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PLANNING  *COMMISSION*

MEETING MINUTES

DATE: November 15, 2011 **CALLED TO ORDER: 6:00 P.M.**

MEETING LOCATION: City Council Chambers
450 East Latham Avenue
Hemet, CA 92543

1. CALL TO ORDER:

PRESENT: Chairman John Gifford, Vice Chairman Sharon Deuber, and Commissioners Vince Overmyer, David Rogers and Chauncey Thompson

ABSENT: None

Invocation and Flag Salute: Commissioner Chauncey Thompson

2. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of October 18, 2011

It was **MOVED** by Commissioner Rogers and **SECONDED** by Commissioner Overmyer to **APPROVE** the October 18, 2001 minutes as presented, except that the sentence on page 6, line 40 should read: "Vice Chairman Deuber also suggested that the comments should include indicating the history of the multi-million dollar horse ranches in that area, as well as buffalo."

The **MOTION** was carried by the following vote:

AYES: Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer, Rogers and Thompson

NOES: None

ABSTAIN: None

ABSENT: None

3. PUBLIC COMMENTS: (None)

PUBLIC HEARINGS

4. GENERAL PLAN AMENDMENT (GPA) NO. 11-002 (CITY OF HEMET GENERAL PLAN 2030) – (Continued from the October 18, 2011 Meeting)

APPLICANT: City of Hemet

LOCATION: City-wide

PLANNER: Deanna Elliano / Nancy Gutierrez

DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding the comprehensive update to the City of Hemet General Plan which establishes citywide land uses, policies and programs within ten general plan elements and replaces the city's existing general plan adopted in 1992. A Program Environmental Impact Report has been prepared for the project in compliance with the California Environmental Quality Act (SCH No. 2010061088).

Community Development Director (CDD) Elliano gave a staff presentation, accompanied by a PowerPoint presentation which listed a number of action items.

City Attorney Jex requested that Action Item No. 3 not be discussed until the end, as Commissioner Rogers owns property near Sanderson and West Court Way, and would therefore need to recuse himself when that item is discussed.

Chairman Gifford then opened the public hearing and invited the audience to participate by identifying themselves.

Miguel Vazquez, 2218 Arroyo Drive, Riverside, approached the lectern and introduced himself as a Healthy Communities Planner representing the County of Riverside Department of Health. He commended the city on including healthy policies in the general plan. He also asked that it include a policy that would facilitate, and make easier, the building of a relationship between the County of Riverside and the City of Hemet.

Gene Hikel, 8405 Singh Court, Hemet, approached the lectern as a representative of the Four Seasons Community Awareness Committee. He noted their support for the general plan and expressed appreciation for CDD Elliano's work and the readability of the plan. He felt one of the major issues that needed to be addressed was economic development and getting quality businesses and industry to Hemet to provide a job base for its residents. He also stressed the importance of all commissions and councils within the city to adhere to the plan and its goals when considering projects and proposals in the future.

Cash Hovivian, 35051 Tres Cerritos, Hemet, approached the lectern and stated that he was thrilled with the plan as carried forward. He asked if the Tres Cerritos off-ramp had been removed from the plan.

CDD Elliano responded that it was currently shown on the plan and that it would ultimately be RCTC's decision, but the Commission could make a recommendation to the Council that the off-ramp not be illustrated on our plan.

1 Mr. Hovivian also wanted further explanation about Page 2-20, and the Land Use
2 category of rural residential.

3
4 CDD Elliano explained that a number of areas are designated as rural residential
5 because there are many areas within the hillsides, like the Santa Rosa hills, that might
6 be of the 2.5 minimum acres or half-acre lot sizes. In Reinhart Canyon, though, five-
7 acre minimum lot sizes are specified in the canyon floor and ten acres is the minimum
8 for the hillsides in that area. A five-acre minimum is also designated for the ranches
9 that are located west of Warren Rd., between Devonshire and Esplanade Avenues.

10
11 Vice Chairman Deuber related that page 2-82 spells out the requirements with more
12 specificity.

13
14 Scott Garrett, 230 West Devonshire Avenue, Hemet requested clarification about the
15 northeast corner of Girard Street and Devonshire Avenue, to which CDD Elliano replied
16 that it was designated Medium Density Residential, 8 to 18 du/ac.

17
18 Chairman Gifford closed the public hearing and directed the Commission to address
19 Action Item No. 1, review and recommendation of the errata and changes to the Draft
20 General Plan text, noted in red.

21
22 Vice Chairman Deuber had a question concerning land uses discussed on page 2-82,
23 and CDD Elliano directed her to Figure 2.3, after page 2-36, explaining that the district
24 for West Hemet had shifted during the process, and now, as explained on page 2-42,
25 West Hemet is defined as the area south of Florida Avenue down to the lake, while
26 Northwest Hemet is defined as Four Seasons, Reinhart Canyon and the surrounding
27 ranches. Tres Cerritos includes the area from the other side of the Lake View
28 Mountains over to Sanderson Avenue. Page 2-42 has a description of each of the
29 districts.

30
31 Chairman Gifford stated that nothing had been changed, but just clarified.

32
33 Vice Chairman Deuber also brought up the Tres Cerritos off-ramp issue, with CDD
34 Elliano explaining that Caltrans and RCTC would be the ultimate decision-makers
35 regarding that issue. A former suggestion had been to exit at Devonshire Avenue, but
36 Florida and Devonshire Avenues are too close, and shifting it would delay RCTC's
37 environmental document because it wasn't addressed previously in the EIR. CDD
38 Elliano also stated that the city can come back and amend or address this once the
39 Highway 79 alignment and design is adopted.

40
41 Chairman Gifford suggested that if it's the Commission's pleasure, they could
42 recommend deletion of Tres Cerritos as an off-ramp or at least recommend that the
43 City Council pursue that, maybe put a different color or hatched lines on that off-ramp
44 with a footnote stating that this off-ramp is currently in RCTC's plan, but the City of
45 Hemet has requested that this off-ramp be removed.

46
47 Vice Chairman Deuber recommended removing the off-ramp from the general plan
48 document. Chairman Gifford suggested talking about it as a Commission, and if it was
49 a consensus, make a recommendation on how to do it.

50
Commissioner Overmyer noticed that it was not included in the Circulation Plan.

1 CDD Elliano explained that it was not on the Circulation Plan, but it was shown on the
2 land plan. She noted that it had been included in the project at the City of Hemet's
3 request, probably during the economic boom period. She stated further that Highway
4 79 was not the city's project, so they have no authority over its ultimate design, but can
5 make recommendations on the Draft EIR and at the public hearing.
6

7 Chairman Gifford invited the City Engineer to weigh in.
8

9 Mr. Biagioni stated he agreed that the off-ramp was not needed at that location, but he
10 thinks it should be shown on the plan because of it's inclusion in RCTC's design. It
11 would be like eliminating or changing the alignment of 79 because we don't like where
12 that goes or it crosses some street. He stated that for the sake of respecting what
13 RCTC is doing, the general plan should show their design with the proper note that
14 was mentioned about the city disagreeing with the location.
15

16 Chairman Gifford agreed with Mr. Biagioni, and added that since Highway 79 was a
17 plan that would not be implemented until some time in the future, showing the off-ramp
18 on the map gives the public tools to deal with when the debate continues in the future.
19

20 Commissioner Thompson felt the footnote and recommendation were appropriate
21 because they maintain an open discussion.
22

23 CDD Elliano added that leaving it on the plan provides proper notification to the public,
24 rather than giving them a false sense of security, since there is a whole other public
25 process and ultimately another decision body for the approval of the alignment. If left
26 on the map, the public knows when the time is right for them to register their concerns.
27

28 Vice Chairman Deuber asked for clarification that, in summary, it was currently not
29 showing on the circulation map, and that the consensus was, with the addition of the
30 footnote explanation, the Commission would be recommending that it be removed.
31

32 CDD Elliano explained that the off-ramp would not be removed.
33

34 Chairman Gifford reiterated his recommendation that the off-ramp remain on the map
35 with a change in color or markings to show that it was different, and a footnote that
36 states *"This is currently the RCTC Caltrans plan as of the date of this document;
37 however, the city of Hemet has requested that this off-ramp not be placed at that
38 location."*
39

40 There was consensus on the Commission to follow that recommendation.
41

42 Chairman Gifford asked if there were other comments concerning the errata text.
43

44 Commissioner Rogers asked if there had been changes made reflecting Mr. Vazquez's
45 suggestions in his e-mail.
46

47 CDD Elliano responded that the recommendation to partner with community groups,
48 the Riverside Public Health Department and the school district in a cooperative effort to
49 support healthy communities could be added in the next version.
50

1 Vice Chairman Deuber had a question about consistency within the various plans for
2 the Tres Cerritos East project dealing with high density residential and single-family
3 residential.
4

5 CDD Elliano explained that the general plan is just that – general. She directed Vice
6 Chairman Deuber to page 2-19, Table 2.2, which shows low density residential from
7 2.1 to 5.0 per acre, and explained that it was an averaging of the density that falls
8 within that bigger umbrella of low-density residential. Specific plans, as long as they're
9 underneath that overall ceiling, can sometimes have areas that are higher than the five
10 and lower than five as long as it averages out to be within that density umbrella in the
11 general plan.
12

13 Chairman Gifford reiterated that the general plan is as specific as practical, but leaving
14 some leverage for issues that arise. He requested that CDD Elliano brief them on the
15 question of land use at Kirby and Acacia Avenues.
16

17 CDD Elliano stated that the 43-acre parcel at Kirby and Acacia Avenues was shown on
18 the 1992 General Plan as industrial, and the Draft 2030 General Plan was showing it
19 as business park, which staff believes is a continuation of industrial, but with added
20 flexibility. The applicant is requesting that it be changed to include commercial and
21 residential, but staff is recommending denial of that request, and that it remain as
22 Business Park. The applicant's response and reasoning for the request is outlined in a
23 letter that the Commission now has. The property owner's concept would not be
24 consistent with either the existing zoning or the existing general plan on the property.
25 Also, staff does not believe it's realistic to get a big box retail tenant on an interior
26 parcel. The owners have the option of either making it all industrial or making it all
27 Commercial-Manufacturing, or a mix, because both are consistent with the Business
28 Park designation.
29

30 Both Commissioners Thompson and Overmyer conveyed their agreement with staff's
31 recommendation, as did Vice Chairman Deuber and Commissioner Rogers.
32

33 City Attorney Jex requested that the Commission vote on all items except Item No. 3.
34

35 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Vice Chairman
36 Deuber to **ADOPT** Resolution Bill No. 11-017, recommending the adoption of the
37 Hemet General Plan Update 2030, (General Plan Amendment No. 11-002) with the
38 errata addendum presented today, with the exception of Item No. 3; and further, to add
39 a footnote regarding the Hwy 79 off-ramp at Tres Cerritos that reads, "***This is
40 currently the RCTC Caltrans plan as of the date of this document; however, the
41 city of Hemet has requested that this off-ramp not be placed at that location***";
42 and finally, to direct staff to incorporate the issues discussed regarding the errata in the
43 recommendation to the City Council.
44

45 The MOTION was carried by the following vote:
46

47 **AYES:** Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer,
48 Rogers and Thompson.
49 **NOES:** None
50 **ABSTAIN:** None
ABSENT: None

1 Commissioner Rogers recused himself before discussion of Item No. 3 because of the
2 proximity of property he owns to this site.

3
4 Chairman Gifford gave an explanation of the recusal for the audience and invited
5 discussion of Item No. 3 – the land use issue on Sanderson Avenue and West Court
6 Way.

7
8 CDD Elliano explained that half the property was developed as four-plexes and the
9 other half was currently undeveloped with an existing final map. Staff felt that because
10 of the existing tentative map and the existing zoning on the property, the appropriate
11 designation would be Medium Density Residential (MDR) as opposed to Low Density
12 Residential (LDR).

13
14 Vice Chairman Deuber asked if the MDR direction would facilitate the Commission's
15 desire that the development would be condominiums with a Home Owner's Association
16 (HOA).

17
18 CDD Elliano responded that it would be consistent with the underlying zoning, which
19 allows 8 to 18 du/ac.

20
21 It was **MOVED** by Vice Chair Deuber and **SECONDED** by Commissioner Overmyer to
22 **ACCEPT** staff's proposal for a change from low density residential to medium density
23 residential for the West Court Way and Sanderson Avenue project.

24
25 The MOTION was carried by the following vote:

26
27 **AYES:** Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer,
28 and Thompson.
29 **NOES:** None
30 **ABSTAIN:** Commissioner Rogers
31 **ABSENT:** None
32

33 *(Adopted Planning Commission Resolution Bill No. 11-017.)*
34
35

36 DEPARTMENT REPORTS

37 5. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

38
39 A. Report on City Council actions from the October 25th, November 5th, and
40 November 8th meetings

41
42 CDD Elliano outlined the actions of interest to the Commission as follows:

43
44 **October 25th:** The downtown project review for Simon Chu's building facade
45 improvement was approved.

46
47 **November 5th:** This meeting was a goal study session, including a Hemet ROCS
48 overview, a review of the City Council's goals set last year (completion of the General
49 Plan Update; correction of structural changes in the budget; franchise agreement with
50 CR&R, as well as other labor and pension reforms); discussion about the joint meeting

1 with San Jacinto; establishment of a reserve policy, and discussion of the public safety
2 analysis with fire and police in terms of making structural changes and operational
3 improvements.

4
5 **November 8th:** The Tres Cerritos project, for which the Planning Commission had
6 recommended denial, was discussed at length, as the applicant had proposed a
7 revised project of 622 units, the majority of which were single-family residential except
8 for one townhome project. There was no final action by the Council and the earliest it
9 might be resubmitted would be the end of January or early February 2012.

10
11 An ordinance within the Hemet ROCS program was adopted by the City Council,
12 prohibiting sex offenders from being in public parks or within certain distances of
13 childcare centers. It will come back for a second reading of the ordinance.

14 15 **B. Planning Commission Meeting Schedule**

16
17 CDD Elliano recommended cancelling the December 20th and January 3rd meetings
18 because of holiday schedules, leaving the December 6th meeting on calendar.

19 20 **C. Status Report on Hemet ROCS Program**

21
22 CDD Elliano provided an informational hand-out prepared by staff and the city attorney
23 on the "Hemet Restoring Our Community Strategy (Hemet ROCS) program, outlining
24 13 ordinances falling into three primary categories: property standards, residency
25 requirements, and property owner responsibilities.

26
27 The property standards category includes a nuisance abatement ordinance,
28 administrative citation ordinance, abandoned and foreclosed property ordinance, and
29 property maintenance landscape standards ordinance. Some of these are being
30 reviewed by the City Prosecutor, the Police Department, Planning and Code
31 Enforcement, Housing staff, Building & Safety staff, and the City Attorney's staff, which
32 encompass the ROCS team. The first four ordinances, except for the landscape
33 standards ordinance, go to the City Council because they are amending sections of the
34 municipal code. The Planning Commission will only see the ordinances that amend
35 the zoning code.

36
37 Residency requirements include the sex offender residency restriction ordinance,
38 which is being widened to include additional requirements and prohibitions, expanding
39 to child center uses, such as library, museum, etc. The child safety zone ordinance
40 was adopted also, similar to the sex offender residency restriction ordinance.

41
42 The Barding House and Group Home Ordinance will come before the Planning
43 Commission. Staff is attempting to eliminate a concentration of group homes and
44 implementing tighter restrictions regarding sex offender residences, particularly in
45 single-family residential neighborhoods. They will also potentially be looking at motel
46 residency vouchers, as well as prostitution ordinances.

47
48 CDD Elliano explained that property owner responsibility ordinances particularly relate
49 to rental properties. The first – rental unit registration and inspection ordinance – sets
50 up a licensing and inspection process, which is a tool that provides a regular
opportunity to go in and make sure that rental properties are in compliance with

1 existing codes, and shifts more of the responsibility onto the property owner, rather
2 than just the tenant. It also outlines the landlord's responsibility for drug trafficking,
3 giving the city more leverage in forcing landlord attention and responsibility.
4

5 The Chronic Nuisance Community Safety ordinance does the same of focusing
6 landlord responsibility, particularly if tenants are repeat offenders who demand an
7 inordinate amount of police attention. Staff will also be doing outreach to the real
8 estate community and apartment owner community to be able to come up with
9 something that is fair, but addresses the problem. For those landlords that do take
10 good care of their property and screen their tenants and participate in the city's crime-
11 free multi-family housing programs, which will also be developed for single-family
12 rentals, there would be incentives offered. What staff is targeting are the chronic
13 situations and properties that have been left to decay, creating blight and crime.
14

15 The schedule for these initiatives is as follows:

16
17 – Phase 1 covers the sex offender location or child safety zone, the
18 landlord responsibility for drug trafficking, parolee housing and abandoned and
19 foreclosed homes, and is currently under preparation and review.
20

21 – Phase 2 will kick off in the spring or early summer.
22

23 – Phase 3 is data intensive and will begin towards the end of the year.
24

25 CDD Elliano commented that developing the ordinance is the relatively easy part. The
26 hard part is having a program in place with the limited amount of staff and resources
27 available. She noted that systems would be developed to target the worst areas first.
28

29 D. Riverside County Economic Outlook

30
31 CDD Elliano explained that because of the preparation of the General Plan, this item
32 will be continued to the December 6th meeting.
33
34

35 6. CITY ATTORNEY REPORTS: (None)

36 7. PLANNING COMMISSIONER REPORTS:

37 A. Chairman Gifford (None)

38 B. Vice Chairman Deuber – requested an update on the shopping cart progress,
39 especially relating to the noncompliance of smaller retailers.
40

41 C. Commissioner Overmyer – inquired regarding the appropriate method for
42 reducing panhandling at establishments in the city.
43
44

45
46 CDD Elliano and City Attorney Jex noted that anybody could register a complaint with
47 the Poice Department if they felt they were being harassed. If the panhandlers are in a
48 public area like a sidewalk, it was within their legal right to ask for a donation.
49
50

1 However, business establishments have to initiate a complaint if this is being done on
2 private property.

3
4 Commissioner Overmyer continued his report by discussing the the Traffic & Parking
5 Commission meeting, as he is the Planning Commission liaison, noting that there had
6 been 11 items on the last agenda, with the most intensive being the circulation element
7 of the general plan. He also commented on how favorably these commissions work
8 with the public in solving problems.

9
10 D. Commissioner Rogers – requested prayers for Councilman Foreman's son, who
11 was in an automobile accident. He also noted that he had talked with the city
12 attorney regarding Section 3 of the property owner's responsibility on the Hemet
13 ROCS program as he is a landowner.

14
15 E. Commissioner Thompson: (None)

16
17
18 **8. FUTURE AGENDA ITEMS:**

- 19
20 A. Report on "Human Signs" and other temporary signage in the city
21 B. Zoning Ordinance Amendment for Special Housing Classifications
22 C. Status report on foreclosure activity & housing market
23 D. Report on Industrial Development Opportunities
24 E. Report on Medical Marijuana Dispensaries

25
26 CDD Elliano indicated that this was an ongoing list of items which would be brought
27 before the Commission as time permits. She also indicated that they would be adding
28 the economic development forecast with as much local information as possible. She
29 advised that shopping cart priorities would be added to the list of future agenda items.

30
31
32 **9. ADJOURNMENT:** It was the consensus of the Commission to adjourn the meeting
33 at 8:03 p.m. to the regular meeting of the City of Hemet Planning Commission
34 scheduled for **December 6, 2011 at 6 p.m.** to be held at the City of Hemet Council
35 Chambers located at 450 E. Latham Avenue, Hemet, California 92543.

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John Gifford, Chairman
Hemet Planning Commission

ATTEST:

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Nancie Shaw, Records Secretary
Hemet Planning Commission