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ORDINANCE NO. 2450

AN ORDINANCE OF THE COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING ORDINANCE NUMBER 1466 OF THE CITY OF POMONA, CALIFORNIA, BY ADDING THERETO A NEW ZONING DISTRICT TO BE KNOWN AS THE "F" FAIRGROUNDS ZONING DISTRICT, AND DESIGNATING USES AND OTHER MATTERS RELATED TO SUCH ZONING DISTRICT.

BE IT ORDAINED by the Council of the City of Pomona, California, as follows:

SECTION 1. That Ordinance Number 1466 of the City of Pomona, California, is hereby amended by adding thereto sections .435, .436, .437, .438 and .439, which shall provide as follows:

"SEC. .435. "F" THE FAIRGROUNDS ZONING DISTRICT INTENT AND PURPOSE. The Fairgrounds Zoning District is intended to provide for the use of the public Fairgrounds in a manner so as to not create smoke, gas, odor, dust, sound, vibration, soot or lighting or other nuisance in any degree which might be termed obnoxious or offensive to persons residing in or conducting business in either this or any other zoning district of the City."

"SEC. .436. USES PERMITTED. No building or structure or land shall be used, and no building or structure shall be designed, erected, structurally altered or enlarged except for the following purposes:

- (a) Fair, exhibitions, hobby and craft shows.
- (b) Commercial uses related to fair, exhibitions, hobby and craft shows.
- (c) Recreation and entertainment including but not limited to picnics, camping, social and sports activities, rallies, receptions.
- (d) Livestock, pet and other similar animal exhibitions, shows, training and sales.
- (e) Religious, educational, charitable, community and political uses.
- (f) Commercial warehousing.

- 1 (g) Livestock stables.
- 2 (h) Commercial filming and photography uses.
- 3 (i) Governmental buildings and sponsored uses.
- 4 (j) Off-street parking.
- 5 (k) Residential uses related to the permitted uses.
- 6 (l) Testing and demonstration of mechanical equipment
- 7 and devices allowed for one week, excepting the
- 8 Winternationals for testing and demonstration
- 9 for (30) days before it opens from 10:00 a.m.
- 10 to 4:00 p.m.
- 11 (m) Outdoor public address systems, except as
- 12 restricted in Section .437-1-(a)."

13 "SEC. .437. USES PERMITTED BY CONDITIONAL USE PERMIT.

14 1. The following uses shall be permitted only upon the

15 granting of a conditional use permit:

- 16 (a) Use of outdoor public address systems between
- 17 9:00 p.m. and 9:00 a.m. at times other than
- 18 during the regular fair season, excepting the
- 19 Carnation Ring and Grandstand between 10:00 p.m.
- 20 and 9:00 a.m.
- 21 (b) Other uses not specifically listed.

22 2. Before approving any such conditional use permit, the

23 Planning Commission shall make the following findings:

- 24 (a) The use is a benefit to the public and is
- 25 not detrimental to the surrounding area.
- 26 (b) If the use is to continue during the
- 27 regularly scheduled fair periods, it shall,
- 28 during such periods, be a part of the
- 29 exhibition and educational in nature.
- 30 (c) The use shall not add to the existing
- 31 non-fair activities to a point that non-
- 32 fair activities become the principal use
- of the Fairgrounds.

1           3. The Fairgrounds area delineated for conditional use  
2 permit application shall include all buildings and parking areas  
3 used by the subject use and the amount of permit fee to be  
4 determined by this area."

5           "SEC. .438. LEGAL NOTICING. A property owners list shall  
6 be required for every conditional use permit application and  
7 shall contain every residentially zoned parcel within 400 ft.  
8 of the exterior boundaries of the subject area. The Planning  
9 Commission may modify the above-described area to be notified."

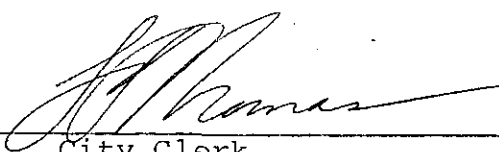
10           "SEC. .439. AMORTIZATION PERIOD. The uses presently  
11 existing at the Fairgrounds that are not allowed by right under  
12 Section 1 of the amendment shall be given a time period of six  
13 (6) months from the adoption of these sections which establish  
14 the "F" Zoning District to apply for a conditional use permit to  
15 continue operation. If no conditional use permit is applied for  
16 within this time or the conditional use permit is denied, the  
17 Planning Commission shall hold public hearings to determine an  
18 equitable amortization period for such uses."

19           SECTION 2. The City Clerk shall certify to the passage and  
20 adoption of this ordinance, causing it to be published as  
21 required by law, and it shall become effective (30) days after  
22 the date of its final reading.

23           APPROVED, PASSED AND ADOPTED this 7th day of  
24 December, 1970.

25 ATTEST:

THE CITY OF POMONA

26  
27   
28 City Clerk

27   
28 Mayor

29 APPROVED AS TO FORM:

30   
31 ROBERT C. GUSTAFSON

32 City Attorney

1 STATE OF CALIFORNIA )  
2 COUNTY OF LOS ANGELES ) ss.

3 I, L. B. Thomas, City Clerk of the City of Pomona, California, DO  
4 HEREBY CERTIFY that the foregoing Ordinance was introduced at a \_\_\_\_\_  
5 regular meeting of the Council of said City, duly held on the 30th day of  
6 November, 1970, and thereafter at a \_\_\_\_\_ regular meeting  
7 of said Council duly held on the 7th day of December, 1970, was reread,  
8 duly passed and adopted by the said Council and signed and approved by the  
9 Mayor of said City, and that said Ordinance was so passed and adopted by the  
10 following vote, to wit:

11 AYES: Councilmen Livermore, Wright, Herrera, (Mayor ) Lawing  
12 " " \_\_\_\_\_  
13 NOES: " \_\_\_\_\_  
14 ABSENT: " Bryant

15  
16  
17   
18 City Clerk

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA, }  
County of Los Angeles, } ss.  
  
CITY OF POMONA  
ORD#2450

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Progress-Bulletin, a newspaper of general circulation, printed and published daily in the City of Pomona, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under date of June 15, 1945, Decree No. Pomo. C-606; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

Dec. 18,  
all in the year 1970...

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature  
Date December 31, 1970

Progress-Bulletin

LEGAL ADVERTISING SERVICE  
3rd & Thomas Ph. NA 2-1201  
Pomona, California

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ORDINANCE NO. 2450  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING ORDINANCE NUMBER 1466 OF THE CITY OF POMONA, CALIFORNIA, BY ADDING THERETO A NEW ZONING DISTRICT TO BE KNOWN AS THE "F" FAIRGROUNDS ZONING DISTRICT, AND DESIGNATING USES AND OTHER MATTERS RELATED TO SUCH ZONING DISTRICT.  
BE IT ORDAINED by the Council of the City of Pomona, California, as follows:  
SECTION 1. That Ordinance Number 1466 of the City of Pomona, California, is hereby amended by adding thereto sections 435, 436, 437, 438 and 439, which shall provide as follows:  
"SEC. 435. "F" THE FAIRGROUNDS ZONING DISTRICT INTENT AND PURPOSE. The Fairgrounds Zoning District is intended to provide for the use of the public Fairgrounds in a manner so as to not create smoke, gas, odor, dust, sound, vibration, soot or lighting or other nuisance in any degree which might be termed obnoxious or offensive to persons residing in or conducting business in either this or any other zoning district of the City."  
"SEC. 436. USES PERMITTED. No building or structure or land shall be used, and no building or structure shall be designed, erected, structurally altered or enlarged except for the following purposes:  
(a) Fair, exhibitions, hobby and craft shows.  
(b) Commercial uses related to fair, exhibitions, hobby and craft shows.  
(c) Recreation and entertainment including but not limited to picnics, camping, social and sports activities, rallies, receptions.  
(d) Livestock, pet and other similar animal exhibitions, shows, training and sales.  
(e) Religious, educational, charitable, community and political uses.  
(f) Commercial warehousing.  
(g) Livestock stables.  
(h) Commercial filming and photography uses.  
(i) Governmental buildings and sponsored uses.  
(j) Off-street parking.  
(k) Residential uses related to the permitted uses.  
(l) Testing and demonstration of mechanical equipment and devices allowed for one week, excepting the Winter Nationals for testing and demonstration for (30) days before it opens from 10:00 a.m. to 4:00 p.m.  
(m) Outdoor public address systems, except as restricted in Section 437-1-A."  
"SEC. 437. USES PERMITTED BY CONDITIONAL USE PERMIT.  
1. The following uses shall be permitted only upon the granting of a conditional use permit:  
(a) Use of outdoor public address systems between 9:00 p.m. and 9:00 a.m. at times other than during the regular fair season, excepting the Carnation Ring and Grandstand between 10:00 p.m. and 9:00 a.m.  
(b) Other uses not specifically listed.  
2. Before approving any such conditional use permit, the Planning Commission shall make the following findings:  
(a) The use is a benefit to the public and is not detrimental to the surrounding area.  
(b) If the use is to continue during the regularly scheduled fair periods, it shall, during such periods, be a part of the exhibition and educational in nature.  
(c) The use shall not add to the existing non-fair activities to a point that non-fair activities become the principal use of the Fairgrounds.  
3. The Fairgrounds area delineated for conditional use permit application shall include all buildings and parking areas used by the subject use and the amount of permit fee to be determined by this area."  
"SEC. 438. LEGAL NOTICING. A property owner's list shall be required for every conditional use permit application and shall contain every residentially zoned parcel within 400 ft. of the exterior boundaries of the subject area. The Planning Commission may modify the above-described area to be notified."  
"SEC. 439. AMORTIZATION PERIOD. The uses presently existing at the Fairgrounds that are not allowed by right under Section 1 of the amendment shall be given a time period of six (6) months from the adoption of these sections which establish the "F" Zoning District to apply for a conditional use permit to continue operation. If no conditional use permit is applied for within this time or the conditional use permit is denied, the Planning Commission shall hold public hearings to determine an equitable amortization period for such uses."  
SECTION 2. The City Clerk shall certify to the passage and adoption of this ordinance, causing it to be published as required by law, and it shall become effective (30) days after the date of its final reading.  
APPROVED, PASSED AND ADOPTED this 7th day of December, 1970.  
THE CITY OF POMONA  
By: BENJAMIN J. LAWING  
Mayor  
ATTEST:  
L. B. THOMAS  
City Clerk  
APPROVED AS TO FORM:  
ROBERT C. GUSTAVESON  
City Attorney  
STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.  
I, L. B. Thomas, City Clerk of the City of Pomona, California, DO HEREBY CERTIFY that the foregoing Ordinance was introduced at a regular meeting of the Council of said City, duly held on the 30th day of November, 1970, and thereafter at a regular meeting of said Council duly held on the 7th day of December, 1970, was reread, duly passed and adopted by the said Council and signed and approved by the Mayor of said City, and that said Ordinance was so passed and adopted by the following vote, to-wit:  
AYES: Councilmen Livermore, Wright, Herrera, (Mayor) Lawing  
NOES: None  
ABSENT: Councilman Bryant  
L. B. THOMAS  
City Clerk  
DC-68  
Pub. Dec. 18, 1970.