

Draft Alternative Ordinance. Bold and Underline are text amendment changes and strikeouts are deletions. The table found in this document are new proposed additions to the Fairgrounds District.

Sec. .435. - "~~F~~" the ~~F~~Fairgrounds ~~zoning district intent and purpose~~ District.

~~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 near the Fairplex and is intended to allow a range of public entertainment, exhibition, commercial, conference, equine, and other events and uses on a year round basis as previously permitted by Ordinance No. 2450. Notwithstanding any other provision herein, the uses, structures and events permitted and conditionally permitted in the F zoning district are subject to the application of all applicable city building permit and grading permit review, and that no temporary use permit shall be required for permitted uses under Section .436 hereof. The City's design review process shall apply to conditionally permitted uses under Section .437 hereof.~~

(Ord. No. 4012, § 3 (part).)

Section .436. – Purpose and Intent

The Fairgrounds District (also known as the "F" Fairgrounds) is intended to be consistent with the “Activity Centers,” “Workplace District,” “Transit Oriented District,” and “Fairplex” Plays Types of the Pomona General Plan. The Fairplex will continue to be characterized by regional attractions, event spaces and future development that are consistent with the General Plan Place Types. However, the vision for a fully active Fairplex will need to be balanced with the protection of surrounding neighborhoods 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 near the Fairplex and is intended to allow a range of public entertainment, exhibition, commercial, conference, equine, and other events and uses on a year-round basis as permitted herein.

~~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 as provided herein.~~

- ~~1. The following fair related uses shall be permitted within this zone without any permit except for building and grading permits as applicable:~~
 - ~~a) Child Care.~~
 - ~~b) Commercial uses related to other permitted uses in structures less than 30,000 sq. ft.~~
 - ~~c) Consumer Shows.~~
 - ~~d) Drag Racing.~~
 - ~~e) Exhibitions.~~
 - ~~f) Fairs and Festivals.~~
 - ~~g) Filming and photographic shoots.~~
 - ~~h) Financial Services.~~

- ~~i) Fireworks Displays.~~
 - ~~j) Food Service including banquets, catering and concessions.~~
 - ~~k) Horse Exhibition, Sales, Racing, Wagering including Satellite Wagering.~~
 - ~~l) Live Entertainment.~~
 - ~~m) Livestock, Pet and other animal exhibitions, training and sales.~~
 - ~~n) Meetings and Conferences.~~
 - ~~o) Outdoor Recreation including but limited to camping, picnics, rallies, social events and sporting events.~~
 - ~~p) Religious, educational, charitable, community and political activities.~~
 - ~~q) Testing and demonstration of mechanical equipment and devices to the extent that such uses do not violate the City's noise ordinance.~~
 - ~~r) Trade Shows.~~
 - ~~s) Business Support services for permitted uses.~~
 - ~~t) Facility and Vehicle maintenance for permitted uses.~~
2. ~~The following fair related structures may be maintained, altered, expanded or erected within this zone without any permits except for building and grading permits as applicable:~~
- ~~a) Auditoriums and Meeting Halls.~~
 - ~~b) Banks and ATMs.~~
 - ~~c) Bars and drinking facilities.~~
 - ~~d) Campgrounds.~~
 - ~~e) Caretaker and/or employee residential quarters.~~
 - ~~f) Child Care Centers.~~
 - ~~g) Community and Cultural Centers.~~
 - ~~h) Concert and Performing Art Theaters, both indoor and outdoor.~~
 - ~~i) Drag Racing Facility.~~
 - ~~j) Equestrian Facilities including horse race tracks, equine hospitals, off track wagering facilities, paddocks, sales pavilions, show rings, trails and water quality systems.~~
 - ~~k) Exhibit Buildings.~~
 - ~~l) Governmental Buildings and sponsored uses.~~
 - ~~m) Grandstand/Suite Complex.~~
 - ~~n) Libraries and Museums.~~
 - ~~o) Livestock Stables.~~
 - ~~p) Offices for Administrative purposes.~~
 - ~~q) Off Street Parking.~~
 - ~~r) Outdoor Public Address Systems except as restricted by Section .437.1(a.).~~
 - ~~s) Parking Structures.~~
 - ~~t) Pipeline and Utility Lines.~~
 - ~~u) Public Safety Facilities.~~
 - ~~v) Recreational Vehicle (RV) Parks.~~
 - ~~w) Restaurants.~~
 - ~~x) Signs and signage, onsite only.~~
 - ~~y) Trade & Conference Centers.~~
 - ~~z) Tents and Temporary Structures.~~
 - ~~aa) Warehouses.~~

(Ord. No. 4012, § 3 (part).)

~~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 10 P.M. to 9 A.M. at times other than during the regular fair season.~~
- ~~b) Convention Centers.~~
- ~~c) Sports Arenas.~~
- ~~d) Wireless Communication Facilities (subject to Section .5809-15 of the Zoning Ordinance.~~
- ~~e) Hotels and motels.~~
- ~~f) Heliports.~~
- ~~g) Amateur/ham radio antenna greater than 35 ft. in height.~~
- ~~h) Commercial/Retail developments in excess of 30,000 sq. ft.~~
- ~~i) Residential developments except for caretaker/employee quarters.~~
- ~~j) Other uses not specifically listed.~~

Section .437 Land Use Regulations

1. Table .437.A., Land Use Regulations-Fairgrounds District, sets the land use regulations for the Fairgrounds District. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table or not found to be substantially similar to the uses below are prohibited. Added clarification, notes and requirements in the right hand column refer to other sections of this Ordinance or clarifying language.

TABLE .437. A: LAND USE REGULATIONS-FAIRGROUNDS DISTRICT		
<i>“P” Permitted Use; “SP” Specific Plan Required; & “C” Conditional Use Permit Required“</i>		
<i>Land Use Classification</i>	<i>"P" "SP" "C"</i>	<i>Added Clarification, Notes, Requirements</i>
Residential Uses		
Uses with attendance greater than 10,000 persons	SP/C	Apply to all buildings and uses
Residential Housing Types	SP	Specific Plan Required
Alcohol Uses - On-Site	C	Unless conducted during the Fair
Alcohol Uses - Off-Site	C	Unless conducted during the Fair only
Amateur/ham radio antenna greater than 35 feet in height	C	Unless part of Fair
Auditoriums and Meeting Halls	P	

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<i>Land Use Classification</i>	<i>"P" "SP" "C"</i>	<i>Added Clarification, Notes, Requirements</i>
Automobile Auctions, swap meets and ancillary uses	C	
Banks and ATMs	P	On the interior of fairgrounds for Fair customers and not designed for general public use
Bars and Drinking Facilities	C	Unless conducted within existing structures or during the Fair
Business Services	P	Conducted by the Los Angeles County Fair Association for permitted uses or other as conducted during the Fair
Caretaker Unit and/or employee residential quarters.	C	Conducted within existing structures, otherwise Conditional Use Permit
Child Care	P	Conducted within existing structures with outside play areas as required by the state
Commercial Uses or Any Building Expansions	C/SP	Specific Plan Required or Conditional Use Permit
Community and Cultural Centers	P	
Concert and Performing Art Theaters, both indoor and outdoor.	C	
Consumer Shows	P	Only permitted within existing warehouse, hotel, and conference facilities
Convention Centers	C	
Drag Racing and Accessory Facilities	C	
Eating Establishments	P	
Equestrian Facilities including horse race tracks, equine hospitals, off-track wagering facilities, paddocks, sales pavilions, show rings, trails and water quality systems	SP/C	Unless conducted during the Fair
Exhibitions and Exhibit Buildings	P	Only permitted within existing warehouse, hotel, and conference facilities and conducted during the Fair
Exterior Building Alterations/expansions or new construction of any future uses	SP/C	

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Facility and Vehicle Maintenance for Fair	P	When adjacent to flood control or within 500 feet of residential district or use a Conditional Use Permit is required
Fair	P	Includes Fair uses during Los Angeles County Fair and as Historically occurring during the Los Angeles County Fair
Festivals/Concerts/Music Events	C	Occurring outside the Fair uses from
Filming and photographic shoots	P	
Financial Services	P	Conducted within existing structures
Fireworks Displays	P	Only as permitted during the Fair
Food Service including banquets, catering and concessions	P	
Grandstand/Suite Complex	C	
Governmental Buildings and sponsored uses	P	
Heliports	SP/C	
Horse Exhibition, Sales, Racing, Wagering including Satellite Wagering	P	Only during the Fair
Hotels and Motels	SP/C	
Libraries and Museums.	P	
Live Entertainment – Fair	P	Only permitted within existing warehouse, hotel, and conference facilities or outside during the Fair.
Live Entertainment	C	Outside events
Livestock, Livestock Stables. Pet and other animals exhibitions, training and sales	P	Only permitted within existing warehouse, patio structures or outside during the Fair.
Meetings and Conferences	P	Only permitted within existing warehouse, hotel, and conference/administrative facilities
Off-Street Parking	P	
Offices for Administrative purposes.	P	

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Outdoor Storage (permanent & temporary)	C	Conditionally Permitted as an accessory use outside of required yards, parking and circulation areas. Temporary storage requires a Temporary Use Permit
Outdoor Public Address System	C	Unless conducted during Fair – no later than Fair closing
Outdoor Public Address System General	P	Not permitted between the hours of 10:00 p.m. to 9:00 a.m., unless a Conditional Use Permit is obtained
Outdoor Recreation – Camping/Vehicle Park	C	Only within approved camping/vehicle park facilities
Outdoor Recreation - Picnics	P	Only within Fair designated picnic areas or outside open space areas or during Fair event
Outdoor Recreation – Rallies	P	
Outdoor Recreation – Social Events	P	
Outdoor Recreation – Sporting Events	P	
Parking Structures.	C	
Pipeline and Utility Lines.	P	
Political Activities	P	
Public Safety Facilities	P	
Religious, Educational, Charitable, and Community	P	Only permitted within existing warehouse, hotel, and conference facilities or outside during the Fair.
Sports Arenas / Soccer Fields / Other Sport Facilities and Fields	SP/C	
Tents and Temporary Structures	P	Shall obtain a Temporary Use Permit
Testing and demonstration of mechanical equipment and devices	P	Only permitted during weekdays during hour of 8:00 a.m. to 6:00 p.m. and comply with City Noise Ordinance
Trade and Conference Shows	P	Only permitted within existing warehouse, hotel, and conference facilities or outside during the Fair
Uses occurring outside of the Fair	SP/C	

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Warehouse and Storage	SP/C	
Wireless Communication Facilities	C	See Wireless Communication Requirements in the Zoning Code

2. ~~Before approving any such conditional use permit, the Planning Commission shall make the findings required in Section .580 of the Zoning Ordinance.~~ **The uses, structures and events permitted and conditionally permitted in the F zoning district are subject to the application of all applicable city planning, building permits, grading permit review and payment of adopted fees for review, and that no temporary use permit shall be required for permitted uses under Section .437 of the Fairgrounds District, unless otherwise stated.**
3. The fairgrounds delineated for **Specific Plan or** ~~eConditional~~ **Use** ~~pPermit~~ applications shall include all buildings and parking areas used by the subject use and the amount of permit fee to be determined by this area.
4. The conditionally permitted **or Specific Plan** use listed above shall also comply with the requirements of the provisions of the California Environmental Quality Act (CEQA) guidelines, as applicable. (Ord. No. 4012, § 3 (part).)
5. **Interior signage for Fair or other year round permitted uses within Fairgrounds not visible from the public right-of-way are permitted without obtaining a City Sign Permit. All other exterior Signage is required to comply with the City Sign Ordinance.**
6. **The geographic distribution of land use designations aligns with the Pomona Tomorrow General Plan Diagram and is secondary to and in support of the form and character of the Place Types outlined in Section 6., in the General Plan Update Pomona Tomorrow. Furthermore, the City’s Zoning Ordinance and specific plans will apply a greater level of detail to this pattern and may contain additional restrictions on where specific land uses are permitted or on the form those uses shall take in order to implement the General Plan vision. In addition, a Specific Plan will facilitate quality development within the City by permitting greater flexibility and encouraging more creative and aesthetically pleasing designs for major development projects subject to large scale community planning.**

Sec. .437.5. - Uses expressly prohibited.

(a) Medical marijuana dispensaries.

(Ord. No. 4096, § 25.)

Sec. .438. - Design review compliance.

For all conditionally permitted uses listed in Section .437 that involve the physical development of permanent structures, said structures shall be subject to site design and architectural review and approval by the ~~Community Development Director~~ **Planning Commission** prior to the issuance of any building permit for said structure or use.

(Ord. No. 4012, § 3 (part).)

Sec. .439. - Amortization period.

The uses presently existing at the fairgrounds that are not allowed by right under Sections ~~.435. through .438.~~ **.437.A.: Land Use Regulations-Fairgrounds District** shall be given a time period of ~~six months~~ **one-year** from the adoption of these sections which establish the ~~"F"-Fairgrounds District 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 ~~p~~**Planning e**~~C~~ommission shall hold public hearings to determine an equitable amortization period for such uses.

(Ord. No. 2450, § 1 (part).)

Definitions to add

Business Services. Establishments providing goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, equipment rental and leasing, office security, custodial services, photofinishing, model building, taxi or delivery services with two or fewer fleet vehicles on-site.

Caretaker Unit. A dwelling unit on the site of a commercial, industrial, public or semi-public use, occupied by employees and their immediate families employed for the purpose of on-site management, maintenance, or upkeep. Also business guests/employees on temporary assignment are allowed to reside in the unit.

Commercial Entertainment and Recreation. Provision of participant or spectator entertainment to the general public. These classifications may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Cinema/Theaters. Any facility for the indoor display of films and motion pictures on single or multiple screens. This classification may include incidental food and beverage service to patrons as well as auditoriums within buildings.

Indoor Sports and Recreation. Establishments providing predominantly participant sports, indoor amusement and entertainment services conducted within an enclosed building, including coin-operated electronic amusement centers. Typical uses include bowling alleys, billiard parlors, card rooms, health clubs, ice and roller skating rinks, indoor racquetball courts, athletic clubs, and physical fitness centers.

Outdoor Entertainment. Predominantly spectator uses, conducted in open or partially enclosed or screened facilities. Typical uses include amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, and drive-in theaters.

Outdoor Recreation. Predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, golf courses, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and riding stables.

Warehousing and Storage. Storage and distribution facilities without sales to the public on-site or direct public access except for public storage in small individual space exclusively and directly accessible to a specific tenant.

Chemical, Mineral, and Explosives Storage. Storage of hazardous materials including but not limited to: pressurized gas, chemicals, minerals and ores, petroleum or petroleum-based fuels, fireworks, and explosives.

Indoor Warehousing and Storage. Storage within an enclosed building of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials including but not limited to automobiles, feed, and lumber. Also includes cold storage, freight moving and storage, and warehouses. This classification excludes the storage of hazardous chemical, mineral, and explosive materials.

Outdoor Storage. Storage of commercial goods in open lots.

Personal Storage. Facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage. This use excludes workshops, hobby shops, manufacturing, or commercial activity.