

OFFICIAL MINUTES  
PLANNING COMMISSION  
APRIL 26, 2017

CALL TO ORDER: The Planning Commission meeting was called to order by Chairperson Hemming in the City Council Chambers at 7:00 p.m.

FLAG SALUTE: Vice Chair Arias led the flag salute

ROLL CALL: Roll was taken by Development Services Manager Johnson

COMMISSIONERS PRESENT: Chair Hemming and Vice Chair Arias; Commissioners Brown, Grajeda, Juarez, Ramos, and Ursua

COMMISSIONERS ABSENT: None

STAFF PRESENT: Development Services Director Lazzaretto, Development Services Manager Johnson, Assistant City Attorney Jared, Senior Planner Lin, Associate Planner Lee, City Engineer Guerrero, and Minutes Clerk Casey

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ITEM D:  
PUBLIC COMMENT:

Derek Engel encouraged the city to set new regulations for industrial businesses.

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ITEM E:  
CONSENT CALENDAR:

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ITEM F:  
PUBLIC HEARING ITEMS:

F-1 PUBLIC HEARING – SPECIFIC PLAN AMENDMENT (SPA 6114-2016) TO ALLOW PROPERTY THAT IS NOT CONTIGUOUS WITH POMONA CORRIDOR SPECIFIC PLAN (PCSP) AREA PROPERTY TO DEVELOP UNDER THE PCSP URBAN NEIGHBORHOOD EXPANSION ZONE DEVELOPMENT STANDARDS, TENTATIVE PARCEL MAP 74696 (PARCELMAP 5850-2017) TO CONSOLIDATE TWO LOTS INTO ONE, AND DEVELOPMENT PLAN REVIEW (DPR 6535-2016) TO ALLOW THE CONSTRUCTION OF A 35-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AT THREE STORIES IN HEIGHT ON A PROPERTY THAT IS APPROXIMATELY 2.24 ACRES IN SIZE. THE SUBJECT SITE IS LOCATED IN THE R-2-PD (LOW DENSITY MULTIPLE

FAMILY PLANNED DEVELOPMENT) ZONING DISTRICT  
AND ALSO IDENTIFIED WITHIN THE PCSP URBAN  
NEIGHBORHOOD EXPANSION ZONE LOCATED AT 203  
MYRTLE AVENUE.

Associate Planner Lee provided a staff report regarding a request for a 35-unit multi-family residential development. Chair Hemming opened the public hearing. Mr. Matthew Fertil representing the developer, requested consideration to amend the specific plan to allow the development to take place today rather than some time in the future. He stated the project met the requirements of being consistent with the General Plan to allow for the amendment. He requested approval of the deviation request and asked the Commission to approve. Mr. Felix Vega, part owner of the Myrtle Street Development, stated his family was from the community. He stated there was a need for affordable housing in the community and he and his wife would manage the property. He asked the Commission to approve. Chair Hemming closed the public hearing. Commissioner Ursua stated he felt the project was beautiful, but he believed it needed to be discussed in length due to the zone change which could provide future implications to other neighborhoods and projects in the city. He stated concerns regarding setting a precedent for spreading this type of zoning throughout the city and with putting a project of this density in the middle of a neglected neighborhood. Development Services Director Lazzaretto stated the Commission would not be setting precedent because per the General Plan, other projects which were not adjacent to the corridor could not request to be in the zone. Commissioner Brown stated concerns regarding the lack of adequate access to the site as he wished access was provided off the expansion zones. Commissioner Ramos stated he thinks the development would be an eyesore for the community and he thinks the expansion zone reaching out to Holt Avenue was pushing the limits as the area had issues with crime and he felt the project was too high in density for that area. Commissioner Juarez stated he felt the project was nice, but was high density and was stretching the expansion zone. He stated many high density projects have been requested and approved and he does not want it to get out of hand. He does not believe there is a desire to develop apartment units in the city as the city currently has many that are not being maintained and he does not believe the trend with attempting to cram high density projects in R-2 zones would be in line with the City's goal to bring more business into the area.

Motion by Commissioner Brown, seconded by Commissioner Grajeda, carried by a majority vote of the members (5-2-0-0), Chair Hemming and Vice Chair Arias denied, adopting the attached resolution denying Specific Plan Amendment (SPA 6114-2016), Tentative Parcel Map 74696 (PARCELMAP 5850-2017), and Development Plan Review (DPR 6535-2016).

Assistant City Attorney Jared stated the applicant or anyone disagreeing with the decision made tonight had 20 days to file an appeal with the City Clerk.

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F-2

PUBLIC HEARING – CODE AMENDMENT (CODE 6899-2017)  
A REQUEST TO AMEND SECTION .62 (“DEFINITIONS”),  
SECTION .580J (“USES REQUIRING CUP”), SECTION .342 (C-  
1 ZONE USES EXPRESSLY PROHIBITED), SECTION .352 (C-2  
ZONE USES EXPRESSLY PROHIBITED), SECTION .362 (C-3  
ZONE USES EXPRESSLY PROHIBITED), .372 (C-4 ZONE  
USES EXPRESSLY PROHIBITED), .392 (C-IND ZONE USES  
EXPRESSLY PROHIBITED), .398 (M ZONE USES EXPRESSLY  
PROHIBITED), .412 (M-1 ZONE USES EXPRESSLY

PROHIBITED), AND .422 (M-2 ZONE USES EXPRESSLY PROHIBITED) OF THE POMONA ZONING CODE TO PROHIBIT WASTE AND RECYCLING. *(Continued from March 8, 2017)*

Senior Planner Lin provided a staff report regarding a request for a code amendment. Assistant City Attorney Jared addressed the letters submitted. Commissioner Brown mentioned medical waste facilities and the discussion which took place at the previous meeting regarding the removal of the Code Division 8 section, but it was not removed from the staff report. He also mentioned the definition of medical waste referring to Code Division 8, which if removed, the definition would need to be revised. He also mentioned the October City Council meeting where it was determined medical waste and waste facilities were to be added to the ban. Chair Hemming opened the public hearing. Ms. Bianca Sparks, Attorney representing a number of recycling facilities in the city, requested additional clarification of uses in the future for those who currently hold a CUP, stated an issue of the Code Compliance survey in regards to Mayco Company and the need to have this resolved before a consideration is provided on the ordinance as it may force Mayco to close if considered before the issue was resolved. Mr. Manuel Gomez, SA employee, stated concerns regarding some of the language in the ordinance as it may negatively impact he and his colleagues and he requested existing companies be exempt from the ordinance. Ms. Nora Garcia, member of Clean Green Pomona, urged the Commission to support the amendment as she felt it would assist with protecting the city as these types of uses provide contaminants and poor air in the city. She stated without the ban the city will be left unprotected and asked the Commission to please approve. Ms. Karen Shatola urged the Commission to consider the impacts of the existing waste and recycling operations and stated her support for the amendment. Mr. Steve Iverson, representing operations of SA Recycling Pomona, stated the SA facility had been in Pomona for over 30 years and it assisted with cleaning the city, it provided jobs, it was an industry leader in safety and compliance, and it conducted business at an ethical level. He asked the Commission to deny. Mr. Todd Ament, representing operations of SA Recycling Pomona, stated his business had invested in the community and helped keep the city clean and being a nonconforming use would negatively affect the businesses future operations such as purchasing equipment or loans which may be needed. He asked the city to consider adding language to the ordinance to assist. Mr. Beto Wolpert submitted his opposition for the code amendment. Mr. Jonathan Kupetz stated the community needed to do all they could do to tend to the earth and spoke in support of the amendment due to its clarity of putting an end to trashing the city. Ms. Lisa Engdahl, member of Clean and Green, read a letter from David Holmes for the record which spoke in favor of the amendment. Mr. Joe George spoke in favor of the amendment. Ms. Damiana Aldana, Member of Clean and Green, spoke in favor of the amendment due to the issues which arise due the waste/recycling uses. Mr. Adam Donner, Pomona resident and leader in ICON, spoke in support of the amendment due to the risks provided by the waste and recycling uses. He stated the amendment would limit the uses as the city recycled more waste than the city produced. Mr. Joe Pinedo, property owner renting to pallet yards, spoke in favor of removing pallet yards as a recycling use from the amendment. Ms. Erin Runions, Pomona resident and member of United Voices Pomona, spoke in favor of the amendment, but stated an issue with additions to the ordinance presented tonight versus the ordinance presented on March 8, 2017. In addition, she stated she felt there should be an exception added to the amendment to address organic waste and asked it be requested to the City Council this be a first step towards progress for the city and not the final say. Mr. Anselmo Olmos read a letter for the record in support of the amendment. Chair Hemming closed public hearing. Assistant City Attorney Jared stated it has been mentioned pallet uses should not be considered recycling, but the city sees them as similar uses. Therefore pallet yards are being included because the city is going through the process of amending waste, recycling, and similar uses. Development Services Director Lazzaretto added to

that by stating the pallet yards were included by a request of the City Council due to the issues which can occur in the city such as fires. Mr. Benjamin Wood, public attendee, interrupted the meeting to state he had new comment to make into the record regarding the differences he found between tonight's ordinance and the ordinance presented on March 8, 2017. Development Services Manager Johnson stated the change being mentioned was discussed and provided to the Commission at the March 8, 2017 meeting. Due to the constant interruptions made by the public, Chair Hemming suspended item F2.

When the item continued Assistant City Attorney Jared stated the issue was being raised that the ordinance before the Commission tonight was different than the ordinance presented on March 8, 2017. If you review attachment 1 there was a use called "Recycling Manufacturer" which was not on the table presented at the March 8, 2017 meeting, but the Planning Manager made reference to the table and the missing item and requested the item be included in the revised version of the chart. The public feels the ordinance is different and therefore they should be able to speak. It is of my opinion what was presented tonight, published before the meeting and discussed is not different than what was discussed and published at the last meeting.

The Commission discussed and agreed to include waste transfer stations and medical waste in the expressly prohibited language in each zone.

Motion by Commissioner Ursua, seconded by Commissioner Ramos, carried by a majority vote of the members (5-0-2-0), Chair Hemming and Vice Chair Arias denied, adopting Resolution No. 17-010, recommending City Council approval of Code Amendment (CODE 6899-2017) Waste and Recycling facilities.

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ITEM G:  
DISCUSSION:

1. Continued Accessory Dwelling Unit Study Session

Senior Planner Lin provided a staff report. Commissioner Grajeda stated an issue with the size of lot requirements as he felt there were certain areas that were too restrictive. He felt some of the areas had large enough lots to house dwelling units, but because of the Specific Plan it was not being allowed and he believes dwelling units can be provided on a minimum 7500 square foot lots. Commissioner Juarez stated he is in agreement with a 7500 square foot threshold, but he thinks it would be helpful to have some baseline examples. Chair Hemming inquired whether it would be better to have a joint study session with the City Council since this will go before them for consideration. Commissioner Brown provided a study to the Commission and staff which was produced by the City of Portland on accessory dwelling units in Portland. Commissioner Ursua stated he believed the lot size should have adequate space for parking and a functioning garage as he did not want to eliminate garage space or onsite parking.

The Commission discussed and agreed to requests a joint study session with the City Council.

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ITEM H:

NEW BUSINESS:

1. Planning Division & Planning Commission Development Review Process

The Commission discussed and agreed to continue the item.

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ITEM I:

PLANNING COMMISSION COMMUNICATIONS:

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ITEM J:

DEVELOPMENT SERVICES MANAGER COMMUNICATIONS:

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ITEM K:

ADJOURNMENT:

The Planning Commission meeting was motion to adjourn by Chairperson Hemming at 10:30 p.m. to the regular scheduled meeting of May 10, 2017 in the City Council Chambers.

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Brad Johnson  
Development Services Manager

Maureen Casey, Transcriber

The minutes of this meeting are filed in the Planning Division of City Hall, located 505 South Garcey Avenue, Pomona, CA, 91766.

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