

PC RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA DENYING CONDITIONAL USE PERMIT (CUP 00036-2024) FOR OUTDOOR STORAGE ON A PROPERTY LOCATED AT 1313 EAST PHILLIPS BOULEVARD

WHEREAS, the applicant, AG-5R Pomona, LLC, has submitted an application for Conditional Use Permit for outdoor storage on a property located at 1313 East Phillips Boulevard;

WHEREAS, the subject property is currently located within the M-2 (General Industrial) zoning district;

WHEREAS, the subject property is on a parcel designated as "Workplace District" on the General Plan Land Use Map;

WHEREAS, the approval of a conditional use permit by the Planning Commission is required for the development of an industrial facility of over 20,000 square feet of gross floor area or greater than one acre in size in all M zoning districts;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on May 8, 2024 concerning the requested Conditional Use Permit; and

WHEREAS, the Planning Commission 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 Planning Commission of the City of Pomona, California:

SECTION 1. If any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

SECTION 2. In accordance with Section .580.B of the Zoning Ordinance, the Planning Commission must make five (5) findings in order to approve this Conditional Use Permit. 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 Planning Commission hereby finds as follows:

1. *That the proposed use at the particular location will contribute to the general well-being of the neighborhood or community.*

The proposed use of the subject site for industrial development, specifically, the outdoor storage of materials and equipment, will not contribute to the general well-being of the

neighborhood and the community as it cannot assure that it would prove a local storage use for machinery, equipment, and other tools that can be used by local manufacturers and related uses in the City's workplace districts. Furthermore, the potential generation of dust, debris, odor and noise will not contribute to the well-being of the neighborhood or community.

2. *That such use will not, under the circumstances of the particular case be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity or detrimental to the use, valuation or enjoyment of property or improvements in the vicinity.*

The applicant's request will be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity as the outdoor storage items requested would contribute to dust, debris, odor, or other public health impacts, including frequent truck trips.

3. *That the site of the proposed use is of adequate topography, size and shaped to accommodate said use as well as all yards spaces, walls, fences, parking, loading, landscaping and any other features necessary to allow said use with the land and uses in the neighborhood and make it compatible thereto.*

The site is rectangular with sufficient width and depth to accommodate fire lanes and other dimensional limitations to ensure Fire safety provisions for any outdoor storage piles. The site is adequate to accommodate required walls, yards, and aisles.

4. *That the site abuts streets and highways are adequate in width and improvements to carry traffic generations typical of the proposed use.*

The subject site takes access from Grand Avenue and Phillips Boulevard, however there is insufficient evidence of how many truck trips may be generated by various storage types, and therefore it may not be adequate to handle traffic generated by the site.

5. *That granting of such conditional use permit will not adversely affect the General Plan of the city and conforms to the provisions of the zoning ordinance.*

The granting of this conditional use permit will adversely affect the General Plan of the City of Pomona. It would not strengthen the jobs base in the City, specifically in the Workplace District, or target industries that show growth potential for local jobs. The storage of items on a paved surface is inherently not a guarantee of jobs generation.

SECTION 3. Based upon the above findings, the Planning Commission hereby denies Conditional Use Permit subject to compliance with all applicable laws and ordinances of the City.

SECTION 4. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

APPROVED AND ADOPTED THIS 8TH DAY OF MAY, 2024

ALFREDO CAMACHO
PLANNING COMMISSION CHAIRPERSON

ATTEST:

ATA KHAN
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

MARCO MARTINEZ
ASSISTANT CITY ATTORNEY

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

AYES:
NOES:
ABSTAIN:
ABSENT:

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 10