

## **ORDINANCE NO.**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE PRE-ZONING (ZONE CHANGE 5395-2016 AND GENERAL PLAN AMENDMENT 5394-2016) FOR LOS ANGELES COUNTY ASSESSOR PARCEL NO.'s 8709-026-004, 8709-027-004, 8709-027-005, 8709-027-012, 8709-027-271 AND PUBLIC RIGHT-OF-WAY (VALLEY BOULEVARD).**

**WHEREAS**, on August 1, 2016 the City Council of the City of Pomona ("the City Council") approved Resolution 2016-112, to the Local Agency Formation Commission ("LAFCO") of Los Angeles County to initiate proceedings for the Reorganization of the subject site currently located in the County of Los Angeles, to the City of Pomona;

**WHEREAS**, the subject parcels, identified as APN 8709-026-004, 8709-027-004, 8709-027-005, 8709-027-012, and 8709-027-271 and public right-of-way (Valley Boulevard), located to the south of Valley Boulevard, is approximately nine acres of territory located in the County of Los Angeles;

**WHEREAS**, the applicant has concurrently submitted an application for a General Plan Amendment (GPA 5394-2016), Zone Change (ZONE 5395-2016), Conditional Use Permit (CUP 12-012), and Tentative Parcel Map (TPM 7550-2017) for the annexation of multiple parcels and public right of way along Valley Boulevard, totaling approximately nine acres in size, currently located in the County of Los Angeles, to the City of Pomona, and the development of five tilt-up warehouses on a portion of the annexed site.

**WHEREAS**, a portion of the subject property is currently located within the M-2 General Industrial Zoning District, and the remaining portion is proposed for annexation from the County of Los Angeles into the City of Pomona's M-2 General Industrial Zoning District (Exhibit A);

**WHEREAS**, a portion of the subject property is designated as "Workplace District Edge" on the General Plan Land Use Map, and the remaining portion is proposed for annexation from the County of Los Angeles into the City of Pomona's "Workplace District Edge" designation on the General Plan Land Use Map (Exhibit B);

**WHEREAS**, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on April 25, 2018, reviewed the requested applications and recommended City Council approval;

**WHEREAS**, the City Council finds that the pre-zoning is consistent with the goals, policies, and actions of the City of Pomona General Plan and will not conflict with the General Plan;

**WHEREAS**, the City Council finds that the pre-zoning will not be detrimental to the public interest, health, safety, convenience, or welfare of the City;

**WHEREAS**, this pre-zoning ordinance would designate the subject site, at approximately nine acres in size, as part of the City of Pomona's Workplace District Edge Place Type under the General Plan, part of the M-2 General Industrial Zoning District, and placed within the City of Pomona's Sphere of Influence by LAFCO;

**WHEREAS**, the proposed action complies with the provisions of the California Environmental Quality Act (CEQA). An Initial Study and Mitigated Negative Declaration (Exhibit C) was prepared for the portion of the project to be developed and a Notice of Exemption (Exhibit D) was prepared for the portion of the project to remain in its existing condition (island parcels). The Initial Study was circulated for review and comment by affected governmental agencies and the public between November 22, 2017 and December 21, 2017;

**WHEREAS**, there is no substantial evidence that the proposed project will have a significant effect on the environment. The Mitigated Negative Declaration and Notice of Exemption reflect the independent judgment of the City of Pomona;

**WHEREAS**, the City Council of the City of Pomona, after giving notice thereof as required by law, at its regularly scheduled public meeting on June 18, 2018, held a public hearing and approved the introduction and first reading of an Ordinance for the pre-zoning to Workplace District Edge under the Pomona General Plan and M-2 General Industrial under the Pomona Zoning Ordinance for APN 8709-026-004, 8709-027-004, 8709-027-005, 8709-027-012, and 8709-027-271 and public right-of-way (Valley Boulevard);

**WHEREAS**, the City Council of the City of Pomona has adopted at Second Reading an Ordinance for the pre-zoning to Workplace District Edge under the Pomona General Plan and M-2 General Industrial under the Pomona Zoning Ordinance for APN 8709-026-004, 8709-027-004, 8709-027-005, 8709-027-012, and 8709-027-271 and public right-of-way (Valley Boulevard) on July 2, 2018;

**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 HEREBY RESOLVED** by the City Council of the City of Pomona, California, as follows:

**SECTION 1.** The City Council, exercising independent judgment, finds that the project will not have an adverse impact on the environment. Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA) found in the California Public Resources Code, an Initial Study was prepared to assess the potential effects on the environment for the portion of the project that will be developed, and found that although the proposed project could have significant impacts on the environment, the impact will not be significant because mitigation measures added to the project will reduce these impacts to levels less than significant. Therefore, a Mitigated Negative Declaration of Environmental Impacts with mandatory findings of significance and mitigations has been prepared for the project. Moreover, a CEQA Exemption and Environmental Assessment was prepared for the portion of the project

involving annexations of parcels to eliminate islands of land that do not involve new development. This portion of the project is exempt from CEQA pursuant to the “General Rule” clause located in Section 15061(b)(3) of the CEQA Guidelines. The City Council hereby adopts said Mitigated Negative Declaration, including the Mitigation Monitoring Program, for the portion of the project involving new development; and further adopts a Notice of Exemption for the portion of the project involving annexation of existing development.

**SECTION 2.** Based upon 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. Pre-zoning is required under Section 5675(a)(3) of the Government Code in that, prior to the Local Agency Formation Commission of Los Angeles County taking action on Reorganization, the subject site must be pre-zoned by the attaching City;
- b. Reorganization for the pre-zone of the subject site, specifically, its proposed amendment of the Pomona Zoning Ordinance and General Plan is consistent with existing development and or existing development entitlements for the subject site; and
- c. That the proposed pre-zoning for APNs 8709-026-004, 8709-027-004, 8709-027-005, 8709-027-012, and 8709-027-271 and public right-of-way (Valley Boulevard) is in the public interest and is in the interest of the furtherance of the public health, safety, and welfare and is consistent with the goals, objectives, policies, and programs of the Pomona General Plan.

**SECTION 3.** The City Council of the City of Pomona hereby finds that the pre-zoning of APN 8709-026-004, 8709-027-004, 8709-027-005, 8709-027-012, and 8709-027-271 and public right-of-way (Valley Boulevard) is consistent with the Pomona Zoning Ordinance and the General Plan in that the proposed pre-zoning designation is consistent with existing land uses in the area and would not result in adverse effects on the surrounding neighborhoods in that any development on the subject site is required to be developed under the M-2 General Industrial zoning standards.

**SECTION 4.** 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.

**APPROVED AND ADOPTED THIS 2ND DAY OF JULY, 2018.**

**ATTEST:**

**CITY OF POMONA:**

---

---

Eva Buice, City Clerk

Tim Sandoval, Mayor

**APPROVED AS TO FORM:**

---

Arnold Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

CITY OF POMONA

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

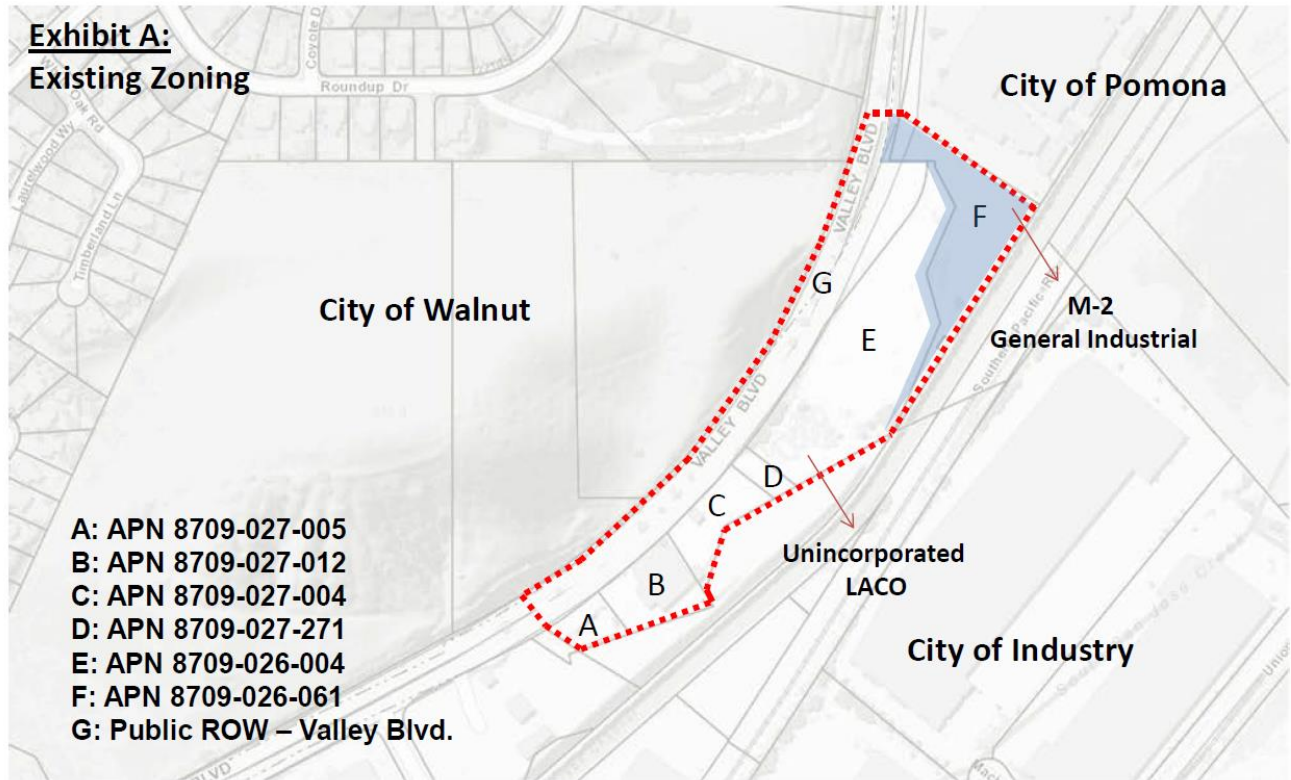
---

Eva Buice, City Clerk

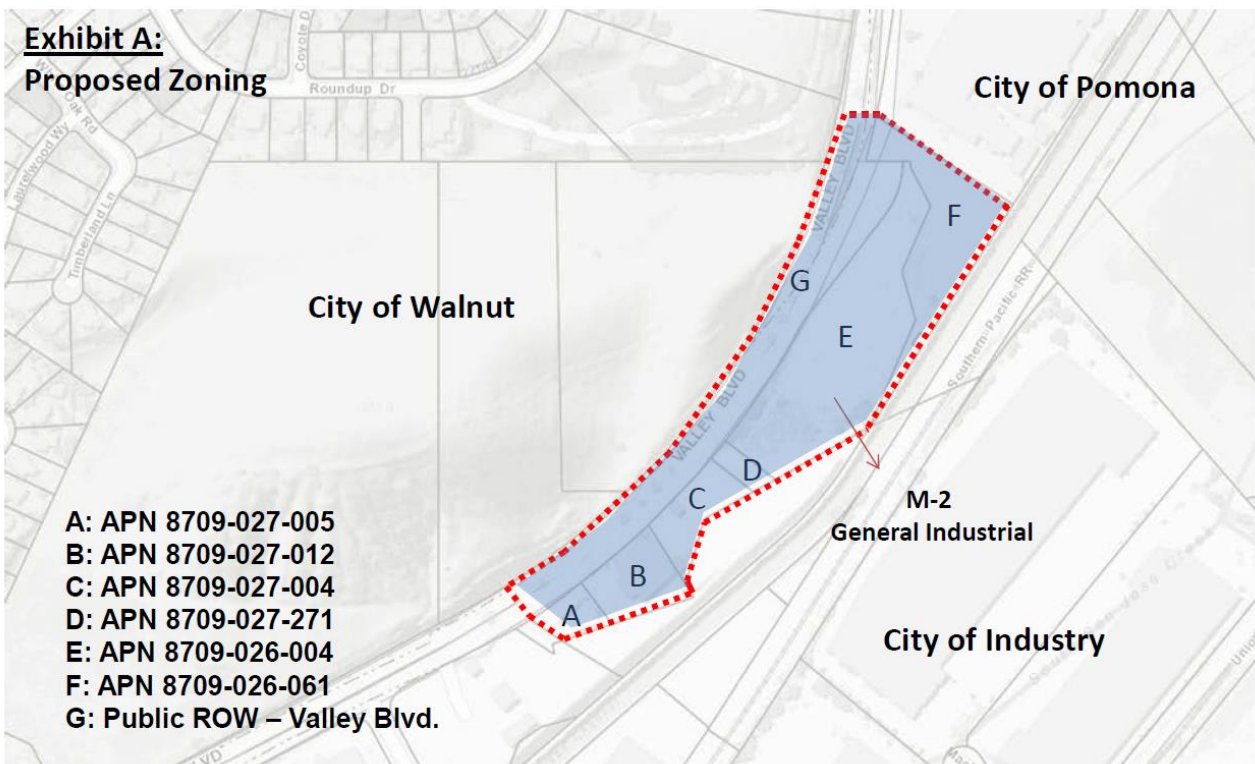
“Pursuant to Resolution No. 76-258 of the City of Pomona, the time in which judicial review of this action must be sought is governed by Sec. 1094.6 C.C.P.”

I:\Planning\Master Planning\\_Case Files\Current\Valley Blvd\22122\City Council\2018-04-11(ORD)(22122 Valley Blvd)-CCPREZONING.docx

**Exhibit A:**  
**Existing Zoning**



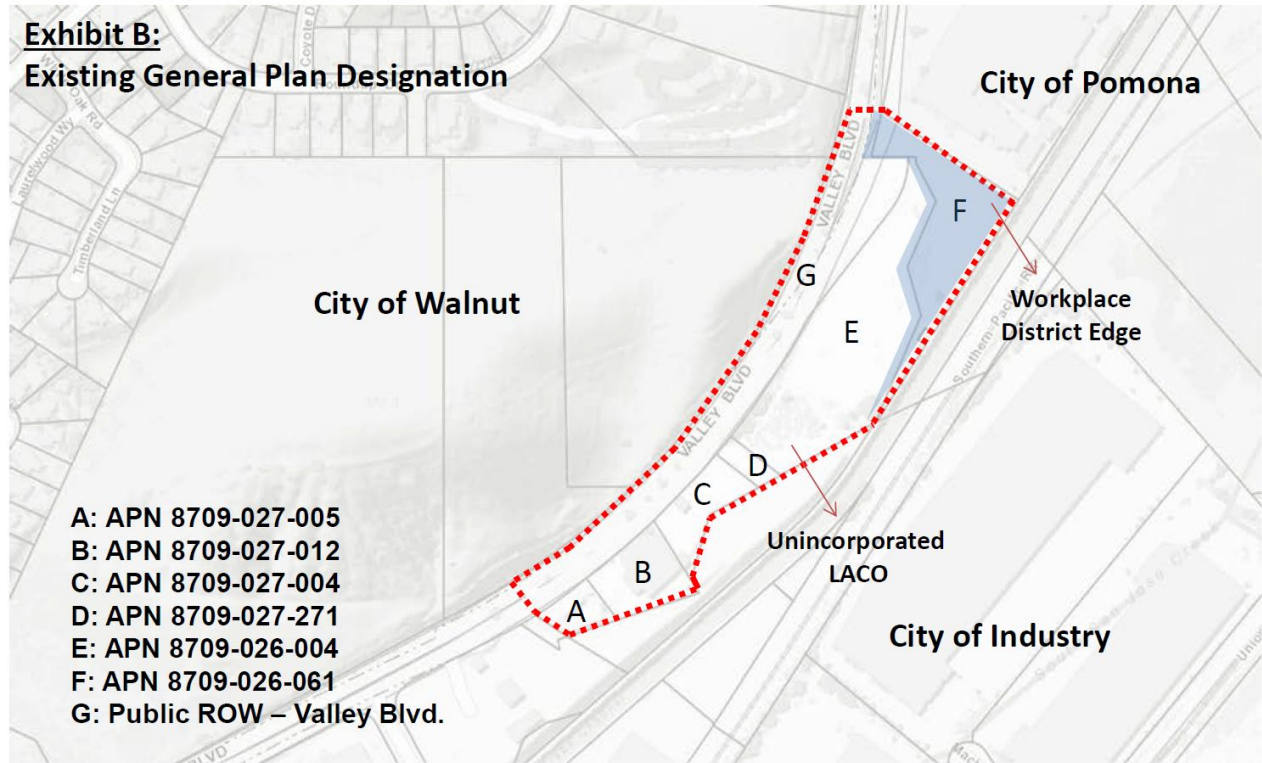
**Exhibit A:**  
**Proposed Zoning**





**Exhibit B:**

**Existing General Plan Designation**



**Exhibit B:**

**Proposed General Plan Designation**

