



Monday, November 19, 2012

A regular meeting of the Planning Commission was called to order by Chairperson Zermeno at 6:00 p.m., in the City Hall Council Chambers, 6615 Passons Boulevard, Pico Rivera, CA.

STAFF PRESENT:

Ben Martinez, Director
Julia Gonzalez, Deputy Director
Guille Aguilar, Senior Planner

ROLL CALL:

PRESENT: Commissioners Celiz, Garcia, Martinez, Zermeno

ABSENT: Commissioner Elisaldez

FLAG SALUTE: Led by Commissioner Celiz

APPROVAL OF MINUTES:

November 5, 2012

It was noted by Commissioner Garcia that Commissioner Elisaldez was absent due to conflicts with his work schedule. It was moved by Commissioner Martinez to approve the minutes of November 5, 2012, seconded by Commissioner Garcia. Motion carried by the following roll call vote:

AYES: Celiz, Garcia, Martinez, Zermeno
NOES: None
ABSTAIN: None
ABSENT: Commissioner Elisaldez

PUBLIC HEARING:

(a) ZONING CODE AMENDMENT NO. 165 – TO AMEND CHAPTERS 18.04 (DEFINITIONS), 18.42 (PROPERTY DEVELOPMENT REGULATIONS), 18.44 (OFF-STREET PARKING AND LOADING) AND 18.54 (NON-CONFORMING USES) OF THE CITY OF PICO RIVERA ZONING ORDINANCE AS THEY PERTAIN TO THE REGULATION OF CARPORTS, PORTE COCHERES AND DRIVEWAY EXPANSIONS.

Director Martinez requested that the Public Hearing be opened and continued to the Planning Commission meeting of December 17, 2012.

There being no further discussion, Commissioner Martinez moved to close the public hearing and was seconded by Commissioner Garcia. Motion carried by the following roll call:

AYES: Commissioners Celiz, Garcia, Martinez, Zermeno
NOES: None
ABSTAIN: None
ABSENT: Commissioner Elisaldez

CONTINUED BUSINESS:

a) Newspaper Racks Research

Deputy Director Gonzalez stated that the Public Works Department issues encroachment permits for news racks. A permit is issued for each rack at \$45 per permit. Inspections are made on a complaint basis and enforcement is limited due to staff constraints.

Commissioner Martinez stated that news racks are unappealing and that there are several adult explicit news racks along Whittier Boulevard. He asked if staff could provide the number of News Racks with and without permits.

Deputy Director Gonzalez answered that the Public Works Department is currently working on an inventory but this was not a high priority due to the multi-number of projects they are working on.

Director Martinez asked how and if business licenses are issued to news racks.

Deputy Director Gonzalez answered that the Business License Division does issue business licenses but only to the news racks that charge a fee to obtain the publication.

Commissioner Garcia asked if Code Enforcement could be asked to go out to conduct an inventory of the news racks on the weekend.

Deputy Director Gonzalez stated that due to funding constraints Code Enforcement no longer goes out on the weekend. However, Code Enforcement does go out on a case-to-case basis when there is a persistent weekend issue. She stated that staff would request

for additional funding to conduct an inventory of the news racks. She also stated that the funding concerns were not with taking inventory but rather the costs associated with the enforcement of the regulations via legal cost, staff and confiscation.

Commissioner Martinez stated that some cities have implemented design standards for news racks such as requiring a uniform style and prohibiting the chaining of news racks to each other.

Chairperson Zermeno commented that some news racks within the City have been abandoned and are no longer being used.

b) Night Club Liquor License

Deputy Director Gonzalez stated that this item resulted from the 7-Eleven applicant, Sherrie Olson who requested that staff look into the liquor license for both El Pedregal and Iguanas night clubs. Deputy Director stated that the Department of Alcohol Control Beverage confirmed that the night clubs are in compliance and that the Type 47, On Sale General Eating Place License is adequate for the establishment as long as food sales exceed alcohol sales.

Commissioner Garcia requested that staff contact the 7-Eleven applicant, Sherrie Olson, to advise of the Department of Alcohol Control Beverage findings.

c) Falcone's Restaurant Event Regulations

Deputy Director Gonzalez advised that Falcone's has not applied for a Temporary Use Permit since 2009. She also stated that if they applied for a Temporary Use Permit, the application would be run by the Sheriff's Department for the approval.

Commissioner Celiz stated that the concern is with the weekend fundraising events that they are having without permits.

Director Martinez stated that staff would look into these events.

Chairperson Zermeno asked about the fees for the temporary use permits and any waivers for fundraising.

Deputy Director Gonzalez stated that the fee was \$110 with a \$300 deposit.

Commissioner Garcia asked if fundraiser events or certain organizations could be exempted from the fees.

Senior Planner Aguilar responded that permit fees are waived for non-profit organizations with proof of their non-profit status. The \$300 deposit is not waived, but it is refunded approximately two weeks after the event has concluded, once staff verifies that the property has been cleared of the temporary use permit.

Commissioner Martinez asked if the carwash fundraisers would be subject to certain storm water regulations.

Deputy Director Gonzalez responded that this issue will be addressed in the next agenda item. She then proceeded to Item 4d of the agenda.

d) Carwash Regulations

Deputy Director Gonzalez reported that staff issues Temporary Use Permits for weekend fundraising events. She also stated that the LA County Public Works Department exempts these types of temporary weekend events from storm water regulations.

Commissioner Garcia asked if there can be regulations by the City to adhere to storm water regulations, such as the use of biodegradable soaps, etc.

Staff advised that during its research it found tips on how to adhere to simple storm water regulations and staff would incorporate the tips into the Temporary Use Permit conditions of approval.

e) Serapis Closure

Deputy Director Gonzalez provided general information on the Serapis and Bermudez street closure.

Commissioner Garcia asked about the traffic impacts in the area due to the traffic closure.

Deputy Director Gonzalez explained that there was an Environmental Assessment which stated that most traffic affected by the closure of Bermudez Street would flow onto Slauson and Rosemead Boulevard. She also stated that since the surrounding area is mainly industrial and commercial the traffic onto those boulevards would not be significant.

NEW BUSINESS:

a) Day Laborer Ordinance

Chairperson Zermeno motioned staff to look into an ordinance to regulate the day laborers at the Home Depot. He stated that day laborers pose a potential crime threat to the public. He indicated that in Highland Park and Laguna Beach ordinances have been adopted to have the day laborers and those soliciting work from the day laborers check in at a kiosk. He stated this would maintain order and keep the area clean. He also asked why the Lowes store does not have day laborers.

Director Martinez stated that staff would look into the ordinances.

Commissioner Celiz stated that research was good but they wanted to see results or implementation from the research. She also stated that there are many vagrants and pan handlers at the Walmart store in the evening hours. She said Walmart did not have sufficient lighting and it did not feel safe. She has called the Sheriff's in the past to address the aggressive pan handlers that knock on her car window.

Director Martinez mentioned that there may be vagrants that are from the Pico Rivera Gardens Assisted Living facilities that also roam around the area.

Senior Planner Aguilar stated that she conducted research in the past and that the assisted living facility did not regulate when patients could come in and out of the facility. Pico Rivera Gardens is an independent living facility for mentally disabled adults and patients may leave the facility unsupervised.

b) Horse Trails

Commissioner Garcia motioned for staff to look into horse riding on Whittier Boulevard. He wanted to know whether horse riding is allowed on City streets.

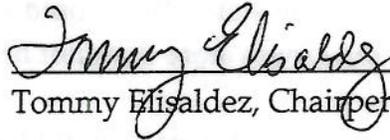
Director Martinez stated staff would look into this and bring findings to the next Planning Commission meeting.

PLANNING COMMISSION REPORTS:

- a) CITY COUNCIL MEETING OF November 13, 2012 – Commissioner Garcia stated that the City Council approved the sign code amendment adopting the contemporary signage.

- b) PLANNING COMMISSION REPRESENTATIVE TO THE CITY COUNCIL MEETING OF Tuesday, December 11, 2012 - Commissioner Martinez confirmed his attendance.

There being no further business the Planning Commission meeting was adjourned at 6:45 p.m.



Tommy Elsaldez, Chairperson

ATTEST:



Benjamin A. Martinez, Secretary
Planning Commission
Director of Community and Economic Development