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# CITY OF POMONA

## COUNCIL REPORT

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September 16, 2019

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Anita D. Gutierrez, Development Services Director

**SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE NO. 4268,  
CODE AMENDMENT NO. 12173-2019, AMENDING THE POMONA  
ZONING ORDINANCE PERTAINING TO LEGAL  
NONCONFORMING WASTE & RECYCLING USES.**

**RECOMMENDATION:**

It is recommended that the City Council adopt at second reading Ordinance No. 4268 (Attachment No. 1) modifying the length of time a legal nonconforming waste and recycling use can be discontinued before the use is permanently terminated from two years to 180 days.

**EXECUTIVE SUMMARY:**

Based on previous direction from the City Council and a recommendation by the Planning Commission, Ordinance 4268 is being brought forth for Council adoption. The proposed code amendment will reduce the time period for discontinuance of legal nonconforming Waste & Recycling uses in all zones from two years to 180 days (approximately six months).

**PREVIOUS COUNCIL ACTION:**

On September 9, 2019 on a 7-0-0-0 vote, the City Council indicated their intent to approve Ordinance No. 4268 and Code Amendment No.12173-2019 (Council staff report Attachment No. 2)

**FISCAL IMPACT:** This ordinance will not result in an impact to the General Fund. Costs associated with processing of a City-initiated Code Amendments are included in the Development Services Department's adopted FY 2019/20 budget.

**DISCUSSION:**

The proposed Ordinance is anticipated to provide a path to bring legal nonconforming waste and recycling uses in line with the goals and objectives of the Pomona Zoning Ordinance.

**COUNCIL PRIORITIES & GOALS:** This item supports the 2019-2020 City Council Priority 3: Safe and Clean Community – Goal L: Hold businesses and residents accountable for property maintenance and compliance with other City codes.

Prepared by:

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Sandra Elias  
Assistant Planner

**ATTACHMENT(S):**

Attachment No. 1 – Ordinance No. 4268

Attachment No. 2 – September 9, 2019 City Council staff report and attachments