



CITY OF  
POMONA, CA

**PUBLIC CONVENIENCE OR NECESSITY (PCN)  
Conditional Use Permit – Alcohol (CUP-000583-2025)  
Subject Address: 3024 W. Temple Avenue**

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Applicant: Sherrie Olson, Diamond Market Deli, INC.

Prepared by: Irene Mouré

# Location




Address: 3024 W. Temple Ave

General Plan  
Land Use  
Designation: Urban Neighborhood

Zoning: CD2 [MBI-SHI-CX4]


Council  
District: CD 5, S. Lustro

 - Site

 - Subject Space

# Location



 - Subject Space

# Background

- December 1988 – Obtained a business license and a CA Dept of Alcoholic Beverage Control (ABC) Type-20 (beer & wine) license
  - ABC license obtained prior to the requirement for a conditional use permit
- January 2025 – Change of business ownership
- February 2025 – Transfer of Type-20 license to new ownership
- August 2025 – Application for CUP-000583-2025 for Type 21 (general) license
- March 2026 – CUP-000583-2025 approved per PC Resolution No. 26-004, subject to COAs

# CA Department of Alcoholic Beverage Control (ABC)

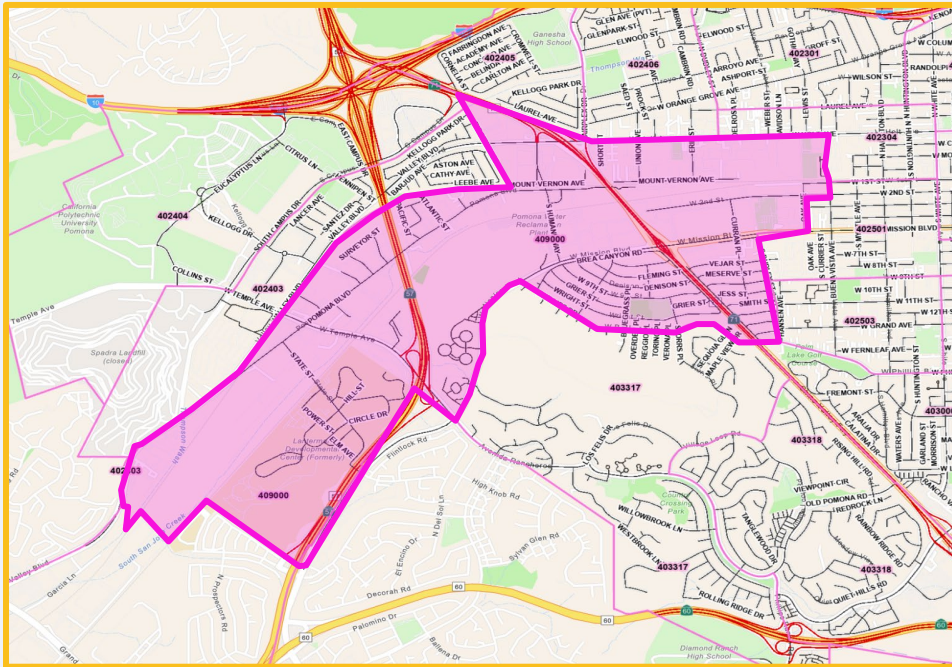
**The PZDC does not include thresholds for the number of licenses allowed per census tract or thresholds for limitation of licenses in high crime-reporting districts.**

However, ABC does require a finding of Public Convenience or Necessity when there is undue concentration; undue concentration is defined as either one of the following:

- If the number of available licenses in the designated census tract is exceeded; or
- If the crime-reporting district is designated as “high crime” by Police Department (PD) crime data

# ABC Data on Off-Sale Alcohol Licenses per Census Tracts

## Census Tract includes Pomona, Diamond Bar, and San Dimas



Subject Census  
Tract: 4090.00

Adjoining  
Tracts: 11

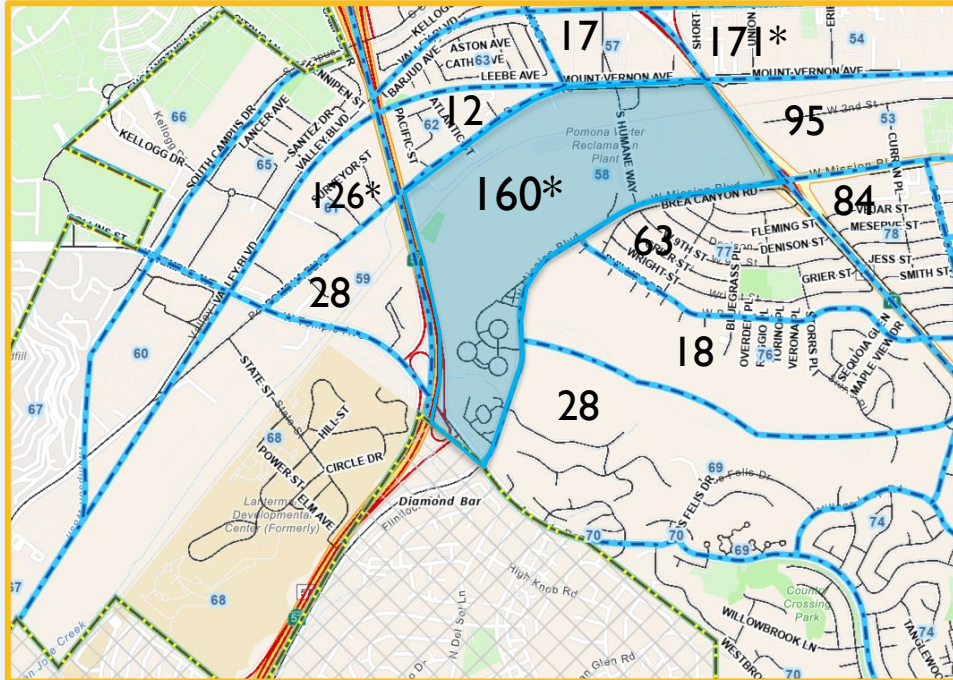
Existing Off-Sale: 6  
Allowed Off-Sale: 4

Census Tract Size:  
+/- 1,968 acres  
or  
+/- 85 million SQFT

# Undue Concentration

Census Tract	Existing Off-Sale Licenses	Allowed Off-Sale Licenses	Business Location, License Type, Original Issuance Date
40900.00 (Subject Tract)	6	4	<p>Diamond Market &amp; Deli, 3024 W. Temple Avenue   Type-20, <b>Original: 1988 (subject site)</b></p> <p>Yogie Alta Dena, 1600 W. Holt Ave   Type-20, <b>Original: 1996</b></p> <p>AM/PM, 2207 Valley Blvd   Type-20, <b>Original: 2019</b></p> <p>Fat Boy Liquor &amp; Market, 3580 W. Temple Ave Units A&amp;B   Type-21, <b>Original: 1983 (Type-20), PCN: 2000 (Type-21)</b></p> <p>7-11, 3111 W. Temple Ave   Type-20, <b>Original: 2006, PCN: 2006</b></p> <p>La Cadena Market, 1600 W. Mission Blvd   Type-20, <b>Original: 2000, PCN: 2001</b></p>

# PD Reporting Districts



PD RD: 58

2025 Crime Threshold: 122

2025 Crimes: 160 = "high crime"

# Pomona Zoning and Development Code – Conditional Use Permit Off-Sale Alcohol Operation Standards

## Existing Operations

- Can sell beer in less than 3 quantities
- Can sell individual cans, bottles, and tapped/keg containers
- Can sell wine in containers less than 750mL
- Can sell alcoholic beverages that exceeds gross sales
- Does not have to maintain records
- No revocation powers, can continue to exist as legal nonconforming

## Proposed Operations

- No sale of beer sold in less 3 quantities
- No sale of individual cans, bottles, or tapped/keg containers
- Wine must not be sold in containers less than 750mL
- Quarterly gross sales of alcoholic beverages must not exceed general gross sales
- Gross sales records of alcoholic beverages to separate from general gross sales records
- CUP revocation powers

## Planning Commission - March 11, 2026

- One (1) letter of opposition submitted to Development Services Department
- One (1) in-person opposition by a house of worship, St. Maurice Coptic Orthodox Church
- Planning Commission approved the CUP and Type-21 License on a 4-3 vote

# Finding of Public Convenience or Necessity

- Convenience market obtained their existing Type-20 license in 1988, prior to the requirement for a conditional use permit (legal non-conforming).
- CUP would bring the convenience market into compliance with the current Code and require compliance with all operational standards. The City would also have the authority to revoke the CUP should the convenience market violate the Code.
- Staff does not find the activation of this license in this area to be detrimental to health, safety, and general welfare within the vicinity of the project site as it would be subject to all conditions of the CUP.
- Therefore, staff supports the finding of **public convenience** for the following reasons:
  - Activation of a Type-21 License Poses Limited New Public Safety Risks
  - Economic & Public Health Benefits Outweigh Public Safety Risk
  - Inherent Concentration of Licenses at a Key Commercial Intersection

# Finding of Public Convenience or Necessity

- The project site is a part of a larger mixed-commercial shopping center, with uses ranging from restaurants and eateries to pharmacies and office spaces.
- While the addition of the Type-21 ABC License type will intensify the established off-sale use, it will also encourage an expansion of a business that has been operating since 1988 and be subject to a conditional use permit.
- The Type-21 license would provide **convenience** for the public and customers by allowing patrons to purchase beer, wine, and/or distilled spirits as they are shopping for other market items, which is a typical use for convenience markets.

# Recommendation

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2026-45 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE FINDING OF PUBLIC CONVENIENCE OR NECESSITY (PCN) TO ALLOW FOR A CALIFORNIA ALCOHOLIC BEVERAGE CONTROL TYPE-21 (OFF-SALE, GENERAL) LICENSE IN CONJUNCTION WITH AN EXISTING CONVENIENCE MARKET AND DELI LOCATED AT 3024 W.TEMPLE AVENUE (APN: 8707-022-147)