



505 South Garey Avenue
Pomona, CA 91766

City of Pomona Planning Commission

Action Minutes

Chairperson Marcos Molina
Vice-Chairperson Edgar Rodriguez
Commissioner Delana Martin-Marshall
Commissioner Alfredo Camacho
Commissioner John Ontiveros
Commissioner Andrew R. Kane
Commissioner Philip Chu

Wednesday, August 27 2025

7:00 PM

Council Chambers

CALL TO ORDER

Chairperson Molina called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Commissioner Camacho led the Pledge of Allegiance.

ROLL CALL

Present: Commissioner Delana Martin-Marshall
Commissioner Alfredo Camacho
Commissioner Philip Chu
Commissioner Andrew R. Kane
Chairperson Marcos Molina

Absent: Commissioner John Ontiveros
Vice-Chairperson Edgar Rodriguez

Staff Present: Betty Donavanik, Development Services Director
Geoffrey Starns, Planning Manager
Alan Fortune, Associate Planner

PUBLIC COMMENT:

None

COMMISSIONER COMMUNICATION:

Commissioner Molina welcomed Commissioner Andrew R. Kane.

Commissioner Kane introduced himself to the Commission.

CONSENT CALENDAR:

1. Approval of the Action Minutes from the July 23, 2025 Planning Commission Meeting.

Moved by Commissioner Camacho, seconded by Chairperson Molina, to approve. Motion carried (5-0-0-2)

Ayes: Martin-Marshall, Camacho, Chu, Kane, Molina.
Noes: None
Abstention: None
Absent: Ontiveros, Rodriguez.

In Opposition: none

In Support: none

Discussion Time: 1 minute (7:03 p.m.to 7:04 p.m.)

PUBLIC HEARING:

1. Variance (VAR-000472-2025)

Associate Planner Fortune presented the item.

1. Request to increase the maximum allowable height from a 4.5' to 6' frontage fence and to reduce the required street lot line setback for frontage yard fences.
2. A deviation from the zoning code can be requested as a Variance.
3. The topography of the site: the single-family home does set at a much higher elevation than the street.
4. No proper sidewalk or parkway on this street.
5. Adjacent properties have 6' foot fences.
6. The proposed design is of a style and material that is compatible with the Spanish Revival architectural style of the home.
7. Staff is proposing to add additional language to the resolution: **finding 1**, unique topography and grading of the subject property, with the primary dwelling set at a significantly higher grade than the street level, presents a practical difficulty in achieving adequate security with a fence limited to 4.5'. Any visual impact is reduced with a fence that is open and transparent and of a design and style that is compatible with the home. **finding 3**, Because a majority of nearby residences have 6' fencing, including the adjacent property to the east, a new fence of 4.5' or less would not allow the property owner to have the same fence height as that of the other neighbors. **finding 5**, the decorative wrought iron design of the fence is compatible with the

architectural style of the home and many other homes within the neighborhood, adding to community character and ensuring and promoting safety, without creating a solid barrier or impairing views. According to Section 490B.3.b.3, Type A3 fencing is “intended for frontage yards where the need for visual interest and activation along the public realm must be balanced with the need for security between private ground story uses and the public realm”. The fence, as designed, balances the need for security between the residential use and the street.

8. CEQA Exempt, Class 1 (existing facilities) and a Class 3 (New Construction or Conversion of Small structures), Article 19, Sections 15301 & 15303.
9. Staff received one public comment in opposition of the project.
10. Staff recommends approval of the variance with the additional language as mentioned above.

Commission concerns/questions

1. Commissioner Camacho stated that the conditions (findings 1, 3, 5) mentioned by staff were not updated and unless you attend the meeting you do not see the new language.
2. Chairperson Molina asked if the new findings violate the Brown Act.
3. Commissioner Camacho stated that the old findings originally stated that the proposed fence was not adequate but due to the unique topography and grading it poses a security risk
4. Commissioner Camacho stated that the second finding reads there are exceptional or extraordinary circumstances or conditions applicable to the property. However, originally it said that the property owner faces a greater security risk due to her occupation.
5. Commissioner Camacho asked if the topography of Ganesha Hills allows everyone to have a 6' fence.
6. Commissioner Chu mentioned if staff granted variances to the neighbors.
7. Commissioner Martin-Marshall asked if it is allowed to close off your entire front yard with a fence.
8. Chairperson Molina asked if the variance include personal hardships. Do we make decisions on the prior zoning code or current zoning code. Have we made decisions before with self-inflicted hardships. Was this consulted with the legal team.
9. Commissioner Molina asked what percentage of homes in Ganesha Hills have 6' fences.
10. Commissioner Martin-Marshall asked if we don't approve the variance, does the homeowner need to remove the fence
11. Commissioner Kane said that 60% of homes in Ganesha Hills have a 6' fence
12. Commissioner Kane asked the representative if there has been any threats to the owner
13. Commissioner Camacho asked the homeowner does she consider Ganesha Hills unsafe
14. Chairperson Molina said that the representative is on the clock and getting paid for a personal matter (taxpayer money)
15. Commissioner Martin-Marshall likes the design of the fence. Why does the code have a maximum of 4.5' for a fence.
16. Commissioner Camacho asked staff to remove the safety reasons due to the occupation of the applicant to approve the variance
17. Commissioner Chu is supportive of the variance.
18. Commissioner Molina asked if staff, in the past, received a variance due to privileges of employment.
19. Commissioner Camacho stated that he is willing to approve the variance due to the topography of the site and to remove the safety concerns.

Director Donovanik stated that the new findings will be published with the minutes.

1. The project must be agendized but there is always an opportunity to make revisions if you provide a copy to the public and to the Commission.

2. For finding no. 3, the strict application of the law will deprive the applicant of privileges that are enjoyed by the owners of the other properties, which is the ability to have the 6' fence.
3. We are looking at the topography of Ganesha Hills in the new Code
4. Variances not granted to the neighbors
5. We can remove the language from finding no. 2

Associate Planner Fortune mentioned that this is additional language to the published findings.

1. The legal non-conforming fences were constructed prior to the new code (August of 2024)
2. Greater than 50% of homes have a 6' fence

Planning Manager Starns said that all residential districts were treated the same and we did not consider topography because at a certain point it was too much to do with adopting the new Code.

Moved by Commissioner Camacho, seconded by Commissioner Kane, to approve w/condition to remove the language “safety concerns due to employment” in the resolution. Motion carried (4-1-0-2)

Ayes: Martin-Marshall, Camacho, Chu, Kane
Noes: Molina
Abstention: none
Absent: Ontiveros, Rodriguez

In Opposition: none

In Support: Brian, Homeowner's Representative
Homeowner
Ernie Koeberlen

Discussion Time: 56 minutes (7:05 p.m.to 8:01 p.m.)

DISCUSSION ITEMS:

None

STAFF COMMUNICATION:

Planning Manager mentioned that the Commissioners will receive training on the New Zoning Code. A tract map for 16 units will be presented to the Commission at the next meeting. The City Clerk will be doing her world tour at the next meeting. An appeal will be on the agenda on September 24, 2025 for 1377 N. Garey.

ADJOURNMENT:

The meeting was adjourned at 8:02 P.M. to the meeting of August 13, 2025 at 7:00 P.M.

Respectfully submitted,

Prepared by,

Geoffrey Starns, AICP, AIA, LEED AP
Planning Manager

Miroslava PourSanae
Administrative Assistant