

ATTACHMENT 2

Proposed Specific Plan Amendments (SPA 8235-2017)

1. **Section 1. “Land Use Districts” pertaining to the Single Family Residential (S-R) District of the Phillips Ranch Specific Plan is amended to add the following:**

Uses Expressly Prohibited.

9. Commercial marijuana activity, as defined in Zoning Ordinance Section .062.

2. **Section 1. “Land Use Districts” pertaining to the Multiple Family Residential (M-R) District of the Phillips Ranch Specific Plan is amended to add the following:**

Uses Expressly Prohibited.

8. Commercial marijuana activity, as defined in Zoning Ordinance Section .062.

3. **Section 1. “Land Use Districts” pertaining to the Urban Residential/Neighborhood Activity Center (UR-NAC) District of the Phillips Ranch Specific Plan is amended to add the following:**

Uses Expressly Prohibited.

7. Commercial marijuana activity, as defined in Zoning Ordinance Section .062.

4. **Section 1. “Land Use Districts” pertaining to the Regional Commercial (R-C) District of the Phillips Ranch Specific Plan is amended to add the following:**

Uses Expressly Prohibited.

5. Commercial marijuana activity, as defined in Zoning Ordinance Section .062.

5. **Section 1. “Land Use Districts” pertaining to the Open Space (O) District of the Phillips Ranch Specific Plan is amended to add the following:**

Uses expressly prohibited.

5. Commercial marijuana activity, as defined in Zoning Ordinance Section .062.

6. **Figure 6 “Allowed Uses Matrix” of Part A “Allowed Uses” of Chapter 6 “Development Standards” of the Downtown Pomona Specific Plan is amended by listing “Commercial Marijuana Activity, as defined in Zoning Ordinance Section .062” as N/A “Not allowed in this zone” under “General Retail Uses,” “Special Retail Uses,” “Retail Services,” “Office and Medical Services” and “Light Industrial Uses” within the Mixed Use - Central Business District (MU-CBD), Mixed Use - High Density Residential (MU-HDR), Mixed Use - Institutional (MU-I), Mixed Use - Light Industrial (MU-LI), Mixed Use - Arterial Retail (MU-AR), Residential - Single Family (R-SF), and Residential - Multi-Family (R-MF) land use designations.**

7. **Section 2. “Land Use Districts” pertaining to the Detached Residential (DRD) District of the Mountain Meadows Specific Plan is amended to add the following:**

Uses expressly prohibited.

8. Commercial marijuana activity, as defined in Zoning Ordinance Section .062.

8. **Section 2. “Land Use Districts” pertaining to the Attached Residential (ARD) District of the Mountain Meadows Specific Plan is amended to add the following:**

Uses expressly prohibited.

6. Commercial marijuana activity, as defined in Zoning Ordinance Section .062.

9. Section 2. “Land Use Districts” pertaining to the Open Space (O) District of the Mountain Meadows Specific Plan is amended to add the following:

Uses expressly prohibited.

4. Commercial marijuana activity, as defined in Zoning Ordinance Section .062.

10. Section III.A “Proposed Land Uses” of the Mission – 71 Business Park Specific Plan is amended to add the following:

The Mission – 71 Business Park Specific Plan propose[s] that all uses in the Project be industrial, including warehousing, distribution and manufacturing, plus the existing self-storage facility. The purpose of this is to provide a unified, cohesive development with its own identity, providing the City of Pomona with a tax and employment base. Medical marijuana dispensaries, and Commercial marijuana activity, as defined in Zoning Ordinance Section .062, are an expressly prohibited use.

11. Section II. “Specific Area Plan” for the Kellogg Plaza Specific Area Plan is amended to add “the following:

B. Uses Expressly Prohibited.

1. Commercial marijuana activity, as defined in Zoning Ordinance Section .062.

12. Section 2.2.1, “Use Types” for the Pomona Corridors Specific Plan is amended to add the following:

2.2.1 Use Types Use Types listed as “permitted” in the Development Standards Charts are further regulated herein and are defined as uses permitted by right subject to approval of a Development Plan Review. Uses Types listed as conditional in this Section are defined as those which require special consideration either of their impacts on the neighborhood and land uses in the vicinity and/or of their physical organization and design. A conditional use shall be considered for approval if the proposed use conforms with all requirements specified in the conditional use policy, and if it conforms with the goals and vision of the Plan. All permitted uses for a single Center or Segment are allowed either

alone or in combination with any other permitted uses within a single parcel. Proposed uses that are not explicitly listed in the Use Charts may be permitted if the Community Development Director determines that they meet the purpose and intent of the Plan. Changes between uses within one of the six Use Types shall be considered a tenant change. Changes from one Use Type to another Use Type shall be considered a change in use. Commercial marijuana activity, as defined in Zoning Ordinance Section .062, shall be expressly prohibited within each six Use Types.

13. Section 5.2.2, “Permitted Uses,” for the Pomona Valley Hospital Medical Center (PVHMC) Plan Area is amended to add the following:

5.2.2. Permitted Uses

The following defines the permitted primary land uses and accessory land uses within the Pomona Valley Hospital Medical Center (PVHMC) Plan Area. Commercial marijuana activity, as defined in the Pomona Zoning Ordinance Section .062, shall be expressly prohibited within the PVHMC.

Section .062 the Pomona Zoning Code (Specific Definitions) shall be amended to add the underline language as listed below:

Sec. .062. - Specific definitions.

Commercial marijuana activity. The cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery or sale of marijuana and marijuana products, whether the marijuana or marijuana products is for medical or recreational purposes. *Commercial marijuana activity* is meant to include all marijuana related activities for which a State license is required, pursuant to applicable State laws, as they may be amended from time to time.

Cultivation. Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

Delivery. The transfer of marijuana, including the use of any technology platform to arrange for or facilitate the transfer of marijuana, by any business, cooperative, or collective, whether or not carried on for profit, to or from any location within the City of Pomona.

Marijuana. All parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. The terms “marijuana” and “cannabis” shall be synonymous and have the same meaning. It does not include:

1. Industrial hemp, as defined in Section 11018.5 of the California Health and Safety Code; or
2. The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other product.

Marijuana products. Marijuana that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing marijuana or concentrated cannabis and other ingredients, whether the marijuana or marijuana products is for medical or recreational purposes.

Section .222 (“O” Open Space District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “E” as shown below:

Sec. .222. Uses expressly prohibited.

(E) Commercial marijuana activity.

Section .229.6 (“R-1-20,000” Single-family Residential District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “E” as shown below:

Sec. .229.6. Uses expressly prohibited.

(E) Commercial marijuana activity.

Section .242 (“R-1-7,500” Single-family Residential District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “G” as shown below:

Sec. .242. Uses expressly prohibited.

(G) Commercial marijuana activity.

Section .252 (“R-1-7,200” Single-family Residential District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “G” as shown below:

Sec. .252. *Uses expressly prohibited.*

(G) Commercial marijuana activity.

Section .262 (“R-1-6,000” Single-family Residential District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “G” as shown below:

Sec. .262. *Uses expressly prohibited.*

(G) Commercial marijuana activity.

Section .272 (“R-1-E” Single-family Residential Overlay District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “G” as shown below:

Sec. .252. *Uses expressly prohibited.*

(G) Commercial marijuana activity.

Section .322 (“A-P” Administrative and Professional Office District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “G” as shown below:

Sec. .322. *Uses expressly prohibited.*

(G) Commercial marijuana activity.

Section .342 (“C-1” Neighborhood Stores and Services Commercial District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “H” as shown below:

Sec. .342. *Uses expressly prohibited.*

(H) Commercial marijuana activity.

Section .352 (“C-2” Neighborhood Shopping Center Commercial District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “G” as shown below:

Sec. .352. Uses expressly prohibited.

(G) Commercial marijuana activity.

Section .362 (“C-3” General Commercial District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “F” as shown below:

Sec. .362. Uses expressly prohibited.

(F) Commercial marijuana activity.

Section .367 (“C-C” Community Shopping Center District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “G” as shown below:

Sec. .367. Uses expressly prohibited.

(G) Commercial marijuana activity.

Section .372 (“C-4” Highway Commercial District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “F” as shown below:

Sec. .367. Uses expressly prohibited.

(F) Commercial marijuana activity.

Section .392 (“C-IND” Commercial and Industrial District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “F” as shown below:

Sec. .392. Uses expressly prohibited.

(F) Commercial marijuana activity.

Section .398 (“M” Special Industrial District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “j” as shown below:

Sec. .398. Uses expressly prohibited.

(j) Commercial marijuana activity.

Section .412 (“M-1” Light Industrial District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “F” as shown below:

Sec. .412. Uses expressly prohibited.

(F) Commercial marijuana activity.

Section .422 (“M-2” General Industrial District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “G” as shown below:

Sec. .422. Uses expressly prohibited.

(G) Commercial marijuana activity.

Section .437.5 (“F” Fairgrounds District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “b” as shown below:

Sec. .437.5. Uses expressly prohibited.

(b) Commercial marijuana activity.

Section .452 (“Civic” Supplemental Use District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “g” as shown below:

Sec. .452. Uses expressly prohibited.

(g) Commercial marijuana activity.

Section .482.5 (“R-MHD Residential-Manufactured Housing Development District) of the Pomona Zoning Code shall be amended to add the underline and language following subsection “B” as shown below:

Sec. .412. Uses expressly prohibited.

(B) Commercial marijuana activity.