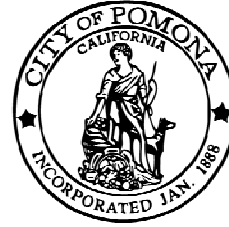


THE CITY OF POMONA

Planning Division

Development
Services Department



October 9, 2019

SUBJECT: DECISION ON DETERMINATION OF SIMILARITY (DOS 12563-2019)

Site Address: City Wide

Zone: M-1 Light Industrial District and M-2 General Industrial District

Request: Determination of Similarity for Cannabis Cultivation as similar to Raising of Crops

Pursuant to Section .501-A of the Pomona Zoning Ordinance, the Planning and Development Services Director has determined that the proposed use meets all of the required findings; therefore, the request is hereby approved. The decision is based on the following determinations, pursuant to Section .501-A of the Zoning Ordinance:

1. The proposed use meets the intent of, and is consistent with, the goals, objectives and policies of the General Plan, in that the proposed use is consistent with the following goals of the General Plan:

General Plan Goal 7A.G1: Ensure a balanced inventory of sufficient land offering appropriate use designations and development intensities in strategic locations to accommodate future growth. The proposed use meets the stated purpose and general intent of the zoning district:

A Determination of Similarity was approved in 1969 under Planning Commission Resolution No. 2835 which permitted the Raising of Crops in all industrial zones. As such, the Raising of Crops such as Cannabis Cultivation is considered an appropriate use designation in the M-1 and M-2 districts. Maintaining appropriate urban agriculture use designations, such as, Cannabis Cultivation in these districts helps ensure a balanced inventory of sufficient land, offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

General Plan 7A.G2: Promote a balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

Raising of Crops is among the multitude of uses permitted in the M-1 and M-2 districts. Promoting the Raising of Crops such as Cannabis Cultivation contributes to the balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

2. The proposed use meets the stated purpose and general intent of the zoning district:

The light industrial district ("M-1") is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of materials that are in a processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be termed obnoxious or offensive to persons residing in or conducting business in either this or any other zoning district of the city.

While the primary purpose and intent of the M-1 district is intended to provide for the development of industrial uses, the Raising of Crops is permitted by-right per the Determination of Similarity approved in 1969 under Planning Commission Resolution No. 2835. As such, it can be reasonably concluded that Raising of Crops such as Cannabis Cultivation meets the stated purpose and general intent of the M-1 district because the use has been deemed compatible with industrial uses.

The "M-2" general industrial district is intended to provide for the establishment of certain industrial uses considered by the council to be essential to the development of a balanced economic base for the city.

While the primary purpose and intent of the M-2 district is intended to provide for the development of industrial uses, the Raising of Crops is permitted by-right per the Determination of Similarity approved in 1969 under Planning Commission Resolution No. 2835. As such, it can be reasonably concluded that Raising of Crops such as Cannabis Cultivation meets the stated purpose and general intent of the M-1 district because the use has been deemed compatible with industrial uses.

3. The proposed use shall not adversely impact the public health, safety and general welfare of the City's residents:

The proposed use will be required to meet all applicable and governing state, county and local regulations including but not limited to zoning standards, construction codes, fire codes and other City codes prior to the establishment of such use.

4. The proposed use shares characteristics common with, and not of greater intensity, density or generate more environmental impact, than those uses listed in the land use district in which it is to be located:

Cannabis Cultivation is defined in Pomona City Code (PCC) Section 68-5 as "any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis. Cultivation shall also have the same meaning in Section 26001(1) of the Business and Professions Code, as same may be amended from time to time. Whenever referenced to cultivation are made in this Chapter,

permitted or licensed cultivation shall only be indoors, as outdoor cultivation is expressly prohibited.”

The California Department of Food and Agriculture (CDFA) defines indoor cannabis cultivation as the cultivation of cannabis within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate above twenty-five watts per square foot. Based on the definition of Cannabis Cultivation established by the PCC and CDFA, it can reasonably be determined that the proposed use of Cannabis Cultivation shares characteristics common with the Raising of Crops and will not be of greater intensity, density or generate more environmental impact than those uses listed in the M-1 and M-2 districts.

The decision of the Development Services Director shall be final unless an appeal is made within ten (10) days after the decision. If an appeal is made by the deadline, it will be scheduled for review by the Planning Commission within thirty (30) days of the appeal.

Anita D. Gutierrez, AICP
Development Services Director

Date

Cc: File: DOS 12563-2019

THE CITY OF POMONA

Planning Division

Development
Services Department



October 9, 2019

SUBJECT: DECISION ON DETERMINATION OF SIMILARITY (DOS 12654-2019)

Site Address: City Wide

Zone: M-1 Light Industrial District and M-2 General Industrial District

Request: Determination of Similarity for Cannabis Distributor as similar to Distributing Plants

Pursuant to Section .501-A of the Pomona Zoning Ordinance, the Planning and Development Services Director has determined that the proposed use meets all of the required findings; therefore, the request is hereby approved. The decision is based on the following determinations, pursuant to Section .501-A of the Zoning Ordinance:

1. The proposed use meets the intent of, and is consistent with, the goals, objectives and policies of the General Plan, in that the proposed use is consistent with the following goals of the General Plan:

General Plan Goal 7A.G1: Ensure a balanced inventory of sufficient land offering appropriate use designations and development intensities in strategic locations to accommodate future growth. The proposed use meets the stated purpose and general intent of the zoning district:

Distribution Plant uses such as Cannabis Distributor are considered appropriate use designations in the M-1 and M-2 districts. Maintaining appropriate use designations, such as, Cannabis Distributor in these districts helps ensure a balanced inventory of sufficient land, offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

General Plan 7A.G2: Promote a balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

Distributing Plant uses are among the multitude of uses permitted in the M-1 and M-2 districts. The promotion of Distributing Plant uses such as Cannabis Distributor contributes to the balanced mix of

uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

2. The proposed use meets the stated purpose and general intent of the zoning district:

The light industrial district ("M-1") is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of materials that are in a processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be termed obnoxious or offensive to persons residing in or conducting business in either this or any other zoning district of the city.

Distributing Plant uses such as Cannabis Distributor are identified as by-right uses in the M-1 district. Cannabis Distributor uses meet the stated purpose and general intent of the M-1 district by providing for the development of industrial uses.

The "M-2" general industrial district is intended to provide for the establishment of certain industrial uses considered by the council to be essential to the development of a balanced economic base for the city.

Distributing Plant uses such as Cannabis Distributing Plants are identified as by-right uses in the M-2 district. Cannabis Distributor uses meet the stated purpose and general intent of the M-2 district by providing for the establishment of certain industrial uses.

3. The proposed use shall not adversely impact the public health, safety and general welfare of the City's residents:

The proposed use will be required to meet all applicable and governing state, county and local regulations including but not limited to zoning standards, construction codes, fire codes and other City codes prior to the establishment of such use.

4. The proposed use shares characteristics common with, and not of greater intensity, density or generate more environmental impact, than those uses listed in the land use district in which it is to be located:

A Cannabis Distributor is defined in Pomona City Code (PCC) Section 68-5 as "a person holding a valid Commercial Cannabis Permit for distribution issued by the City and a valid state license for distribution, required by state law to engage in the business of purchasing cannabis from a licensed cultivator or cannabis products from a licensed manufacturer, for sale to a licensed retailer."

According to the Bureau of Cannabis Control (BCC), Distributor licensees perform four primary functions: arranging for testing, storage, packaging and labeling, and transport. Distributors must store batches of cannabis or cannabis products while samples from those batches are being tested. Distributors may also store, destroy, and label or relabel cannabis and cannabis products at their licensed facilities, act as product wholesalers, and transport cannabis and cannabis products to or from other licensed cannabis businesses.

Based on the definition of Cannabis Distributor established by the PCC, and the characteristics for Cannabis Distributors identified by the BCC, it can reasonably be determined that the proposed use of Cannabis Distributors shares characteristics common with Distributing Plants and will not be of greater intensity, density or generate more environmental impact than those uses listed in the M-1 and M-2 districts.

The decision of the Development Services Director shall be final unless an appeal is made within ten (10) days after the decision. If an appeal is made by the deadline, it will be scheduled for review by the Planning Commission within thirty (30) days of the appeal.

Anita D. Gutierrez, AICP
Development Services Director

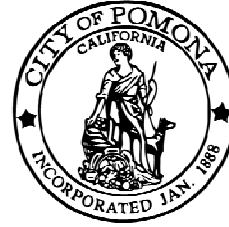
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Cc: File: DOS 12654-2019

THE CITY OF POMONA

Planning Division

Development
Services Department



October 9, 2019

SUBJECT: DECISION ON DETERMINATION OF SIMILARITY (DOS 12655-2019)

Site Address: City Wide

Zone: M-1 Light Industrial District and M-2 General Industrial District

Request: Determination of Similarity for Cannabis Manufacturing Site as similar to Manufacturing, compounding, processing, packaging, or treatment of products

Pursuant to Section .501-A of the Pomona Zoning Ordinance, the Planning and Development Services Director has determined that the proposed use meets all of the required findings; therefore, the request is hereby approved. The decision is based on the following determinations, pursuant to Section .501-A of the Zoning Ordinance:

1. The proposed use meets the intent of, and is consistent with, the goals, objectives and policies of the General Plan, in that the proposed use is consistent with the following goals of the General Plan:

General Plan Goal 7A.G1: Ensure a balanced inventory of sufficient land offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

Manufacturing, compounding, processing, packaging, or treatment of products are permitted by-right and considered appropriate use designations in the M-1 and M-2 districts. Maintaining appropriate use designations, such as, Cannabis Manufacturing Site in these districts helps ensure a balanced inventory of sufficient land, offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

General Plan 7A.G2: Promote a balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

Manufacturing are among the multitude of uses permitted in the M-1, and M-2 districts. The

promotion of Manufacturing uses such as Cannabis Manufacturing Site contributes to the balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

2. The proposed use meets the stated purpose and general intent of the zoning district:

The light industrial district ("M-1") is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of materials that are in a processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be termed obnoxious or offensive to persons residing in or conducting business in either this or any other zoning district of the city.

Manufacturing uses such are identified as by-right uses in the M-1 district. Manufacturing uses such as Cannabis Manufacturing Site meet the stated purpose and general intent of the M-1 district by providing for the development of industrial uses.

The "M-2" general industrial district is intended to provide for the establishment of certain industrial uses considered by the council to be essential to the development of a balanced economic base for the city.

Manufacturing uses are identified as by-right uses in the M-2 district. Manufacturing uses such as Cannabis Manufacturing Site meet the stated purpose and general intent of the M-2 district by providing for the establishment of certain industrial uses.

3. The proposed use shall not adversely impact the public health, safety and general welfare of the City's residents:

The proposed use will be required to meet all applicable and governing state, county and local regulations including but not limited to zoning standards, construction codes, fire codes and other City codes prior to the establishment of such use.

4. The proposed use shares characteristics common with, and not of greater intensity, density or generate more environmental impact, than those uses listed in the land use district in which it is to be located:

Cannabis Manufacturing Site is defined in Pomona City Code (PCC) Section 68-5 as "a location that produces, prepares, propagates, or compounds cannabis or cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or re-labels its container, and is owned and operated by a person issued a valid Commercial Cannabis Permit for manufacturing from the City and, a valid state license as required for manufacturing of cannabis products."

Based on the definition of Cannabis Manufacturer established by the PCC it can reasonably be determined that the proposed use of Cannabis Manufacturer shares characteristics common with Manufacturing uses and will not be of greater intensity, density or generate more environmental impact than those uses listed in the M-1 and M-2 district.

The decision of the Development Services Director shall be final unless an appeal is made within ten (10) days after the decision. If an appeal is made by the deadline, it will be scheduled for review by the Planning Commission within thirty (30) days of the appeal.

Anita D. Gutierrez, AICP
Development Services Director

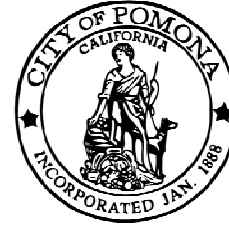
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Cc: File: DOS 12655-2019

THE CITY OF POMONA

Planning Division

Development
Services Department



October 9, 2019

SUBJECT: DECISION ON DETERMINATION OF SIMILARITY (DOS 12656-2019)

Location:	City Wide
Zone District:	C-2 Neighborhood Shopping Center Commercial District, C-3 General Commercial District, and C-4 Community Shopping Center Commercial District
Request:	Determination of Similarity for Cannabis Retailer-Storefront use as similar to Retail Stores

Pursuant to Section .501-A of the Pomona Zoning Ordinance, the Planning and Development Services Director has determined that the proposed use meets all of the required findings; therefore, the request is hereby approved. The decision is based on the following determinations, pursuant to Section .501-A of the Zoning Ordinance:

1. The proposed use meets the intent of, and is consistent with, the goals, objectives and policies of the General Plan, in that the proposed use is consistent with the following goals of the General Plan:

General Plan Goal 7A.G1: Ensure a balanced inventory of sufficient land offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

Retail Sales are permitted by right and considered appropriate use designations in the C-2, C-3, and C-4 districts. Maintaining appropriate use designations, such as Cannabis Retailer-Storefront, in these districts helps ensure a balanced inventory of sufficient land, offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

General Plan 7A.G2: Promote a balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

Retail stores are among the multitude of uses permitted in the C-2, C-3, and C-4 districts. The

promotion of Retail store uses such as Cannabis Retailer-Storefront contributes to the balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

2. The proposed use meets the stated purpose and general intent of the zoning districts:

The "C-2" district is intended to serve as a shopping center for the convenience needs of a neighborhood area composed of a minimum of one thousand and a maximum of twenty-five hundred families. The size of the center is proposed to be directly related to the quantity of purchasing power available for the support of those stores that are permitted in this district.

Retail stores are identified as by-right uses in the C-2 district and serve the convenience needs of residents within the neighborhood area. Retail stores like Cannabis Retailer-Storefront uses meet the stated purpose and general intent of the C-2 zoning district by providing convenient availability of cannabis products which are used for both adult recreation and medicinal purposes.

The "C-3" districts are intended to serve as the central trading areas of the city. The facilities provided for here as those that cannot and should not be dispersed into the smaller, more intimate shopping areas.

Retail stores like Cannabis Retailer-Storefront will help to serve central trading areas of the city by providing convenient availability of cannabis products which are used for both adult recreation and medicinal purposes, thereby drawing patrons from across the community to these trade areas. As such, the establishment of Cannabis Retailer-Storefront use meets the intent of the C-3 district.

Many uses in the commercial classification do not belong in either the neighborhood centers or the concentrated business districts. These uses are provided for in the ["C-4"] highway commercial district. The district may, therefore, serve many purposes, including the site for neighborhood shops, the commercial center, and such uses as may properly belong in the city's other commercial centers.

Cannabis Retailer-Storefront uses provide for the convenient availability of cannabis products which are used for both adult recreation and medicinal purposes. Retail stores like Cannabis Retailer-Storefront meet the intent of the C-4 district because they are suitable uses in neighborhood shops and city's various commercial centers.

3. The proposed use shall not adversely impact the public health, safety and general welfare of the City's residents:

The proposed use will be required to meet all applicable and governing state, county and local regulations including but not limited to zoning standards, construction codes, fire codes and other City codes prior to the establishment of such use.

4. The proposed use shares characteristics common with, and not of greater intensity, density or generate more environmental impact, than those uses listed in the land use district in which it is to be located:

Cannabis Retailer-Storefront is defined in Pomona City Code (PCC) Section 68-1 as “a storefront retailer of a commercial cannabis business facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale to customers at a fixed location, including an establishment that also offers delivery of cannabis and cannabis products as part of a retail sale, and which are open to the public, and where the operator is authorized to operate in the City as a retailer, and holds a valid state license as required by state law to operate a retailer.

According to the Bureau of Cannabis Control (BCC), “Cannabis Retailer-Storefront” uses would typically be brick-and-mortar retail stores selling cannabis; cannabis products; smoking or vaping paraphernalia; and branded merchandise such as stickers, water bottles, and t-shirts. Retailer employees may have a variety of different responsibilities, including but not necessarily limited to stocking and shelving products, providing security services, managing customer and business transactions, maintaining financial records, and/or selling products to customers. The retailer may also operate an ancillary delivery service as part of their operations.

Based on the definition of Cannabis Retailer-Storefront established by the PCC and the characteristics for Cannabis Retailer-Storefront identified by the BCC, it can reasonably be determined that the proposed use of “Cannabis Retailer-Storefront” shares characteristics common with Retail stores and will not be of greater intensity, density or generate more environmental impact than those uses listed in the C-2, C-3 and C-4 districts.

The decision of the Development Services Director shall be final unless an appeal is made within ten (10) days after the decision. If an appeal is made by the deadline, it will be scheduled for review by the Planning Commission within thirty (30) days of the appeal.

Anita D. Gutierrez, AICP
Development Services Director

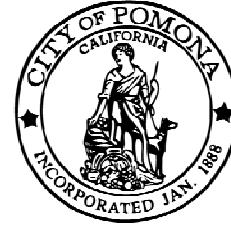
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Cc: File: DOS 12656-2019

THE CITY OF POMONA

Planning Division

Development
Services Department



October 9, 2019

SUBJECT: DECISION ON DETERMINATION OF SIMILARITY (DOS 12657-2019)

Site Address: City Wide

Zone: M-1 Light Industrial District and M-2 General Industrial District

Request: Determination of Similarity for Cannabis Retail Storefronts as similar to Commercial uses

Pursuant to Section .501-A of the Pomona Zoning Ordinance, the Planning and Development Services Director has determined that the proposed use meets all of the required findings; therefore, the request is hereby approved. The decision is based on the following determinations, pursuant to Section .501-A of the Zoning Ordinance:

1. The proposed use meets the intent of, and is consistent with, the goals, objectives and policies of the General Plan, in that the proposed use is consistent with the following goals of the General Plan:

General Plan Goal 7A.G1: Ensure a balanced inventory of sufficient land offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

The M-1, Light-industrial district establishes a number of uses that are permitted by-right under the category of "Commercial" such as Bakery and the M-2 General Industrial district allows all uses that are permitted in the M-1 district. In addition, several retail uses have been established as permitted uses through approved Determination of Similarities including Retail Sales of New Auto Parts (DS 98-002), Retail Sale of Pagers and Beepers (DS 95-003), and Retail Furniture Warehouse (PC Reso. No. 6594). Retail uses such as Cannabis Retailer-Storefront are considered appropriate use designations in the M-1 and M-2 districts. Maintaining appropriate use designations, such as Cannabis Retailer-Storefront, in these districts helps ensure a balanced inventory of sufficient land, offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

General Plan 7A.G2: Promote a balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

Retail uses such as Cannabis Retailer-Storefront are among the multitude of uses permitted in the M-1, and M-2 districts. The promotion of uses such as Cannabis Retailer-Storefront contributes to the balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

2. The proposed use meets the stated purpose and general intent of the zoning district:

The light industrial district ("M-1") is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of materials that are in a processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be termed obnoxious or offensive to persons residing in or conducting business in either this or any other zoning district of the city.

While the primary purpose and intent of the M-1 district is intended to provide for the development of industrial uses, the M-1 district establishes several Retail uses that are permitted by-right including Bakery, Retail Sales of New Auto Parts, Retail Sale of Pagers and Beepers, and Retail Furniture Warehouse. As such, it can be reasonably concluded that Retail uses like Cannabis Retailer-Storefront meet the stated purpose and general intent of the M-1 because Retail uses have been deemed compatible with industrial uses.

The "M-2" general industrial district is intended to provide for the establishment of certain industrial uses considered by the council to be essential to the development of a balanced economic base for the city.

While the primary purpose and intent of the M-2 district is intended to provide for the development of certain industrial uses, the M-2 district establishes several Retail uses that are permitted by-right including Bakery, Retail Sales of New Auto Parts, Retail Sale of Pagers and Beepers, and Retail Furniture Warehouse. As such, it can be reasonably concluded that Retail uses like Cannabis Retailer-Storefront meet the stated purpose and general intent of the M-2 because Retail uses have been deemed compatible with industrial uses.

3. The proposed use shall not adversely impact the public health, safety and general welfare of the City's residents:

The proposed use will be required to meet all applicable and governing state, county and local regulations including but not limited to zoning standards, construction codes, fire codes and other City codes prior to the establishment of such use.

4. The proposed use shares characteristics common with, and not of greater intensity, density or generate more environmental impact, than those uses listed in the land use district in which it is to be located:

Cannabis Retailer-Storefront is defined in Pomona City Code (PCC) Section 68-1 as “a storefront retailer of a commercial cannabis business facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale to customers at a fixed location, including an establishment that also offers delivery of cannabis and cannabis products as part of a retail sale, and which are open to the public, and where the operator is authorized to operate in the City as a retailer, and holds a valid state license as required by state law to operate a retailer.”

According to the Bureau of Cannabis Control (BCC), “Cannabis Retailer-Storefront uses would typically be brick-and-mortar retail stores selling cannabis; cannabis products; smoking or vaping paraphernalia; and branded merchandise such as stickers, water bottles, and t-shirts. Retailer employees may have a variety of different responsibilities, including but not necessarily limited to stocking and shelving products, providing security services, managing customer and business transactions, maintaining financial records, and/or selling products to customers. The retailer may also operate an ancillary delivery service as part of their operations.

Based on the definition of Cannabis Retailer-Storefront established by the PCC and the characteristics for Cannabis Retailer-Storefront identified by the BCC, it can reasonably be determined that the proposed use of Cannabis Retailer-Storefront shares characteristics common with Retail uses and will not be of greater intensity, density or generate more environmental impact than those uses listed in the M-1 and M-2 district.

The decision of the Development Services Director shall be final unless an appeal is made within ten (10) days after the decision. If an appeal is made by the deadline, it will be scheduled for review by the Planning Commission within thirty (30) days of the appeal.

Anita D. Gutierrez, AICP
Development Services Director

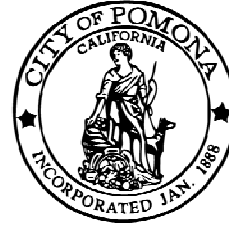
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Cc: File: DOS 12657-2019

THE CITY OF POMONA

Planning Division

Development
Services Department



October 9, 2019

SUBJECT: DECISION ON DETERMINATION OF SIMILARITY (DOS 12658-2019)

Site Address: City Wide

Zone: M-1 Light Industrial District and M-2 General Industrial District

Request: Determination of Similarity for Cannabis Testing Laboratory as similar to Laboratory Testing

Pursuant to Section .501-A of the Pomona Zoning Ordinance, the Planning and Development Services Director has determined that the proposed use meets all of the required findings; therefore, the request is hereby approved. The decision is based on the following determinations, pursuant to Section .501-A of the Zoning Ordinance:

1. The proposed use meets the intent of, and is consistent with, the goals, objectives and policies of the General Plan, in that the proposed use is consistent with the following goals of the General Plan:

General Plan Goal 7A.G1: Ensure a balanced inventory of sufficient land offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

Laboratory Testing uses such as Cannabis Testing Laboratory are considered appropriate use designations in the M-1 and M-2 districts. Maintaining appropriate use designations, such as Cannabis Testing Laboratory, in these districts helps ensure a balanced inventory of sufficient land, offering appropriate use designations and development intensities in strategic locations to accommodate future growth.

General Plan 7A.G2: Promote a balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

Laboratory Testing uses are among the multitude of uses permitted in the M-1 and M-2 districts. The promotion of Laboratory Testing uses such as Cannabis Testing Laboratory contributes to the

balanced mix of uses throughout the City that can be part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

2. The proposed use meets the stated purpose and general intent of the zoning district:

The light industrial district ("M-1") is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of materials that are in a processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be termed obnoxious or offensive to persons residing in or conducting business in either this or any other zoning district of the city.

Laboratory Testing uses such as Cannabis Testing Laboratory are identified as by-right uses in the M-1 district. Laboratory Testing uses such as Cannabis Testing Laboratory uses meet the stated purpose and general intent of the M-1 district by providing for the development of industrial uses.

The "M-2" general industrial district is intended to provide for the establishment of certain industrial uses considered by the council to be essential to the development of a balanced economic base for the city.

Laboratory Testing uses such as Cannabis Testing Laboratory are identified as by-right uses in the M-2 district. Laboratory Testing uses such as Cannabis Testing Laboratory uses meet the stated purpose and general intent of the M-2 district by providing for the establishment of certain industrial uses.

3. The proposed use shall not adversely impact the public health, safety and general welfare of the City's residents:

The proposed use will be required to meet all applicable and governing state, county and local regulations including but not limited to zoning standards, construction codes, fire codes and other City codes prior to the establishment of such use.

4. The proposed use shares characteristics common with, and not of greater intensity, density or generate more environmental impact, than those uses listed in the land use district in which it is to be located:

Cannabis Testing Laboratory is defined in Pomona City Code (PCC) Section 68-5 as "a laboratory, facility, or entity, in the state that offers or performs tests of cannabis or cannabis products and that is both of the following: (1) Accredited by an accrediting body that is independent from all other persons involved in Commercial Cannabis Activity in the state. (2) Licensed by the State of California. Testing laboratory shall also have the same meaning as in Section 26001 (at) of the Business and Professions Code, as same may be amended from time to time."

According to the Bureau of Cannabis Control (BCC), Cannabis Testing Laboratory uses are the facilities where cannabis is tested to ensure that it meets quality and safety regulations. MAUCRSA (Medicinal and Adult-Use Cannabis Regulation and Safety Act) specifies that, with the exception of

live plants and seeds, all cannabis and cannabis products must be tested by a licensed testing laboratory in their final form (i.e., following processing or manufacturing) before being sold to consumers. Testing laboratories will be required to test cannabis and cannabis products for various specific compounds and contaminants, at specified levels and using specific procedures.

Based on the definition of Cannabis Testing Laboratory established by the PCC and the characteristics for Cannabis Testing Laboratory identified by the BCC, it can reasonably be determined that the proposed use of Cannabis Testing Laboratory shares characteristics common with Laboratory Testing and will not be of greater intensity, density or generate more environmental impact than those uses listed in the M-1 and M-2 districts.

The decision of the Development Services Director shall be final unless an appeal is made within ten (10) days after the decision. If an appeal is made by the deadline, it will be scheduled for review by the Planning Commission within thirty (30) days of the appeal.

Anita D. Gutierrez, AICP
Development Services Director

Date

Cc: File: DOS 12658-2019