

ORDINANCE NO. 4365

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING ZONING CODE AMENDMENT (CODE-000378-2025) TO MODIFY OBJECTIVE DESIGN STANDARDS, USE DEFINITIONS AND STANDARDS, AND ADMINISTRATIVE PROCESSES IN THE POMONA ZONING & DEVELOPMENT CODE

WHEREAS, the City of Pomona has duly initiated Code Amendment (CODE-000378-2025);

WHEREAS, the interpretation of consistency with the 2014 General Plan shall be done through the updating of the Pomona Zoning Ordinance;

WHEREAS, the Planning Commission of the City of Pomona, after giving notices thereof as required by law, held a public hearing on April 22, 2026, concerning Code Amendment (CODE-000378-2025) and, after carefully considered all pertinent testimony and the staff report offered in the case as present, approved and recommended City Council approval (6-0-0-1);

WHEREAS, the City Council of the City of Pomona, after giving notice thereof as required by law, held a public hearing on May 18, 2026, concerning the requested Code Amendment (CODE-000378-2025);

WHEREAS, the City Council of the City of Pomona, at its regularly scheduled public meeting of May 18, 2026, approved the introduction and first reading of an Ordinance for Code Amendment (CODE-000378-2025) with a (X) vote; 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 RESOLVED by the City Council of the City of Pomona as follows:

SECTION 1. The City Council hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Ordinance.

SECTION 2. The City Council, exercising independent judgment, finds that the project will not have an adverse impact on the environment pursuant to Section 15061(b)(3) the proposed project described above hereby meets the guidelines for the general rule exemption which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment;

SECTION 3. In accordance with Pomona Zoning & Development Code Section 1150.D.(2), the City Council must make the following findings in order to approve Zoning Code Amendment (CODE-000378-2025). 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 as follows:

- a. *The proposed Zoning and Development Code Amendment is consistent with the goals, policies, plans and exhibits of the General Plan; and*

The land use and community design chapters of the General Plan place high priority on building form and places focus on design that supports public activity and strengthens safety. The reiterated goals and policies in the General Plan promote the efficient use of land that encourage walking, bicycling and transit use across all place types. Additionally, the community design chapter emphasizes the creation of more walkable & accessible street environments, strives to improve pedestrian safety, and improve the livability and cultural life of the community through physical design considerations.

To implement the vision set by the General Plan, regular maintenance including the proposed revisions of the New Code must occur to ensure intended outcomes as envisioned by the General Plan. Development standards found within the New Code should continue to safeguard life, health, property and public welfare and continue to change with the changes that occur at the national, state, and local scale politically, economically, technologically, and environmentally. The Zoning Code Amendment modifies regulations that supports the vision set by the General Plan by enhancing the pedestrian experience, supports public activity, and supports local business.

- b. *The proposed Zoning and Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*

The proposed Zoning Code Amendment would not be detrimental to the public interest health, safety, convenience, or general welfare of the City as it will enable property owners to implement the vision set by the General Plan through the modification of existing standards.

SECTION 4. 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 Code Amendment is in the public interest and in the interest of the furtherance of the public health, safety, and welfare and is, as a matter of law, consistent with the Pomona General Plan pursuant to Government Code Section 65852.2(a)(1)(c).

SECTION 5. For the reasons set forth above, the City Council of the City of Pomona hereby approves Code Amendment (CODE-000378-2025) attached hereto as “Exhibit A” with the following conditions:

- 1) Revise Section 540.G.(1)(a)(1) of “Exhibit A” to reflect the following language:

540.G. Small-Scale Industrial

1. *Small-Scale Industrial, All*

All small-scale industrial **uses** may only be located in an existing purpose-built industrial structure that meets the following criteria:

- a. *Location*
 - ~~1. The structure was constructed prior to July 31, 2024.~~
 - 1. **The building permit issued for the existing purpose-built industrial structure must have been finalized by July 31, 2024.**
 - 2. *The structure must not be larger than 30,000 square feet.*
 - 3. *The structure must have at least 1 at-grade roll-up door per 2 tenants.*
 - 4. *The structure must not have an operable loading ramp, loading bay, or any other loading entry that is not at-grade.*

2) Revise Section 540.D.(5)(a)(1) of “Exhibit A” to reflect the following language:

540.D. *General Commercial*

5. *Small-Scale Contractors Indoor Storage*

Small-scale contractor indoor storage **uses** may only be located in an existing purpose-built industrial structure that meets the following criteria.

- a. *Location*
 - ~~1. The structure was constructed prior to July 31, 2024.~~
 - 1. **The building permit issued for the existing purpose-built industrial structure must have been finalized by July 31, 2024.**
 - 2. *The structure must not be larger than 30,000 square feet.*
 - 3. *The structure must have at least 1 at-grade roll-up door per 2 tenants.*
 - 4. *The structure must not have an operable loading ramp, loading bay, or any other loading entry that is not at-grade.*

3) Revise Section 1160.D.(3) of “Exhibit A” to reflect the following language:

1160.D. *Conditional Use Permit*

3. *Application, Filing Processing, and Hearing*

a. *A Conditional Use Permit application must be filed, processed, and heard pursuant to Sec.1110. Application Filing and Processing and provisions of this Section.*

b. **Conditional Use Permit (CUP) applications submitted for Alcohol (Off-sale and On-sale) requiring a California Department of Alcoholic Beverage Control (ABC) Public Convenience or Necessity (PCN) finding from the City will be heard by the Planning Commission with a recommendation to the City Council for final action. If the CUP is denied by the Planning Commission, then the denial action is considered final, unless appealed to the City Council.**

SECTION 6. The Secretary shall certify to the adoption of this Ordinance and forward the original to the City Clerk.

SECTION 7. 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.

SECTION 8. If any section, subsection, sentence clause or phrase or word of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Pomona hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence clause or phrase or word not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

PASSED APPROVED AND ADOPTED THIS 18th DAY OF MAY, 2026

CITY OF POMONA

Tim Sandoval
Mayor

ATTEST:

Karla Shipman, CMC
Acting City Clerk

APPROVED AS TO FORM:

Sonia Carvalho
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF POMONA)

I, KARLA SHIPMAN, CMC, ACTING CITY CLERK of the City of Pomona do hereby certify that the foregoing Ordinance was introduced for first reading at a regular meeting of the City Council of the City of Pomona held on May 18, 2026, and was adopted at second reading at a regular meeting of the City Council of the City of Pomona held on June 15, 2026, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Karla Shipman, CMC
Acting City Clerk

Pursuant to Resolution No. 76-258 of the City of Pomona, the time in which judicial review of this action must be sought is governed by California Code of Civil Procedure Section 1094.6.

Exhibit "A"