greater than the allowable base density. The project is also exceeding Special Height Requirements that would otherwise be required for new development adjacent to housing as typically required by the Pomona Corridors Specific Plan.

#### A. Incentives/Concessions

Density Bonus law requires that a city shall grant one or more incentives or concessions to each project which qualifies for density bonus. The number of required incentives or concessions a city is required to allow is based on the percentage of affordable units the project is proposing. Based on the level of affordability offered by the applicant, the proposed project is eligible to receive five (5) incentives/concessions and is requesting **two (2)** of those available concessions.

#	Development Standard	Requirement	Proposed Project
1	2.6.1 Provision of Public Open Space	Public Open Space: 150 SF per unit  <b>Required:</b> 4,350 SF total	The proposed development is unable to provide <b>publicly accessible</b> open space due to the existing configuration of the development. The development is proposing <b>common</b> open space that is available to all tenants in the form of outdoor private yard and garden and indoor shared amenity space, including two approx.. 490 SF day rooms, and a 700 SF dining room.

#	Development Standard	Requirement	Proposed Project
2	2.7.2 Parking Types	Permitted Types: <ul style="list-style-type: none"> <li>○ Surface Lot – Rear</li> <li>○ Structure – Wrapped (All Levels)</li> <li>○ Partially Submerged Podium Structure - Underground</li> </ul>	The development proposes a Surface Lot at the side of the structure, rather than the rear. Having the parking lot at the rear would reduce the amount of common open space being provided on site; screening the parking would reduce the amount of natural light from entering the street facing lobby.

**B. Waivers/Reductions**

In addition to incentives/concessions, local governments are not permitted to apply any development standards which physically precludes the construction of the project at its permitted density and with the granted incentives/concessions. The City may waive or reduce said standards to accommodate the development at the request of applicants. Waivers/Reductions (or the reduction of development standards) do not count as incentives or concessions. There is no limit to the available number of waivers or reductions that may be requested or granted. As an eligible project, the applicant has requested the following **five (5)** waivers:

#	Development Standard	Requirement	Proposed Project
1	2.2.3 Minimum Residential Unit Size	1 BR – 600 SF	The project consists of an Residential Care Facility for the Elderly (RCFE) consisting of shared units with common facilities such as dining rooms and bathrooms to allow for smaller unit sizes. The proposed shared units range from 192 – 203 SF. Providing larger 600 SF unit sizes would significantly limit the number of units that would otherwise be able to be developed on the subject lot.
2	2.6.6 Setback Area Landscape Types	Moderate Landscape Screening is required along side property lines	A moderate landscape screen is provided around all side and rear property lines except along the drive-aisle where required vehicular back-up space would not allow it. Providing this landscape screen would further reduce parking, size of building (and therefore the number of units), or both.

#	Development Standard	Requirement	Proposed Project
3	2.7.1 Provision of Parking	Residential Uses: <ul style="list-style-type: none"> <li>○ Spaces per 1br unit: 1.5 min/max</li> <li>○ Guest spaces per 4 units: 1 minimum / 1.2 maximum</li> <li>○ Location: on Site</li> </ul> Minimum Parking Required per the Pomona Corridors Specific Plan: <ul style="list-style-type: none"> <li>○ 43.5 spaces for tenants</li> <li>○ 7.25 guest parking spaces</li> <li>○ 51 total parking spaces</li> </ul>	The project is proposing six (6) parking spaces consisting of one van-accessible ADA space and five compact spaces. Providing 51 parking spaces would severely limit the number of units that could otherwise be developed on the lot.
4	2.7.3. General Parking Requirements	Typical parking space dimensions are 9' x 18'	Five of the six provided parking spaces are compact spaces measuring 8' x 15' rather than standard sized spaces. The proposed development maximizes available space; increasing the size of the parking stalls would further reduce provided parking and potentially other amenities such as indoor private open space and/or landscaping.
5	Municipal Water Efficient Landscape Ordinance	20% of lot must be landscaped  2,303 SF required	Approximately 1,430 SF of landscaping (or about 12.4%) of the total lot is landscaped. Providing further landscaping would reduce the size of the building and therefore the number of units provide

In Staff’s analysis, the requested waivers were determined to be physical constraining on the development and Staff is recommending that the Zoning Administrator grant relief as proposed in the table above.

**C. Density**

In accordance with California Government Code Section 65915, the proposed development is a Density Bonus project and a Residential Care Facility for the Elderly. The subject site is located within an identified “Very Low Vehicle Travel Area” of Los Angeles County. Pursuant to GC Section 65915(f)(3)(d)(iii), if the proposed housing development is located in a very low vehicle travel area, the City shall not impose any maximum controls on density.

The project site is located with the T4-B Transect Zone as designated by the Pomona General Plan, which typically allows for a maximum of 40 dwelling units per acre (du/ac); however, with no maximum controls on density, the development may pursue the proposed 29 shared housing units at approximately 111 dwelling units per acre.

**D. Height**

In accordance with California Government Code Section 65915, the proposed development is a Density Bonus project and a Residential Care Facility for the Elderly. The subject site is located within an identified "Very Low Vehicle Travel Area" of Los Angeles County. Pursuant to GC Section 65915(d)(2)(D), if the proposed housing development is located in a very low vehicle travel area, the applicant shall receive a height increase of up to three additional stories, or 33 feet.

The proposed development may therefore exceed the required height restrictions from PCSP Section 2.3.2 Special Building height Limits.

#### **E. Residential Care Facilities for the Elderly (RCFE)**

The applicant proposes to operate the development as a Residential Care Facility for the Elderly (RCFE), also known as an Assisted Living Facility. The RCFE will function as a Shared Housing Development, pursuant to Section 65915(b)(1)(G). A "Shared housing unit" for purposes of a residential care facility, as defined in Section 1569.2 of the Health and Safety Code, includes a unit without an individual kitchen where a unit may be shared by unrelated persons, and a unit where a room that may be shared by unrelated persons meets the "minimum room area" requirements. A "Residential Care Facility for the Elderly" means a housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care, or health-related services are provided, based upon their varying needs, as determined in order to be admitted and to remain in the facility. "Minimum Room Area, per Section R304 of the CA Building Code, is a habitable room with a floor area of not less than 70 SF and not less than 7 feet in any horizontal dimension.

The development has been conditioned to operate as a Residential Care Facility for the Elderly and be subject to the licensing and operational requirements of Title 22 and the California Department of Social Services **and** the Operator shall provide a detailed list of all levels and intensities of care and supervision, protective supervision, personal care, or health-related services to Planning Staff. Operations must be compliant with applicable California Government Code Section 1569.2 and 1569.316.

### Staff Analysis

Staff analyzed the request against the applicable specific plan standards. A summary of this analysis, along with key issues and resolutions, are provided below for consideration.

#### **A. Pomona Corridors Specific Plan**

Pursuant to Section 2.0.5 of the PCSP, a Development Plan Review hearing is required for new development within the plan area. A Compliance Summary table with a detailed analysis of the project's compliance with the applicable standards of the City Gateway of the PCSP has been provided below. Note that any requested incentives, concessions, and/or waivers by the applicant are noted in **red text**.

PCSP, City Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
2.2.1 Use Types	Permitted Residential 1. Multi-Family w/Common Entry 2. Multi-Family w/Individual Entries 3. Attached Single Family	Multi-Family w/Common Entry	Compliant
2.2.3 Minimum Residential Unit Size	1 BR – 600 SF	1 BR: 192-203 SF	<b>Waiver #1</b>
2.3.1 Building Height	Minimum: 1 story Maximum: 3 Stories	3 stories (46')	Compliant
2.3.2 Special Building Height Limits	A. Across the street from Housing: +2 stories B. Adjacent to Housing: required	3 Stories, does not meet 45 degree slope requirement.	Yes, through <b>Density Bonus, Sec. 65915 (d)(2)(D)</b>
2.3.3 Building Length	Maximum: 300 feet	57' 4"	Compliant
2.3.4 Special Building Length Limits	A. Limited Corner Building: 120 feet maximum B. Limited Mid-Block Building: 80 feet maximum	Sufficient; 57' 4"	Compliant

PCSP, City Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
2.3.5 Building Massing- Length(L): Height(H)	Along Holt/Mission/Garey: 3L:2H to 5L:2H	Sufficient	Compliant
2.4.1 Building Orientation to Streets & Public Open Space	Required	Primary entrance oriented toward Pasadena Street	Compliant
2.4.2 Private Frontage Types	Types Permitted: <ul style="list-style-type: none"> <li>• Shop Front</li> <li>• Corner Entry</li> <li>• Arcade</li> <li>• Grand Portico</li> <li>• Forecourt</li> <li>• Common Lobby Entry</li> <li>• Stoop</li> <li>• Front vehicular door (limited)</li> <li>• Edge Treatment: Walled</li> <li>• Edge Treatment: Fenced</li> <li>• Edge Treatment: Terraced</li> <li>• Edge Treatment: Flushed</li> </ul>	Common Lobby Entrance	Compliant
2.4.3 Front Yard Setback	Minimum: 5 feet Maximum: 15 feet	5'	Compliant
2.4.4 Side Yard Setback	Minimum w/living space windows: 10 feet  Minimum w/out living space windows: 5 feet	10'	Compliant
2.4.5 Rear Yard Setback	Minimum: 10 feet	10'	Compliant
2.4.6 Alley Setback	Minimum: 5 feet	N/A	Compliant
2.4.7 Frontage Coverage	Minimum 50%	Sufficient	Compliant
2.4.8 Space Between Buildings	Minimum: 20 feet	N/A	Compliant

PCSP, City Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
2.4.9 Build-to Corner	Required	N/A	Compliant
2.5.1 Improvements to Existing Streets	Midtown Boulevard Improvements: Required along Garey Avenue	Conditioned	Compliant
2.6.1 Provision of Public Open Space	Public Open Space: 150 SF per unit  <b>Required:</b> 4,350 SF total	1,792 SF of <b>common</b> open space	<b>Concession #1</b>
2.6.4 Public Open Space Types	Permitted: <ul style="list-style-type: none"> <li>○ Park</li> <li>○ Linear Green</li> <li>○ Square</li> <li>○ Plaza</li> <li>○ Mid-Block Green</li> <li>○ Courtyard Plaza</li> <li>○ Passage/Paseo</li> <li>○ Pocket Park/ Playground</li> </ul>	No open space provided	N/A
2.6.3 Provision Of Private Open Space	Residential: Attached & Multi-Family 60 SF per unit  Total Required: 1,740 SF	1,792 SF provided	Compliant
2.6.5 Private Open Space Types	Attached & Multi-Family Residential: 60 SF per unit  Permitted: <ul style="list-style-type: none"> <li>○ Courtyard</li> <li>○ Private Yard</li> <li>○ Rooftop Deck or Garden</li> <li>○ Balcony</li> </ul> Total required: 1,740 SF	Private Yard or Garden  1,792 SF provided	Compliant

PCSP, City Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
2.6.6 Setback Area Landscape Types	<p>A. Perimeter Block Setback Areas Permitted:</p> <ul style="list-style-type: none"> <li>○ Boulevard Landscaping – Required</li> </ul> <p>B. Interior Block Setback Areas</p> <ul style="list-style-type: none"> <li>○ Groundcover- Required</li> <li>○ Moderate or Heavy Screening-Required</li> </ul>	Not provided along east property line	<b>Waiver #2</b>
2.7.1 Provisions of Parking	<p>Residential Uses:</p> <ul style="list-style-type: none"> <li>○ Spaces per 1br unit: 1.5 min/max</li> <li>○ Guest spaces per 4 units: 1 minimum / 1.2 maximum</li> <li>○ Location: on Site</li> </ul> <p><b>Parking Required per the Pomona Corridors Specific Plan:</b></p> <ul style="list-style-type: none"> <li>○ 43.5 spaces for tenants</li> <li>○ 7.25 guest spaces</li> <li>○ 51 total parking spaces</li> </ul> <p><b>Maximum parking per CA State Density Bonus:</b></p> <ul style="list-style-type: none"> <li>○ 29 parking spaces</li> </ul>	Provided: 6 total spaces	<b>Waiver #3</b>
2.7.2 Parking Types	<p>Permitted Types:</p> <ul style="list-style-type: none"> <li>○ Surface Lot – Rear</li> <li>○ Structure – Wrapped (All Levels)</li> <li>○ Partially Submerged Podium</li> <li>○ Structure - Underground</li> </ul>	Surface Lot – Side <i>Not Compliant</i>	<b>Concession #2</b>
2.7.3 Parking Dimensions	Minimum parking space dimensions: 9' x 18'	Five new compact spaces at 8' x 15'	<b>Waiver #4</b>
2.8.1 Façade Requirements	Required	Conditioned or provided	Compliant

PCSP, City Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
Landscaping	Minimum of 20% of lot must be landscaped with live vegetation for residential uses  Total Required: 7,963 SF of landscaping	7,964 SF	<b>Waiver #5</b>

**B. General Plan Conformance**

The project is consistent with the site’s designated Neighborhood Edge General Plan Place Type as the project promotes the goals and policies of its place type designation, including the following:

- Goal 6D.G1: Improve the physical character, economic vitality, and mobility function of the City’s most visible and well-traveled corridors..*
- Goal 6D.G2: Maximize the value of all properties along the City’s most visible and prominent corridors.*
- Goal 6D.G5: Ensure that new development helps establish an appropriate edge to protect and buffer adjacent stable residential neighborhoods.*
- Goal 6D.G6 Enhance the landscape buffering, streetscape quality, and pedestrian-friendliness of wider arterial streets to make environments more conducive to residential living and more flattering to the City’s image.*
- Policy 6D.P14: Encourage development with parking located to the side or rear of buildings, in shared parking facilities, and in parking structures.*

The proposed project is consistent with the goals of the General Plan in that the project is located within a primary corridor just north of properties fronting Holt Avenue. The project will provide an important buffer and transition between the edge of the multi-family residential neighborhood to the north and more intense commercial and mixed uses to the south along Holt Avenue. According to General Plan Goal 6D.G5, new development should “help establish an appropriate edge to protect and buffer adjacent stable residential neighborhoods.” The existing site is an undeveloped lot; the proposed development will not only “improve the physical character and economic vitality” of the neighborhood, but “maximize the value of properties along the City’s most visible and prominent corridors.” This furthers General Plan Goals 6D.G1 and 6D.G2. The project meets Policy 6D.P14, which reads that Staff should “encourage development with parking located to the side or rear of buildings.” All parking spaces on site are to the side of the primary structure, not between the building and the street, allowing for a more active and pedestrian oriented streetscape.

The project is designed with separate pedestrian and vehicular access from Pasadena Street. Goal 6D.G6 calls for enhanced "landscape buffering, streetscape quality, and pedestrian-friendliness." Having separate pedestrian access points to the site is not only safer but allows for greater activation of the streetscape and additional opportunities for landscaping.

Furthermore, the project will meet all applicable City Codes and standards, with the approval of a Development Plan Review and will have appropriate conditions of approval to ensure that the development will not be detrimental to the health, safety or general welfare of the community. The project will have development characteristics that are compatible with and not detrimental to either existing or proposed surrounding development.

## State Housing Requirements/Restrictions

On October 9, 2019, Governor Newsom signed into law the Housing Crisis Act of 2019 also known as Senate Bill 330 ("SB 330"). SB 330 creates new state laws regarding the production, preservation and planning for housing. It amends the State Housing Accountability Act, Permit Streamlining Act and Planning and Zoning Law all under Title 7 of the California Government Code. The bill (and subsequent amendments) establish a statewide housing emergency for ten (10) years from January 1, 2020 to January 1, 2030.

### A. Process

SB 330 aims to increase certainty in the development process, speeding the review of new Housing Development Projects, preserving existing affordable housing and preventing certain zoning actions that reduce the availability of housing. Specifically, SB 330 does the following:

1. Vesting. Creates a new vesting process for fees, zoning and land use ordinances, policies, and standards in place at the time that a preliminary application is submitted, with limitations;
2. Historic Properties. Requires that the historic status or designation of any site be determined at the time an application for a discretionary action is deemed complete;
3. Design Standards. Prohibits imposing or enforcing non-objective design review standards established after January 1, 2020;
4. Time Limits. Shortens required permit review timeframes and limits the number of public hearings for housing projects that meet all applicable objective zoning standards;
5. Downzoning Restrictions. Prohibits legislative actions that reduce total zoned capacity for housing (i.e. "downzoning") in the City and clarifies the circumstances under which Housing Development Projects may have their density reduced under the Housing Accountability Act;
6. Housing Loss. Prohibits approval of a Housing Development Project that results in a net loss of housing units; and
7. Protected Units and Tenant Protections. Creates new housing replacements, eviction protections, relocation assistance, and right-of-return requirements.
8. Rezoning Prohibition. Local agencies are prohibited from requiring an applicant to rezone a site if the housing development project is consistent with objective general plan standards and criteria.

### B. Limitations on Applying Objective Development Standards

Furthermore, Government Code Section 65589.5(j)(4) states, *"If the local agency has complied with paragraph (2), the local agency may require the proposed housing development project to comply with the objective standards and*

*criteria of the zoning which is consistent with the general plan, however, the standards and criteria shall be applied to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project.*" According to State regulations, the City may only apply applicable development standards to the extent that they accommodate the allowed density for the subject site. If the application of an objective development standard would not accommodate the allowed density for the subject site, the City would be limited from applying that standard.

### C. Disapproving Housing Development Projects

In addition, SB 330 establishes specific written findings that must be made in order to disapprove a housing development project. A local agency "shall not disapprove a housing development project ... unless it makes written findings, based upon a preponderance of the evidence in the record," as to one of the following:

1. The jurisdiction has adopted a housing element pursuant to this article that has been revised in accordance with Section 65588, is in substantial compliance with this article, and the jurisdiction has met or exceeded its share of the regional housing need allocation pursuant to Section 65584 for the planning period for the income category proposed for the housing development project, provided that any disapproval or conditional approval shall not be based on any of the reasons prohibited by Section 65008. If the housing development project includes a mix of income categories, and the jurisdiction has not met or exceeded its share of the regional housing need for one or more of those categories, then this paragraph shall not be used to disapprove or conditionally approve the housing development project. The share of the regional housing need met by the jurisdiction shall be calculated consistently with the forms and definitions that may be adopted by the Department of Housing and Community Development pursuant to Section 65400. In the case of an emergency shelter, the jurisdiction shall have met or exceeded the need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. Any disapproval or conditional approval pursuant to this paragraph shall be in accordance with applicable law, rule, or standards.
2. The housing development project or emergency shelter as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.
3. The denial of the housing development project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.
4. The housing development project or emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

The housing development project or emergency shelter is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed

on the date the application was deemed complete, and the jurisdiction has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article. For purposes of this section, a change to the zoning ordinance or general plan land use designation subsequent to the date the application was deemed complete shall not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter.

## Inclusionary Housing

Pursuant to Ordinance No. 4295, any residential development that includes three (3) or more dwelling units is subject to the City's Inclusionary Housing Program. Residential Developments comprised of for-rent dwelling units shall include moderate-income units equal to 13% of the total number of dwelling units in the residential development. However, an Applicant may choose to designate the inclusionary units at lower income categories in order to fulfill the requirements imposed by an assistance funding source and/or program such as the Section 65915 Density Bonus.

In the case of this project, the Applicant is dedicating 100% of the 29 total units as inclusionary units that will be restricted to Low-Income qualifying tenants at an affordable rental price for a term of not less than 55 years. As proposed, the development is compliant with the applicable Inclusionary Housing regulations.

## Community Input and Noticing

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin and sent to all property owners and occupants of properties within a 1,000-foot radius of the subject site on May 6, 2026 (Attachment No. 5). No public comments have been received by Staff a time of writing.

## Environmental Review

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15182 of the California CEQA Guidelines. The City of Pomona, as lead agency, has conducted an environmental review on the proposed project per the California Environmental Quality Act (CEQA).

The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (State CEQA Guidelines Section 15378). The proposed project is considered a "project" under CEQA.

In March 2013, the City Council adopted the PCSP and certified the Final Environmental Impact Report associated with the discretionary project. In conjunction with the certification of the General Plan Update and PCSP EIR, a Mitigation Monitoring and Reporting Program (MMRP) was adopted. The proposed project site was previously studied under this Certified Final EIR.

Pursuant to State CEQA Guidelines Section 15182 (Projects Pursuant to a Specific Plan), where a public agency has prepared an EIR on a specific plan after January 1, 1980, a residential project undertaken pursuant to and in conformity to that specific plan is exempt from CEQA if the project meets the requirements of State CEQA Guidelines Section 15182(c). Residential projects covered by this section include but are not limited to land subdivisions, zoning

changes, and residential planned unit developments. The proposed Development Plan Review for the development of residential units on the subject site meets this criterion.

Furthermore, if, after the adoption of the applicable specific plan, an event described in State CEQA Guidelines Section 15162 occurs, the exemption set forth in State CEQA Guidelines Section 15182(c) shall not apply until the city which adopted the specific plan completes a subsequent EIR or a supplement to an EIR on the specific plan. These events, and their inapplicability to the proposed project, are outlined as follows:

1. *"Substantial changes are not proposed in the project that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and"*

The density, design, and infrastructure plan of the proposed development are consistent with the adopted Specific Plan in that the level and intensity of the proposed development are consistent with the PCSP as well as the General Plan. Therefore, this event is not applicable to the proposed project.

2. *"Substantial changes with respect to the circumstances under which the project is undertaken that would require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects have not occurred; and"*

Staff has no evidence of new significant environmental effects, or a substantial increase in the severity of previously identified significant effects, for all environmental impact categories identified in the Certified Final EIR. There are no known nearby properties that have been developed since 2014 along the Holt Avenue corridor that have significantly deviated from the PCSP and General Plan, which could have necessitated a study of new significant environmental impacts, nor any General Plan or Specific Plan Amendments adopted since 2014 in the project area that have increased the potential of new significant environmental impacts or previously identified significant effects, this event is not applicable to the proposed project.

3. *"New information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified or adopted, as applicable, showing any of the following, has not come to light: (i) that the project would have one or more significant effects not discussed in the earlier environmental documentation; (ii) that significant effects previously examined would be substantially more severe than shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those previously analyzed would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt."*

At the time of adoption of the Certified Final EIR, traffic impacts were analyzed using a Level of Service (LOS) model that studied roadway capacity on Pasadena Street for potential traffic and transportation impacts. Since that time, traffic impacts for CEQA purposes are now analyzed using a Vehicle Miles Traveled (VMT) model. Thus, the City Council subsequently adopted VMT thresholds in May of 2020. In addition, the City prepared a VMT Substantial Evidence Memo in May of 2021 to

support the City's VMT screening criteria. Pursuant to the findings of the VMT Substantial Evidence Memo, multi-family residential projects of 200 units or less are assumed to have a less than significant impact on regional VMT. Therefore, because the project contains 29 shared housing units, there is no evidence of any significant traffic-related CEQA impacts not previously studied in the Certified Final EIR. There is also no evidence that the project would result in different or more severe impacts not previously studied in the Certified Final EIR, and therefore this event is not applicable to the proposed project.

Based on the analysis, Staff has determined that the proposed project meets the criteria for Exemption pursuant to Section 15182 of CEQA in that the proposed project is a residential project consisting of 29 dwelling units and is undertaken pursuant to and in conformity with the PCSP adopted in 2014. The proposed residential use and density was contemplated and evaluated as part of the environmental analysis by the EIR certified for the PCSP. Therefore, no further environmental review is required.

#### Attachments:

1. Draft Zoning Administrator Resolution No. 26-003
2. Site Photographs
3. Proposed Project Plans
4. Project Renderings
5. Public Hearing Notice