

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
POMONA APPROVING CODE AMENDMENT (CODE 9778-2018)  
AMENDING SECTIONS .435-.437 PERTAINING TO THE “F”  
FAIRGROUNDS ZONING DISTRICT OF THE POMONA CITY  
CODE**

**WHEREAS**, the proposed Code Amendment was initiated by City Council through Ad Hoc Committee to amend specific sections of the “F” Fairgrounds Zoning District of the Pomona City Code;

**WHEREAS**, the City Council meeting was duly noticed as required by law, held a public hearing on November 19, 2018 concerning the requested Zoning Code Amendment (CODE 9778-2018);

**WHEREAS**, the subject properties are designated Fairplex, Transit Oriented District, Activity Center, Workplace District by the City’s General Plan;

**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 HERBY RESOLVED** by the City Council as follows:

**SECTION 1.** The City Council exercising their independent judgement has determined that pursuant to the provisions of the California Environmental Quality Act (CEQA), found in the California Public Resources Code, and has determined that there is no possibility that the text amendment request may have a significant adverse effect on the environment as it is more restrictive requirement being imposed than currently existing. Therefore, the proposed text amendment is exempt under Article 19, Section 15061 B. (3) of the CEQA Guidelines.

**SECTION 2.** 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 City Council hereby finds that the proposed Zoning Code Amendment related to the “F” Fairgrounds Zoning District should be modified in the public interest and in the interest of the furtherance of the public health, safety, and welfare and is not consistent with the following major goals, objectives, policies, and programs of the Pomona General Plan:

Policy C6.P7 *If any new residential development is permitted as a result of any subsequent land use study in the future, require provision of new public neighborhood and community parks at a ratio consistent with City standards;*

Policy 6C.P9 *Require an appropriate transition between new development and adjacent single-family neighborhoods by using massing techniques and locating smaller scale buildings along the edge of adjacent neighborhoods;*

Policy 6C.P11 *Require new development to have a transit oriented pattern. To the extent possible, organize land uses and development intensities to maximize Metrolink, Metro Gold Line, or future Bus Rapid Transit (BRT) ridership. Establish street patterns and pathways to provide clear, well-defined access to the station and promote walkability within the district;*

Requiring a Conditional Use Permit for new development would allow the City to conduct a review to determine if such development contributes to the development of community parks per City standards, creates appropriate transitions with adjacent single-family neighborhoods, and follows principles of transit-oriented development.

Policy 6C-P6 *Require an appropriate planning/land use study approved by the City Council for commercial development above 250,000 square feet of space or any residential development. Encourage the study or plan to addresses:*

- *Location and distribution of various land uses and activities.*
- *Location and distribution of public parks and plazas.*
- *Compatibility of development with the adjacent residential neighborhoods.*
- *Implementation of required mitigation and improvements to circulation and infrastructure, including phasing—which shall all be the responsibility of the developer(s) at the time of development.*
- *Integration of on-site components—as well as connectivity to the surrounding neighborhoods—via pedestrian linkages, landscaping, public spaces, street network, appropriate building scale and bulk transitions and buffers for sensitive land uses.*
- *Design standards and guidelines.*

Establishing a Conditional Use Permit requirement is a process that would allow the City to review future development/uses on the fairgrounds much closer to see if the 2014 General Plan Update Goals and Policies are being met.

**SECTION 3.** The City Council hereby approves modification of section .435. – “F” the Fairgrounds Zoning District Intent and Purposes and is hereby amended to read as follows:

Section. .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 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. **As used within this Chapter, “fair related” shall mean those activities actually occurring during the Los Angeles County Fair, and as historically occurring during the Los Angeles County Fair.**

**SECTION 4.** The City Council hereby approves modification of section .436. – Uses Permitted and is hereby amended to read as follows:

Sec. .436. - Uses permitted.

No building or structure of 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, **provided such uses are conducted within existing structures and with a maximum attendance of no more than 10,000 persons.**

- 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 during weekdays during hours of 8 a.m. to 6 p.m. and to the extent that such uses do not violate the City's noise ordinance.
- r.) Trade Shows.
- s.) Business Support services conducted by the Los Angeles County Fair Association 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 for Fairplex users.
- 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.**

**SECTION 5.** The City Council hereby approves modification of section .437. – Uses Permitted by Conditional Use Permit and is hereby amended to read as follows:

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) **Warehouses**

**k) Uses permitted in Sec. . 436 occurring outside of duration of the Los Angeles County Fair**

**l) Other uses not specifically listed.**

**m) All uses, including uses listed in Sec. .436.1 with a planned or anticipated attendance over 10,000 persons.**

**n) All uses which would alter, expand or erect structures in the zone.**

2. Before approving any such conditional use permit, the Planning Commission shall make the findings required in Section .580 of the Zoning Ordinance. **In place of a Conditional Use Permit, a party may apply for a Temporary Use Permit for a single event, for those items subject to subsections k) and m) of section .437.1 above.**

3. The fairgrounds delineated for conditional use permit 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 e~~Conditionally permitted **and temporarily permitted** ~~uses listed above~~ shall also comply with the requirements of the provisions of the California Environmental Quality Act (CEQA) guidelines, as applicable.

**SECTION 6.** The City Council hereby approves Zoning Code Amendment ( CODE 9778-2018) modifying specific certain sections of the “F” Fairgrounds Zoning District Zone to the zoning ordinance.

**SECTION 7.** 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 \_\_\_\_ DAY OF \_\_\_\_\_ 2018.

ATTEST:

CITY OF POMONA

\_\_\_\_\_  
Marie Michel Macias, MMC, Interim City Clerk

\_\_\_\_\_  
Tim Sandoval, Mayor

APPROVED AS TO FORM

\_\_\_\_\_  
Arnold M. Alvarez-Glasman, City Attorney