



NOTICE TO APPLICANTS RE: ZONING CODE UPDATE

NOTICE TO APPLICANTS SEEKING AN ENTITLEMENT OR BUILDING PERMIT DURING THE ZONING CODE UPDATE

Q: WHAT IS THE PURPOSE OF THIS NOTICE?

A: This notice is intended to inform prospective and existing Applicants about the forthcoming adoption of amendments to the Pomona Zoning Ordinance (“Zoning Code Update”) and its possible impact on the development applications and building plans filed by Applicants. The Zoning Code Update will modernize land use as well as development regulations city-wide and is expected to be adopted sometime in the Summer of 2024. An Applicant submitting an application for entitlement or building permit prior to the effective date of the Zoning Code Update may be impacted. The City of Pomona Planning Division will endeavor to provide timely written notice to Applicants that could be materially impacted by the Zoning Code Update. Additional information about the Zoning Code Update can be found here: www.pomonaca.gov/codeupdate

Q: HOW CAN THE ZONING CODE UPDATE EFFECT MY APPLICATION?

A: Because the Zoning Code Update will establish new regulations city-wide, applications for entitlement or building permit that have not been approved prior to the adoption and effective date of the Zoning Code Update may be required to comply with any applicable new regulations. This would mean any plans, construction documents, and/or exhibits would need to be revised in order to comply with the new regulations, which could cause an Applicant to incur additional costs and extend the time needed to review their application.

Q: ARE THERE PROJECTS THAT WOULD NOT BE EFFECTED BY THE ZONING CODE UPDATE?

A: The following projects will be considered by the City Council to be exempt from the Zoning Code Update:

- 1) Any development project that has received entitlement approval prior to the adoption and effective date of the Zoning Code Update.
- 2) Any development project that has received an approved building permit that has been issued for construction.



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3) Any residential project that has obtained a deemed complete SB330 Preliminary Application prior to the adoption and effective date of the Zoning Code Update.

4) For residential uses, any permits including but not limited to, the establishment of no more than three residential dwelling units, construction of new accessory structures such as garages, new additions to existing primary residential dwelling units, installation of new or maintenance of exterior facades, roofing, fencing, water heaters, electrical vehicle charging stations, as well as other over-the-counter mechanical, plumbing, and electrical permits.

5) For non-residential uses, any permits including but not limited to, installation of new or maintenance of, interior tenant improvements, roofing, solar panels, signage, electrical vehicle charging stations, as well as installation of mechanical, plumbing, and electrical equipment.

Q: WHAT OPTIONS DO APPLICANTS HAVE?

A: 1) An applicant may wait until after the Zoning Code Update is effective and submit plans based on the new regulations.

2) For residential development only, an applicant may submit an [SB330 Preliminary Application](#) which would vest their project to existing regulations. Note that the [SB330 Preliminary Application](#) must be submitted prior to the submittal of any associated entitlement or building permit application.

3) If an applicant prefers to submit an application for entitlement or building permit prior to the adoption and effective date of the Zoning Code Update they may do so if they also submit an executed ZONING CODE UPDATE AT-RISK ACKNOWLEDGEMENT form. Note that if plans are inconsistent with the Zoning Code Update revisions may be required.

Q: WHAT IF I STILL HAVE QUESTIONS?

A: Contact the Planning Division at:

Phone: 909-620-2191

Email: planningcounter@pomonaca.gov

In-person: City Hall, 505 S. Garey Ave., Pomona, CA 91769



ZONING CODE UPDATE AT-RISK ACKNOWLEDGEMENT

PROJECT ADDRESS: _____

PROJECT APN: _____

PROJECT SCOPE: _____

APPLICANT NAME/TITLE: _____

APPLICANT PHONE: _____

APPLICANT EMAIL: _____

APPLICANT ADDRESS: _____

Prior to the adoption and effective date of the upcoming amendment to the Pomona Zoning Ordinance (“Zoning Code Update”), an Applicant may file an entitlement application or a building permit application only with the express understanding and acknowledgment of the following:

1. By submitting plans, construction documents, and/or exhibits (“Plans”) for review and consideration by the City of Pomona, I understand and acknowledge that Plans that may be currently consistent with the Pomona Zoning Ordinance, but may not be consistent with the anticipated provisions of the Zoning Code Update that are expected to be adopted in Summer of 2024.
2. I understand that any Plans submitted may be subject to revision prior to entitlement approval, permit issuance, and/or initiation of construction in order to comply with an adopted Zoning Code Update.
3. By submitting the Plans, I accept the risk that revisions may be require to comply with any applicable provisions of an adopted Zoning Code Update prior to permit issuance.
4. I am proceeding at my own risk without assurance by the City of Pomona that a permit or entitlement will be granted.

APPLICANT SIGNATURE: _____

DATE OF SIGANTURE: _____

APPLICANT NAME/TITLE: _____