

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Wednesday, October 9, 2019

7:00 PM

Council Chambers

Planning Commission

Chair Dr. Kyle Brown
Commissioner Jorge Grajeda
Commissioner Alfredo Camacho
Commissioner Gwen Urey
Commissioner Richard Bunce
Vice-Chair Ron VanderMolen
Commissioner Kristie Kercheval

PLEASE NOTE:

Members of the Planning Commission and the public are reminded that they must preserve order and decorum throughout the Meeting. In that regard, Members of the Planning Commission and the public are advised that any delay or disruption in the proceedings or a refusal to obey the orders of the Planning Commission or the presiding officer constitutes a violation of these rules.

- The conduct of Planning Commission meetings is governed by the portion of the California Government Code commonly known as the "Brown Act" and by the Pomona Planning Commission Rules of Procedure.
- The Planning Commission meeting is for conducting the City's business, and members of the audience must obey the rules of decorum set forth by law. This means that each speaker will be permitted to speak for three minutes to address items that are listed on the Planning Commission agenda or topics which are within the jurisdictional authority of the City.
- No profanity, personal attacks, booing, cheering, applauding or other conduct disruptive to the meeting will be permitted. Any person not adhering to the Rules of Procedure or conduct authorized by the Brown Act may be asked to leave the Council Chambers.
- All comments directed to the Planning Commission or to any member of the Planning Commission must be directed to the Chairperson (or Vice Chairperson if the Chairperson is absent). We ask that you please respect the business nature of this meeting and the order required for the proceedings conducted in the Council Chambers.

A. CALL TO ORDER:

Chairperson Kyle Brown

B. PLEDGE OF ALLEGIANCE:

Chairperson Kyle Brown

C. ROLL CALL:

Chairperson Kyle Brown, Vice-Chairperson Ron VanderMolen, Commissioner Jorge Grajeda, Commissioner Alfredo Camacho, Commissioner Gwen Urey, Commissioner Dick Bunce and Commissioner Kristie Kercheval.

D. PUBLIC COMMENT:

1. At this time, the general public is invited to address the Planning Commission concerning any items that are not listed on the agenda, which are not public hearings, or other items under the jurisdiction of the Planning Commission. Comments from the public of any nonagenda items will be limited to three (3) minutes in accordance with City policy.
2. Any applicant or member of the public wishing to speak on any item that is listed on the agenda is requested to adhere to the following protocol procedures/guidelines:
 - a) Prior to the meeting, or during the meeting prior to an agenda item being discussed, any person wishing to address the Planning Commission shall complete a speaker card and submit it to the Planning Manager. Speaker cards are available in the foyer of the City Council Chambers and from the Minutes Clerk.
 - b) When called upon, the person shall come to the podium, state his/her name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented. Whenever any group of persons wishes to address the Planning Commission on the same subject matter, the Chairperson may, at his/her discretion, request that the group choose a spokesperson to address the Commission.
 - c) All remarks should be addressed to the Planning Commission as a whole, and not to individual Commissioners. Questions, if any, should be directed to the presiding Chairperson who will determine whether, or in what manner an answer will be provided.
3. Together the Planning Commission members, City Staff and public honor Pomona's important City meeting values:
 - a) To speak and to listen to everyone with respect and courtesy; to honor fairness and our cherished democratic process.

b) To affirm Pomona's dedication to lead as a Compassionate City.

Thank you all for keeping these values and this commitment to act with them ever present in our minds as we proceed with the meeting together.

E. CONSENT AGENDA:

All items listed on the Consent Calendar may be enacted by a single motion without separate discussion. If a discussion or a separate vote on any item is desired by a Planning Commissioner, that item may be removed from the Consent Calendar and considered separately. All remaining items not removed from the Consent Calendar by a Planning Commissioner shall be voted on prior to discussion of the item(s) requested to be pulled.

1. Time Extension (EXT 12698-2019)

Project Address: 1538 South Towne Avenue

Project Applicant: May Xu

Project Planner: Vinny Tam, Senior Planner

Council District: District No. 3

A request for a one-year time extension for Conditional Use Permit (CUP 9744-2018) to allow the construction of two detached single-family structures, construction of a six car garage and associated site improvements on a property located at 1538 South Towne Avenue in the R-1-E district.

Recommendation:

Staff recommends that the Planning Commission approve Time Extension (EXT 12698-2019) granting a one-year time extension for Conditional Use Permit (CUP 9744-2018) subject to the conditions of CC Resolution No. 2018-130 approved on September 10, 2018.

Attachments: [Staff Report](#)

[Attachment No 1 - RES. 2018-130 Approving \(CUP 9774-2018\)](#)

[Attachment No 2 - Approved Project Plans](#)

[Attachment No 3 - Application for Time Extension](#)

F. HEARING ITEMS:

1. Commercial Cannabis Permit Program Overlay District

Project Address: Citywide

Project Applicant: City of Pomona

Project Planners: Lynda Lara, Vinny Tam, Ata Khan

Council District: All

Establishing a Commercial Cannabis Permit Program Overlay District in the Pomona Zoning Ordinance (CODE 12664-2019); adopting Determinations of Similarity pursuant to Section .501-A of Pomona Zoning Ordinance for commercial cannabis uses in M-1, M-2, C-2, C-3, and C-4 zoning districts (DOS 12653-2019, DOS 12654-2019, DOS 12655-2019, DOS 12656-2019, DOS 12657-2019, DOS 12658-2019); and adopting a Director's Interpretation pursuant to Section 2.2.1 of the Pomona Corridors Specific Plan for storefront retail commercial cannabis use in the Pomona Corridors Specific Plan. Environmental impacts associated with the proposed project would be similar to those

anticipated in the overlay area in the 2014 General Plan Final EIR and would not result in any new or increased severity significant environmental effects beyond those identified in the 2014 Final EIR. Mitigation beyond that identified in the 2014 Final EIR is not required. As such, pursuant to §15183 of the CEQA Guidelines, no additional environmental review or documentation is required under CEQA.

Recommendation:

The Planning Division recommends the Planning Commission: adopt a Resolution and related Exhibits recommending City Council approval of a Commercial Cannabis Permit Program Overlay District in the Pomona Zoning Ordinance (CODE 12664-2019); adopt Determinations of Similarity (DOS 12653-2019, DOS 12654-2019, DOS 12655-2019, DOS 12656-2019, DOS 12657-2019, DOS 12658-2019) pursuant to Section .501-A of Pomona Zoning Ordinance for commercial cannabis uses in M-1, M-2, C-2, C-3, and C-4 zoning districts (Attachment 5); and adopt a Director's Interpretation pursuant to Section 2.2.1 of the Pomona Corridors Specific Plan for storefront retail commercial cannabis use in the Pomona Corridors Specific Plan.

Attachments:

[Staff Report](#)

[Attachment 1: Ordinance No. 4257 \("Business Ordinance"\)](#)

[Attachment 2: Ordinance No. 4254 \("Tax Ordinance"\)](#)

[Attachment 3: Draft Resolution with Exhibits A-C](#)

[Attachment 4: Sensitive Use Buffer Map dated June 2018](#)

[Attachment 5: Questions from Community Meetings](#)

[Attachment 6: Determinations of Similarity \(DOS\)](#)

[Attachment 7: Director's Interpretation \(for PCSP\)](#)

[Attachment 8: Revised Sensitive Use Buffer](#)

[Attachment 9: Environmental Findings of Consistency](#)

[Attachment 10: Proof of Publication of Public Hearing Notice](#)

[Attachment 11: Full Record of Public Comments Received](#)

G. PLANNING COMMISSION COMMUNICATION:

H. DEVELOPMENT SERVICE DIRECTOR/PLANNING MANAGER COMMUNICATION:

I. DISCUSSION:

ADJOURNMENT:

The City of Pomona Planning Commission is hereby adjourned to the next regularly scheduled meeting of October 23, 2019 starting at 7:00 p.m. in the City Council Chambers.

CERTIFICATION OF POSTING AGENDA:

I, Gustavo N. Gonzalez, AICP, Planning Manager for the City of Pomona, hereby certify that the agenda for the October 9, 2019 meeting of the Planning Commission was posted in City Hall, near the door of the City Council Chambers, and on the City's website www.ci.pomona.ca.us on October 3, 2019. I declare under the penalty of

perjury that the foregoing is true and correct.

/s/Gustavo N. Gonzalez, AICP, Planning Manager