



505 S. Garey Ave
Pomona, CA 91766

City of Pomona

Planning Commission

Action Minutes

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

Wednesday, January 22, 2020

7:00 PM

Council Chambers

CALL TO ORDER

Chairperson Brown called the Planning Commission meeting to order at 7:00 p.m. in the Council Chambers.

PLEDGE OF ALLEGIANCE

Vice-Chair VanderMolen led the Pledge of Allegiance.

ROLL CALL

Present: Chairperson Dr. Kyle Brown
Vice-Chairperson Ron VanderMolen
Commissioner Jorge Grajeda
Commissioner Alfredo Camacho
Commissioner Richard Bunce
Commissioner Kristie Kercheval

Absent: Commissioner Gwen Urey

Staff Present: Gustavo N. Gonzalez, Planning Manager
Ata Khan, Senior Planner
Vinny Tam, Senior Planner
Marco A. Martinez, Deputy City Attorney

PUBLIC COMMENT

None

CONSENT CALENDAR

None

PUBLIC HEARING ITEMS**1. Modification of Conditional Use Permit (CUP 12727-2019)**

Location: 1648 Indian Hill Blvd., Suite C

Request: A modification of a conditional use permit to allow an upgrade from a Type 41 Alcohol License (on-sale beer and wine) to a Type 47 Alcohol License (on-sale general) for on-site alcohol consumption in conjunction with an existing full-service restaurant (Mariscos 701), located in the C-3 (General Commercial) Zone.

Environmental Determination: Per the California Environmental Quality Act (CEQA), the proposed project, under the Modification of Conditional Use Permit request, would be categorically exempt under Article 19, Section 15301 (Class 1 – Existing Facilities).

Resolution No. 20-002

A motion was made by Commissioner Kercheval, seconded by Commissioner Camacho, carried by 6 “yes” votes and 0 “no” vote (6-0-0-1) to approve modification of a Conditional Use Permit (CUP 12727-2019) to allow an upgrade from Type 41 Alcohol License (on-sale beer and wine) to a Type 47 Alcohol License (on-sale general) for on-site alcohol consumption in conjunction with an existing full-service restaurant (Mariscos 701), located in the C-3 (General Commercial) Zone.

Chairperson Dr. Kyle Brown - yes; Vice-Chairperson Ron VanderMolen - yes; Commissioner Grajeda - yes; Commissioner Camacho - yes; Commissioner Bunce - yes; Commissioner Kercheval - yes.

OPPOSITION: None

IN SUPPORT: The applicant spoke in support of the project.

DISCUSSION TIME: 16 minutes (7:04 p.m. to 7:20 p.m.)

2. Recommendation to Rescind Various Prohibitions on Commercial Cannabis Activity in the Pomona Zoning Ordinance (CODE 12052-2019, SPA 13311-2020)

Location: Citywide

Request: The Planning Division recommends the Planning Commission recommend to City Council rescinding the portions of Ordinance No. 4096, which prohibit the establishment and

operation of medical marijuana dispensaries citywide; fully rescind Ordinance No. 4215, which prohibits the cultivation of marijuana citywide; and fully rescind Ordinance No. 4241, which prohibits commercial cannabis activity citywide.

Environmental Determination: Per the California Environmental Quality Act (CEQA), the proposed project will be considered under CEQA exemption, 15061 (b)(3), which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

Resolution No. 20-001

A motion was made by Commissioner Grajeda, seconded by Commissioner Kercheval, carried by 6 “yes” votes and 0 “no” vote (6-0-0-1) to recommend approval to City Council as proposed by staff; Staff recommends the Planning Commission recommend to City Council rescinding the portions of Ordinance No. 4096 which prohibit the establishment and operation of medical marijuana dispensaries citywide; fully rescind Ordinance No. 4215, which prohibits the cultivation of marijuana citywide; and fully rescind Ordinance No. 4241, which prohibits commercial cannabis activity citywide .

Chairperson Dr. Kyle Brown - yes; Vice-Chairperson Ron VanderMolen - yes; Commissioner Grajeda - yes, Commissioner Camacho - yes; Commissioner Bunce - yes; Commissioner Kercheval - yes.

OPPOSITION: None

IN SUPPORT: None

DISCUSSION TIME: 6 minutes (7:21 p.m. to 7:27 p.m.)

3. Code Amendment (CODE 13241-2020)

Location: Citywide

Request: To amend the City of Pomona Zoning Ordinance (PZO) for the purpose of regulating Accessory Dwelling Units (ADUs) in accordance with State law.

Environmental Determination: Per the California Environmental Quality Act (CEQA), the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State’s ADU law. In addition to being statutorily exempt from CEQA, the proposed ordinance is also categorically exempt from CEQA under the Class 3 exemption set for in State CEQA Guidelines section 15303.

Resolution No. 20-003

Resolution No. 20-004

Resolution No. 20-005

A motion was made by Commissioner Bunce, seconded by Commissioner Grajeda, carried by 6 “yes” votes and 0 “no” vote (6-0-0-1) to approve resolution recommending

the City Council approve Code Amendment (CODE 13241-2020) with additional recommendations proposed by staff.

Chairperson Dr. Kyle Brown - yes; Vice-Chairperson Ron VanderMolen - yes; Commissioner Grajeda - yes, Commissioner Camacho - yes; Commissioner Bunce - yes; Commissioner Kercheval - yes.

OPPOSITION: None

IN SUPPORT: None

DISCUSSION TIME: 15 minutes (7:28 p.m. to 7:43 p.m.)

Adjournment

The Planning Commission meeting was adjourned by Chairperson Brown at 7:45 p.m. to the next regularly scheduled meeting of February 12, 2020 at 7:00 p.m.

Respectfully submitted,

Handwritten signature of Anita D. Gutierrez in black ink, with the initials "FVR" and "AB" written to the right of the signature.

Anita D. Gutierrez, AICP
Development Services Director

Prepared by,

Miroslava PourSanae
Administrative Assistant