

2.2 BUILDING USE REGULATIONS

For the purposes of this Plan, all permitted and conditionally permitted building uses have been classified into six Use Types: Retail, Civic & Cultural, Workplace, Lodging, Live-Work, and Residential. Each Use Type is defined in the text below, may contain sub-categories, and includes uses such as those listed in the accompanying Use Charts. The Use Charts include specific permitted, conditional, and prohibited uses for each Use Type.

2.2.1 USE TYPES

Use Types listed as *"permitted"* in the Development Standards Charts are further regulated herein and are defined as uses permitted by right subject to approval of a Development Plan Review. Use Types listed as *conditional* in this Section are defined as those which require special consideration either of their impacts on the neighborhood and land uses in the vicinity and/or of their physical organization and design. A conditional use shall be considered for approval if the proposed use conforms with all requirements specified in the conditional use policy, and if it conforms with the goals and vision of the Plan.

All permitted uses for a single Center or Segment are allowed either alone or in combination with any other permitted uses within a single parcel. Proposed uses that are not explicitly listed in the Use Charts may be permitted if the Community Development Director determines that they meet the purpose and intent of the Plan.

Changes between uses within one of the six Use Types shall be considered a tenant change. Changes from one Use Type to another Use Type shall be considered a change in use.

Legend:

| | |
|---|---|
| - | Not Permitted |
| • | Permitted Use: these uses and similar uses are allowed by right, subject to Site Plan Review. |
| c | Conditional Use: these uses require a conditional use permit. They are allowed if they are deemed by the approving body to meet the purpose and intent of the Plan. |

A. Retail

General Retail Requirements:

- Section 2.3.1 Building Height addresses minimum interior height requirements for ground level retail of all types.
- Any permitted uses featuring outdoor sales not clearly ancillary to use shall require a conditional use permit.
- Any use with off-sale alcohol shall require a conditional use permit.

1. Specialty Goods Anchors

Definition: A "regional destination" non-food retail store that is at least 30,000 square feet in size and is a proven generator of significant pedestrian traffic and sales such as those listed.

| | | | |
|-------------------------------------|---|-------------------------|---|
| Department stores | • | Book superstores | • |
| General merchandise stores | • | Electronics superstores | • |
| Quality home department superstores | • | | |

2. Community Oriented Anchors

Definition: A "local destination" convenience store that is at least 15,000 square feet in size and is a proven generator of pedestrian traffic and sales such as those listed

| | | | |
|------------------------|---|---|---|
| Supermarkets | • | Specialty food markets | • |
| Specialty food markets | • | Community oriented anchors over 65,000 s.f. | c |

3. Entertainment Anchors

Definition: An establishment providing resources or activities for exercise, relaxation, or enjoyment that is at least 15,000 square feet in size and is a proven generator of significant pedestrian traffic and sales such as those listed.

| | | | |
|----------------|---|--------------------------|---|
| Movie Theaters | • | Performing Arts Theaters | • |
| Concert Halls | • | Sports Venues | c |

4. Eating & Drinking Establishments

Definition: Restaurants, bars, clubs, or other drinking/entertainment establishments such as those listed.

Special Conditions:

- Vendor carts, spaces, or stands within the public right-of-way shall require a conditional use permit.
- Chairs and tables for outdoor dining shall be permitted on sidewalks within the setback zone or within the public right-of-way provided that:
 - The use maintains a minimum five-foot wide unobstructed portion of sidewalk corridor which is clear and unimpeded for pedestrian traffic.
 - The use keeps the full width of the building entrance clear and unimpeded for building access.

| | | | |
|-----------------------|---|---------------------------------|---|
| Full service | • | Vendor carts, spaces, or stands | • |
| w/ Outdoor dining | • | w/ Dancing | c |
| w/ Live entertainment | c | w/ Alcohol | c |

5. Specialty Goods & Foods

Definition: General retail establishments selling quality/specialty goods such as those listed.

Large Scale Goods: Goods that, due to their size, may require close access by cars and trucks such as appliances, electronics, sporting goods, furniture, and home furnishings

| | | | |
|------------------------------|---|--------------------------------|---|
| Apparel & accessory stores | • | Book stores | • |
| Second hand / antique stores | • | Open air markets | • |
| Sporting goods stores | • | Appliance & electronics stores | • |
| Furniture & home furnishings | • | Retail Tobacco Stores | c |

6. Entertainment & Recreation

Definition: Establishments providing resources or activities for exercise, relaxation, or enjoyment such as those listed.

Special Conditions:

- See City of Pomona Ordinance No.3873 for citywide regulations pertaining to adult entertainment uses.

| | | | |
|------------------------------------|-----|-------------------------|---|
| Small scale movie theaters | • | Health & exercise clubs | • |
| Bowling centers & billiard parlors | • | Amusement arcades | • |
| Adult entertainment | --- | | |

7. Convenience Uses

Definition: Small businesses selling food and goods, or providing convenience services, to serve nearby residential neighborhoods such as those listed.

| | | | |
|---------------------------------------|---|--|---|
| Small scale pharmacies | • | Video rentals | • |
| Small scale grocery or food sales | • | Delicatessens, cafes, bakeries | • |
| Convenience stores | • | Florists | • |
| Hardware stores / lock & key shops | • | Eating & drinking establishments w/ less than 12 seats | • |
| Small collection/recycling facilities | c | | |

8. Business Services

Definition: Small to medium sized businesses providing services to local businesses and residents such as those listed.

Special Conditions:

- Financial services shall be permitted in this category provided that they offer services that cater to and generate pedestrian traffic. Other financial service uses are to be considered under "C. Workplace," in this Section.

| | | | |
|--------------------------|---|--------------------------|---|
| Banks | • | Photo copying & printing | • |
| Mail / shipping services | • | Office supply | • |
| Financial services | c | | |

9. Personal Services

Definition: Small to medium sized businesses providing services to local households such as those listed.

| | | | |
|-----------------------------------|---|-----------------------------|---|
| Barber shops / hair & nail salons | • | Dry cleaning establishments | • |
| Tanning salons & spas | • | Self service laundromats | • |
| Yoga & karate studios | • | Body Art/Tattoo | c |

10. Service Commercial & Repair

Definition: Businesses providing services to industry, services that are industrial in nature, or services that are best suited to an auto-oriented environment such as those listed

| | | | |
|--|---|--------------|---|
| Plumbing services | • | Gas stations | c |
| Vacuum cleaner, sewing, and appliance repair | • | | |

11. Large Scale Commercial Goods

Definition: Businesses whose primary activity is the sale or repair of large scale / commercial goods that are not particularly well suited to pedestrian districts and that require close access by cars and trucks such as those listed

| | | | |
|---------------------|---|--------------------|---|
| Warehouse retail | • | Restaurant supply | • |
| Equipment retail | • | Auto supply stores | • |
| Construction supply | • | | |

12. Vehicle Sales

Definition: Businesses that sell any kind of motorized vehicle such as those listed.

| | | | |
|------------------------------|---|------------------------|---|
| Automobile sales | • | New/used vehicle sales | • |
| Motorcycle/powersports sales | • | | |

B. Civic and Cultural

Definition: Services (including education and utilities), cultural institutions, and recreational facilities made available to the general public for free or at a reasonable cost such as those listed.

Public assembly uses as defined in PZO section .062 including:

- Art Gallery
- Auditoriums
- Civic & private clubs
- Museums
- Religious facilities
- Libraries
- Educational facilities
- Exhibition or conference centers

| | |
|--|---|
| Police stations & fire stations | • |
| City halls or courthouses | • |
| Performing arts facilities | • |
| Post offices | • |
| Swimming pools | • |
| Transit facilities or stations | • |
| Hospitals | • |
| Banquet Halls or Convention Centers | • |
| Stadiums, not including stadiums for professional sports teams | • |
| Indoor or outdoor public recreation facilities | • |

C. Workplace**1. Professional Services**

Definition: Workplace uses including professional, administrative, research and development, financial, and educational activities for businesses, individuals, and non-profit organizations such as those listed.

| | | | |
|---|---|-------------------------------------|---|
| Research & development offices | • | Educational & institutional offices | • |
| Print & electronic media offices (newspaper, magazine, radio, TV) | • | Data or telecommunications offices | • |
| Any other professional, executive, or administrative office use | • | | |

2. Medical Services

Definition: Medical workplace uses and establishments with employees who typically hold medical licenses such as those listed.

Special Conditions:

See City of Pomona Ordinance No. 4096 for citywide regulations pertaining to medical marijuana dispensaries

| | | | |
|---|---|---|-----|
| Medical, dental, or psychiatric offices or facilities | • | Acupuncture, physical therapy, chiropractic | • |
| Counseling | • | Mortuary services | • |
| Indoor veterinary clinics | c | Medical marijuana dispensaries | --- |

3. Light Industrial

Definition: Workplace uses whose primary activity involves or is directly related to the manufacturing, fabrication, processing, or assembly of products, food, or other goods.

| | | | |
|---|---|---|----|
| Product manufacturing, fabrication, processing, or assembly use | • | Small collection/recycling facilities | c |
| Research and development labs or other facilities | • | Uses with more than 350 sf of building space per employee | c |
| Heavy industry such as manufacturing or processes that involve hazardous materials or waste | c | Indoor or outdoor storage or warehousing | -- |

D. Lodging

Definition: Short-term commercial lodging facilities such as those listed

| | | | |
|-----------------|---|------------------------------|---|
| Hotels & motels | • | Bed & breakfast guest houses | • |
| Hostels | • | | |

E. Live-Work

Definition: A dwelling unit in which the occupant conducts a home-based business or enterprise

Special Conditions:

- i. Work activities that require hazardous assembly, including fabrication, manufacturing, repair, or processing operations such as welding and woodworking shall require a conditional use permit
- ii. The maximum number of employees not including the owner/occupant is limited to two per unit.
- iii. Once established, Live-Work may not be converted to a solely commercial or business use. However, Live-Work units may revert to solely residential use.

Live-work units

| | |
|---|--|
| • | |
|---|--|

F. Residential

Definition: All owner- and renter-occupied dwelling units, including attached and detached houses, multi-unit buildings, and manufactured housing.

Special Conditions:

- i. Home occupations in any residential unit requires a home occupation permit (see Pomona Zoning Ordinance)

1. Multi-family with Common Lobby Entry

Definition: Buildings designed as a residence for multiple households where some dwelling units are accessed from a common lobby entry or shared hallway

| | | | |
|---|---|---------------------------|---|
| Dwelling units, primary, two or more households per structure | • | Dwelling units, accessory | • |
|---|---|---------------------------|---|

2. Multi-family with Individual Entry

Definition: Buildings designed as a residence for multiple households where all dwelling units have a dedicated entrance accessed directly from a public sidewalk.

| | | | |
|---|---|---------------------------|---|
| Dwelling units, primary, two or more households per structure | • | Dwelling units, accessory | • |
|---|---|---------------------------|---|

3. Attached Single-Family Homes

Definition: Attached homes on separate parcels sharing common walls with each home featuring an entrance accessed directly from a public sidewalk

| | | | |
|--|---|---------------------------|---|
| Dwelling units, primary, one household per structure | • | Dwelling units, accessory | • |
|--|---|---------------------------|---|

4. Detached Single-Family Homes

Definition: A detached building designed as a residence for one household.

| | | | |
|--|---|---------------------------|---|
| Dwelling units, primary, one household per structure | • | Dwelling units, accessory | • |
|--|---|---------------------------|---|

7. Emergency Shelters: See ORD. NO. 4238, 9/11/17**2.2.2 SPECIAL RETAIL CONFIGURATIONS****A. Definition**

Special Retail Configurations limit the size of individual tenants and the total amount of retail permitted for Neighborhood Center and Corner Store retail “clusters” as well as the provision of drive-through services.

B. Regulation

Where retail is permitted as part of a Neighborhood Center, Corner Store, or drive-through it shall conform to the following size and location requirements.

1. Neighborhood Center

Definition: A retail cluster (two or more abutting retail establishments) consisting of (permitted) convenience uses, small-scale shopping, and personal services that provide goods and services amenities to nearby residential neighborhoods.

a. Special Conditions for Neighborhood Serving Retail

- i. Limited to a maximum of two community oriented anchors.
- ii. Limited to a maximum of 25,000 square feet of non-anchor retail.

- iii. Limited to a maximum size of 5,000 square feet per Eating and Drinking establishments.
- iv. Conditional Use Permit: Development including non-anchored retail uses exceeding a total of 25,000 square feet

2. Corner Store

Definition: A small store or cluster of stores integrated into a larger building on the corner of a city block. Corner Stores consist of (permitted) convenience uses, small-scale shopping, and personal services that serve homes or businesses located within easy walking distance.

a. Special Conditions for Corner Store Retail

- i. A maximum size of 2,500 square feet per use.
- ii. A maximum size of 5,000 square feet total per cluster.
- iii. Conditional Use Permit: Individual uses larger than 2,500 square feet, provided that the use is unique and not already provided within one (1) mile trade area.
- iv. Corner Store Retail must be located on the corner of a block, and the entrance must face a public street, square, or plaza space.

- b. Parking spaces intended for Corner Store Uses must be located on streets. Off-street parking is discouraged for corner store and shall require a conditional use permit.

3. Drive-Through

Definition: Service from a building to persons in vehicles through an outdoor service window.

2.2.3 MINIMUM RESIDENTIAL UNIT SIZE**A. Regulation**

The minimum size for residential units shall be as specified in Section 2.1 – Development Standards.