



Monday, June 3, 2024

A Regular Meeting of the Planning Commission was held in the Council Chambers, 6615 Passons Boulevard, Pico Rivera, California.

CALL TO ORDER

Vice Chairperson Martinez called the meeting to order at 6:00 p.m.

PRESENT: A. Martinez (attended via Zoom), R. Martinez, Rocha, Celiz, Elisaldez
ABSENT :

STAFF PRESENT: Alvaro Betancourt, Director of Community & Economic Development
Aneli Gonzalez, Assistant Planner

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Elisaldez.

PUBLIC HEARING(S):

1. PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 757 A REQUEST FOR AN AUTO REPAIR SHOP AND FIND THE PROJECT CATEGORICALLY EXEMPT PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLASS 1, EXISTING FACILITIES, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 15301

Assistant Planner Gonzalez provided the staff report presentation. The subject property is zoned commercial/manufacturing and is designated commercial under the land use element of the general plan. The multi-tenant building was developed in 1989 with a total of five (5) unit spaces. The proposed auto shop will be managed by the applicant who is both owner and operator. The business hours of operation will be Monday through Saturday, 8:30 a.m. – 5:00 p.m. Services included are brake replacement, oil change, electrical service systems, and water pump change-outs.

Six parking spaces are required per the Pico Rivera Municipal Code. The existing lot has 12 regular and one (1) ADA compliant parking space. The project qualifies for a Class 1 Categorical Exemption in accordance with the requirements of Section 15301 of the State CEQA Guidelines.

Applicant Jose Alberto Barrera Lopez addressed the Planning Commission regarding the proposed auto repair shop indicating it is his first business.

Commissioner Elisaldez stated that Mr. Lopez had identified certain things such as brake replacement and oil change and asked if it would be full service including tune ups, trans changes, brake fluid, and everything like a Jiffy Lube.

Applicant Lopez replied to full service but no transmissions.

Commissioner Celiz asked if the site is located on the corner of Bermudez and Rosemead.

Assistant Planner Gonzalez replied it is located on Bermudez and Serapis.

Director Betancourt stated that the location is immediately off Serapis and also stated that it is a relatively new construction, multi-tenant property. The subject space has historically served as an automotive type of business location and the applicant is going about this appropriately in pursuing a Conditional Use Permit.

Motion to approve by Commissioner Elisaldez, seconded by Commissioner Rocha. Motion passes by the following roll call vote:

AYES: A. Martinez, R. Martinez, Rocha, Elisaldez, Celiz

NOES: None

ABSENT: None

2. PUBLIC HEARING – ZONE CODE AMENDMENT NO. 195 AMENDING TITLE 5 BUSINESS LICENSE AND REGULATIONS AND TITLE 18 ZONING OF THE PICO RIVERA MUNICIPAL CODE AND FIND THE PROPOSED ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTIONS 15060(c)(2), 15060(c)(3) and 15061 (b)(3)

Director Betancourt provided the staff report presentation for Zone Code Amendment No. 195 that will affect several portions of the code.

The first text amendment will establish issuance and renewal parameters of the Tobacco Retail License. The Tobacco Retail License was approved in 2022 and to effectuate that internally the city had to create the process of the licenses and the monitoring that would go into effect.

The second text amendment is a prohibition of smoke shops. In September 2021, the City Council adopted an Urgency Ordinance prohibiting the establishment of them and is added to Title 9 Public Peace, Morals and Welfare.

Vice Chairperson Martinez asked what the urgency was.

Director Betancourt responded that an Urgency Ordinance means it is brought before you without the typical noticing period.

City Attorney Ching responded that Urgency Ordinances are adopted to address an immediate need for the protection of public welfare and are in effect for 45 days at which point they can be renewed for up to a total of two years from the initial adoption of the ordinance. It does not need to go through the first and second reading and the 30-day adoption period.

Vice Chairperson Martinez asked if when we talk about the smoke shops were we talking about the cannabis shops or is this something separate.

Director Betancourt responded they are two separate things.

Director Betancourt stated the next item is the establishment of a Conditional Use Permit for massage establishments. Presently the municipal code categorizes massage establishments as an office type business; there are no conditions or requirements specific to these types of businesses. This text amendment will require a CUP for said use.

Commissioner Elisaldez asked if this is for new establishments only.

Director Betancourt responded yes, any text amendment, if there are any pre-existing, will render them legal non-conforming. This is going forward for all new uses proposed.

Vice Chairperson Martinez asked how many smoke shops there are currently.

Director Betancourt responded he will research and get back to him. With respect to the Tobacco Retail License, they have identified around 50 retailers that sell tobacco products. However, that is not exclusively smoke shops.

Director Betancourt stated an amendment for Title 18, in September 2023, the City Council adopted Ordinance No. 1174 amending Title 18 for the creation of development standards for the R-40 Overlay zone. The proposed amendment clarifies that stand alone residential development proposed in any commercial zone and mixed-use overlay zone must meet the objective design standards and the development regulations of the existing multi-family residential (R-M) zone.

The proposed amendment will allow the city to forego mailing notices when the number of owners that notices will be mailed to is greater than one thousand (1,000) and allowing notice to be provided by placing a display advertisement in a local general circulation newspaper.

Motion to approve by Commissioner Elisaldez, seconded by Commissioner Celiz. Motion passes by the following roll call vote:

AYES: A. Martinez, R. Martinez, Rocha, Elisaldez, Celiz

NOES: None

ABSENT: None

NON-AGENDA ITEMS PUBLIC COMMENTS:

PUBLIC COMMENTS: None

CONSENT CALENDAR :

1. Planning Commission Meeting Minutes – May 6, 2024.

Motion to approve by Commissioner Rocha, seconded by Commissioner Elisaldez.

AYES: A. Martinez, R. Martinez, Rocha, Elisaldez, Celiz

NOES: None

ABSENT: None

PLANNING COMMISSION REPORTS: None.

NEW BUSINESS: None.

OLD BUSINESS:

Commissioner Celiz asked about an ordinance not allowing so many check cashing businesses.

Director Betancourt responded that there is a distance requirement for check cashing establishments.

Commissioner Celiz stated that she has seen there are new places coming in called DolEX Check Cashing. There is one on Passons behind the Shell gas station, one on Whittier Blvd., and one on Telegraph.

Director Betancourt stated he would look into it.

Commissioner Celiz asked if they are asking for business licenses.

Director Betancourt responded yes, any business wanting to operate within the city would require a business license. Also stated he would look into it with the business license division.

Vice Chairperson Martinez stated that state laws require vendors to exist and sell within our streets and asked what efforts the city is doing to get them to pull the necessary licenses required by the city to operate within the city as a merchant or business and if they are obtaining business licenses.

Director Betancourt responded they are not. Code Enforcement addresses illegal outdoor vendors and is our point of communication. Code Enforcement explains to them how they are in violation of the municipal code. Often times a vendor will see Code Enforcement coming and pack up and leave so there is very little or limited communication, other times they are given instructions on how to secure a permit, or they will often set up on private property and the property owners then become the responsible party. Once they are out of the public right of way then it is no longer in our jurisdiction and becomes a business license issue for the property owner.

Commissioner Celiz asked if he is referring to the people walking around with the carts.

Vice Chairperson Martinez responded yes and asked if the police get involved.

Director Betancourt responded they do not unless there is potentially a moving violation or unregistered vehicle. Primarily Code Enforcement.

Commissioner Elisaldez stated that there is a vendor at STEM junior high, by Shade Lane, that has a modified golf cart.

Commissioner Celiz stated that he is there daily from 2:30 p.m. to 4:00 p.m. in front of STEAM Academy on Orange and Shade Lane. This gives Code Enforcement enough time to go out there.

Vice Chairperson Martinez stated that he sees him often at South Ranchito off of Passons.

Director Betancourt stated that Code Enforcement Officers, as well as Supervisor, is aware of the hotspots where they tend to congregate.

ADJOURNMENT:

Motion to close meeting by Commissioner Elisaldez, seconded by Commissioner Celiz.

AYES: A. Martinez, R. Martinez, Celiz, Elisaldez, Rocha
NOES: None
ABSENT: None

There being no further business, Vice Chairperson Martinez adjourned the Planning Commission meeting at 6:28 p.m. There being no objection, it was so ordered.



Aric Martinez, Chairperson

ATTEST:

I hereby certify that the foregoing is a true and correct report of the proceedings of the Planning Commission Regular Meeting on June 3, 2024, and approved by the Planning Commission on September 16, 2024.



Alvaro Betancourt, Director
Community & Economic Development Department