



CITY OF POMONA COUNCIL REPORT

May 18, 2026

To: Honorable Mayor and Members of the City Council

From: Anita D. Scott, City Manager

Submitted By: Betty Donovanik, Development Services Director

SUBJECT: PUBLIC HEARING TO CONSIDER FIRST READING OF ORDINANCE NO. 4365 APPROVING A ZONING CODE AMENDMENT (CODE-000378-2025) TO MODIFY OBJECTIVE DESIGN STANDARDS, USE DEFINITIONS AND STANDARDS, AND ADMINISTRATIVE PROCESSES IN THE POMONA ZONING AND DEVELOPMENT CODE

RECOMMENDATION:

It is recommended that the City Council take the following actions:

- 1) Conduct a public hearing and receive public testimony; and
- 2) Introduce, waive further and give first reading to the following Ordinance (Attachment No. 1):

ORDINANCE NO. 4365 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING ZONING CODE AMENDMENT (CODE-000378-2025) TO MODIFY OBJECTIVE DESIGN STANDARDS, USE DEFINITIONS AND STANDARDS, AND ADMINISTRATIVE PROCESSES IN THE POMONA ZONING AND DEVELOPMENT CODE

EXECUTIVE SUMMARY:

On April 22, 2026, the Planning Commission recommended approval (6-0-0-1) to amend the existing Pomona Zoning and Development Code during a public hearing (Attachment Nos. 3 & 4). The amendment includes more than 45 revisions with proposed modifications to objective design standards, revisions to use definitions and standards, and revisions to administration (Attachment No. 5). Once adopted by the City Council, this request is expected to be in effect on July 15, 2026.

SB1439/GOVERNMENT CODE §84308 APPLICABILITY:

When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$500 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$500 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

FISCAL IMPACT:

No Fiscal Impact at this time.

PUBLIC NOTICING REQUIREMENTS:

A public hearing notice was published in the Inland Valley Daily Bulletin on Friday, May 8, 2026 (Attachment No. 4).

PREVIOUS RELATED ACTION:

On April 22, 2026, the Planning Commission held a public hearing regarding a Zoning Code Amendment (CODE-000378-2025). After carefully considering all pertinent testimony and the recommendation of the Planning Division staff, the Planning Commission unanimously recommended approval of the Zoning Code Amendment (CODE-000378-2025) on a 6-0-0-1 vote, and adopted PC Resolution No. 26-005 subject to conditions (Attachment No. 4).

Based on the recommendations by Planning Division staff, the Planning Commission recommended approval with the following conditions:

- 1) Revise Section 540.D.(5)(c)(2) Small-Scale Contractors Indoor Storage – *Operations*, to include the following operational standard:
 2. *All activities must be conducted in a manner that does not create a nuisance (generation of noise, odors, insects, etc.) nor impact the public health, safety, or welfare of persons within the area surrounding the establishment, or its participants, employees, or staff.*
- 2) Revise Section 520.C. Allowed Use Table to prohibit Detention Facilities in the Fairplex Overlay District.

These revisions are reflected in the draft Pomona Zoning & Development Code attached as *Exhibit “A”- Draft Zoning & Development Code, redlined* (Attachment No. 2).

DISCUSSION:

Overview

On July 1, 2024, the City of Pomona adopted Ordinance No. 4345, approving a comprehensive update to the Pomona Zoning and Subdivision Ordinances. The new Pomona Zoning & Development Code (“New Code”) successfully implements the goals and policies of the 2014 Pomona General Plan (“General Plan”) and meets the grant objectives set by the California Department of Housing and Community Development in its SB 2 and LEAP programs for permit streamlining to accelerate housing production. The update of the New Code began in July 2021 and took approximately three years to complete. It was written collaboratively with the community and involved multiple public discussions with the Planning Commission, community meetings, pop-up events, and one-on-one stakeholder meetings.

The following amendment is the modification of objective design standards, use definitions and standards, and administrative processes. The goal of the Planning Division is to make amendments to the New Code on an annual basis to ensure that the New Code is executing development as intended to achieve the goals of the General Plan. Regularly updating the code will assist in addressing necessary modification in a timely manner.

Staff Analysis

(A) Applicable Code Section

Pursuant to Pomona Zoning & Development Code Section 1150.D.(2), the City Council may, by ordinance and upon written recommendation of the Planning Commission, amend, supplement, or change the ordinances codified in this Zoning and Development Code whenever the public necessity, convenience, general welfare, or good zoning practice so requires.

A Zoning Code Amendment must be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Division’s written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application must be denied if one or more of the below- listed findings cannot be clearly established.

- 1) The proposed Zoning and Development Code Amendment is consistent with the goals, policies, plans and exhibits of the General Plan; and
- 2) The proposed Zoning and Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

(B) Proposed Amendment

The proposed amendment includes more than 45 revisions (Attachment No. 2). These revisions may be found in Part 3. – Form, Part 4. Frontage, Part. 5 – Use, Part. 6. – Site, Part 8. Historic & Other Supplemental Provisions, Part 10. – Division of Land, Part 11. – Administration, Part 12. – General Rules, and Part 13. – Appendix of the Pomona Zoning & Development Code.

These revisions follow a year and half of documentation on the New Code’s usability from the perspective of the general public as well as Planning Division staff and include both major and minor revisions. Below is a summary of the nine major revisions proposed (Attachment No. 5).

Part	Revision Section	Intent
1. FORM	Section 380.B.2. Outdoor Amenity Design Standards	To require shade for any proposed balconies intended to satisfy outdoor amenity space requirements.
2. FRONTAGE	Section 470.B.4. Build-To Measurements	To provide clarity on how to measure the build-to zone and include a new graphic.
3. FRONTAGE	Section 420.A. Neighborhood Yard Frontage Modules	The required transparency for the N1 is off-scale for some traditional residential structure styles. The proposed revision is the reduction of the transparency requirement from 20% to 15% in the Neighborhood Yard 1 Frontage Module.
4. USE	Section 550.C.6 Home Occupation Section 550.C.8 Home Based Business	To create more simplified tiers of Home Occupation Types with Home Occupation to be reserved for office use only.
5. USE	Section 550. Allowed Uses, Definitions, & Use Standards.	1) To define and allow limited small-scale industrial in existing purpose-built industrial structures not located within the industrial workplace districts. 2) To define and prohibit detention facilities as an

		assembly use in all zoning districts.
6. SITE	Section 620.H.2. Fence and Wall Standards, Applicability	To require a fence permit and allow for the replacement of up to 50% of fencing with no permit.
7. SITE	Section 620.H.3.c. Design & Installation (Fence & Wall)	1) To revise allowed material. 1) Prohibition of all security fencing.
8. ADMINISTRATION	Section 1160.G. Development Plan	To create a tiered review process for Development Plan Reviews for review of applications by the Development Services Director and the Planning Commission.
9. ADMINISTRATION	Section 1160.D.(3) Conditional Use Permit	To require City Council as the final review authority for conditional use permits requiring a finding of Public Convenience or Necessity from the California Department of Alcoholic Beverage Control (ABC).

Form

Form regulates the placement, scale, and intensity of buildings and structures on a lot. Form modules ensure that building forms are compatible with their context and promote projects that support the General Plan and community needs.

The proposed revisions to Form are further refinements of existing standards and will provide clarity on the application standards. Additionally, these revisions will also require the shading of balconies to improve the usability of amenity spaces.

Frontage

Frontage regulates portions of a lot and building facades that impact the public realm. Frontage modules ensure that projects respond to the public realm appropriately. Frontage Modules range from flexible standards for open space frontages with limited buildings to more robust standards for shopfront frontages where buildings need to support an active and high-quality public realm with strong associations with uses inside buildings.

The proposed revisions to Frontage are the minor modification of numerical standards that have been tested over the last 18 months. These include revisions to the measurement of build-to zone, transparency requirements, and setback measurements.

Site

Site regulates the overall site design, including the location and characteristics of access, parking, landscape, and other site features. Site consists of a combination of regulations that are appropriate

to a variety of contexts such as transit-oriented centers, special campuses, suburban neighborhoods, and open spaces.

The proposed revisions to Site contain revisions related to vehicle access, fence & wall regulations, transition buffers and screening. The minor modification of these standards will allow for a more equitable approach to the application of fence & wall standards and provide clarity on standards throughout the chapter, including the allowance of low decorative fencing in front yard areas where previously prohibited.

Use

Use regulates land use and includes use standards and definitions which regulate activities on properties and mitigate potential impacts within and surrounding a property as a result of those activities.

The proposed revisions to Use include the creation of a new land use category, Small-Scale Industrial. This new land use category would enable the continuation of small-scale industrial uses in nonindustrial districts to remain in existing structures purpose-built for industrial uses that were constructed prior to the adoption of the Code. The small-scale industrial uses include distribution, manufacturing, microbusiness, and contractor's indoor storage. These uses are proposed to be permitted to operate in units or structures less than 10,000 square feet and less than 5,000 square feet for contractor's indoor storage, with all operations required to occur indoors with no outdoor storage allowance.

Administration

The Administration chapter of the code defines the procedures for various approvals under the New Code and defines nonconformities. Additionally, it provides relief exceptions from specific requirements for existing lots, buildings and structures, and uses that conformed to the zoning regulations, if any, at the time they were lawfully established, but do not conform to current district standards or use permissions.

The proposed revisions to Administration include text corrections, compliance with state law, revisions to the chart of authority for clarity purposes, the creation of a new tiered Development Plan Review process, and a new review process for alcohol related conditional use permits.

Conditional Use Permit Process for Alcohol Sales (New Amendment Subsequent to Planning Commission's April 22, 2026 Public Hearing)

The existing review process for alcohol sales requires a conditional use permit to be reviewed and approved by the Planning Commission. Additionally, if the proposed alcohol license is located in an area of undue concentration pursuant to the California Department of Alcoholic Beverage Control (ABC), then a finding of Public Convenience or Necessity shall also be made by the local governing body (City Council). The current process is bifurcated and only allows City Council purview on the PCN and does not allow the City Council to place conditions on the conditional use permit.

At the direction of City Council, staff is revising the process as follows:

“Conditional Use Permit (CUP) applications submitted for Alcohol (Off-sale and On-sale) requiring a California Department of Alcoholic Beverage Control (ABC) Public Convenience or Necessity (PCN) finding from the City will be heard by the Planning Commission with a recommendation to the City Council for final action. If the CUP is denied by the Planning Commission, then the denial action is considered final, unless appealed to the City Council.”

This revision would allow a unitary review body for the conditional use permit and the PCN. The review authority for alcohol-related conditional use permits that do not require an ABC finding of Public Convenience or Necessity will remain with the Planning Commission as the land use authority and subject to appeal to the City Council.

(C) General Plan Conformance

The land use and community design chapters of the General Plan place high priority on building form and places focus on design that supports public activity and strengthens safety. The reiterated goals and policies in the General Plan promote the efficient use of land that encourage walking, bicycling and transit use across all place types. To accomplish this, the General Plan discusses moving away from “exclusively auto-oriented shopping and toward open-air, amenity driven formats that have both daytime and nighttime activity and are clustered at major crossroads”. Additionally, the community design chapter emphasizes the creation of more walkable and accessible street environments, strives to improve pedestrian safety, and improve the livability and cultural life of the community through physical design considerations.

To implement the vision set by the General Plan, regular maintenance of the New Code, including the proposed revisions, must occur to ensure intended outcomes as envisioned by the General Plan. Development standards found within the New Code should continue to safeguard life, health, property and public welfare and continue to change with the changes that occur at the national, state, and local scale politically, economically, technologically, and environmentally.

(D) Conditions of Approval

Based on recommendations by City Attorney, the Planning Division is recommending approval with the following conditions:

- 1) Revise Section 540.G.(1)(a)(1) of “Exhibit A” to reflect the following language:

540.G. Small-Scale Industrial

1. Small-Scale Industrial, All

*All small-scale industrial **uses** may only be located in an existing purpose-built industrial structure that meets the following criteria:*

a. Location

~~*1. The structure was constructed prior to July 31, 2024.*~~

*1. **The building permit issued for the existing purpose-built industrial structure must have been finalized by July 31, 2024.***

2. The structure must not be larger than 30,000 square feet.

3. *The structure must have at least 1 at-grade roll-up door per 2 tenants.*

4. *The structure must not have an operable loading ramp, loading bay, or any other loading entry that is not at-grade.*

2) Revise Section 540.D.(5)(a)(1) of “Exhibit A” to reflect the following language:

540.D. General Commercial

5. Small-Scale Contractors Indoor Storage

Small-scale contractor indoor storage uses may only be located in an existing purpose-built industrial structure that meets the following criteria.

a. Location

~~*1. The structure was constructed prior to July 31, 2024.*~~

1. The building permit issued for the existing purpose-built industrial structure must have been finalized by July 31, 2024.

2. The structure must not be larger than 30,000 square feet.

3. The structure must have at least 1 at-grade roll-up door per 2 tenants.

4. The structure must not have an operable loading ramp, loading bay, or any other loading entry that is not at-grade.

ENVIRONMENTAL IMPACT:

The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (State CEQA Guidelines Section 15378). The proposed project is considered a “project” under CEQA.

Staff recommends the City Council determine that this project may be considered exempt under CEQA pursuant to Section 15061(b)(3), of the CEQA Guidelines. In compliance with Section 15061(b)(3), the proposed project is covered by the general rule exemption which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment. The project may be considered for the general rule exemption in that the proposed project only includes the amendment of text of an adopted document previously studied in the 2014 Pomona GPU Final EIR. The proposed project described above hereby meets the guidelines. Therefore, no further environmental review is required.

Next Steps

Upon approval of First Reading of Ordinance No. 4365, the City Council will conduct a Second Reading, and 30 days thereafter, the requested zoning code amendment will become effective. Staff tentatively expects the Second Reading to be held on June 15, 2026, and the effective date to be July 15, 2026.

COUNCIL PRIORITIES & GOALS:

This item is consistent with the following Council priorities and goals:

GOAL G: Create Economic Strategy for City That Reflects Current Opportunities and City Values.

Prepared by:

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ATTACHMENT(S):

Attachment No. 1 – Draft Ordinance No. 4365

Attachment No. 2 – Exhibit A: Draft Zoning & Development Code, redlined

Attachment No. 3 – Planning Commission Agenda of April 22, 2026

Attachment No. 4 – PC Resolution No. 26-005

Attachment No. 5 – Index of Proposed Revisions

Attachment No. 6 – Public Hearing Notice

Attachment No. 7 – Presentation