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# PLANNING COMMISSION

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## MEETING MINUTES

**DATE:** January 17, 2012

**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 and David Rogers

**ABSENT:** None

**Invocation and Flag Salute:** Vice Chairman Deuber

### 2. APPROVAL OF MINUTES FOR NOVEMBER 15, 2011 AND DECEMBER 6, 2011

#### A. Minutes of November 15, 2011

It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner Rogers to **APPROVE** the minutes of November 15, 2011, modifying page 3, line 39 to read: "...amend or address this **once** the Highway 79 alignment and design is adopted."

The MOTION was carried by the following vote:

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

#### B. Minutes of December 6, 2011

It was **MOVED** by Commissioner Rogers and **SECONDED** by Commissioner Overmyer to **APPROVE** the minutes of December 6, 2011, as presented.

The MOTION was carried by the following vote:

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

**NOES:** None

1 **ABSTAIN:** None

2 **ABSENT:** None

3  
4 **3. PUBLIC COMMENTS:** None

5  
6  
7 **PUBLIC HEARINGS**

8  
9  
10 **4. COMPREHENSIVE 2030 GENERAL PLAN UPDATE (GENERAL PLAN**  
11 **AMENDMENT NO. 11-002) AND FINAL ENVIRONMENTAL IMPACT REPORT**  
12 **(ENVIRONMENTAL ASSESSMENT NO. 11-002) FOR THE GENERAL PLAN**  
13 **UPDATE (SCH #2010061088)**

14  
15 **APPLICANT:** City of Hemet

16 **LOCATION:** City-wide

17 **PLANNER:** Deanna Elliano, CDD

18 **DESCRIPTION:** Planning Commission review and recommendation to the City  
19 Council regarding additional changes to the Draft General Plan document and Draft  
20 Land Use Plan as a result of the comments received from public agencies during  
21 the comment period; and Certification of the Final EIR, adoption of the Mitigation  
22 Monitoring and Reporting Program, and adoption of the Findings and Statement of  
23 Overriding Considerations for the City of Hemet 2030 General Plan.

24  
25 Chairman Gifford and the Commission discussed the format for Commission  
26 comments, and the consensus was to take comments after each issue's presentation.

27  
28 CDD Elliano gave a PowerPoint presentation concerning the General Plan Land Use  
29 changes (General Plan Amendment No. 11-002).

30  
31 There was discussion among the Commissioners regarding Hemet West's preference  
32 to obtain the LDR designation of the property along Florida Avenue, with some  
33 Commissioners expressing a desire to see it maintain a commercial designation,  
34 allowing a commercial gateway into the city, or changing it to a park designation,  
35 keeping it as a green parkway entrance to the city.

36  
37 CDD Elliano stated that Florida Avenue would be widened in that stretch, so some of  
38 the acreage would be dedicated for the widening; also, in the Community Design  
39 Element, landscape setbacks of 25 feet are required.

40  
41 Jim Morrissey, 41738 Fulton Avenue, Hemet, gave some history of the mobile home  
42 park, mentioning that the owners felt the property would be more useable as an  
43 extension of Hemet West for residential because although the property has large  
44 acreage, the depth of the parcel is not that deep. Putting commercial in as a strip  
45 feature would demand loading in the rear, adjacent to the residents.

46  
47 Robin Lowe, 5825 Nectar Avenue, Hemet, representing the property owner, reported  
48 that the property was owned by four equal partners as an LLC. In the past, the owners  
49 had come forward with a quasi plan for residential, feeling the parcel was too narrow  
50 for a strip mall. They also were aware of the scenic setback requirements and were in

1 agreement with that. They felt that during the General Plan Update, it would be a good  
2 time to go ahead and change it to residential. And perhaps when the economy turns  
3 around in 2015, they may want to make it commercial. But currently, especially with  
4 the upgrading of manufactured housing, they felt that maintaining a well-established  
5 senior community would be best.  
6

7 Chairman Gifford commented that the rationale he was hearing was that because of  
8 the setback requirements, the widening of the road, and the narrow nature of the  
9 property, the best scenario would be to change its use to residential.  
10

11 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Vice Chairman  
12 Deuber to recommend **ADOPTION** of the proposed change from CC to LDR on the  
13 Hemet West property.  
14

15 The MOTION was carried by the following vote:  
16

17 **AYES:** Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer,  
18 and Rogers  
19

20 **NOES:** None

21 **ABSTAIN:** None

22 **ABSENT:** None  
23

24 CDD Elliano continued her PowerPoint presentation regarding regulatory agency  
25 comments regarding water quality and the recommended changes to the Draft General  
26 Plan text..  
27

28 Chairman Gifford explained his understanding that these are really just clarifications for  
29 policies already in effect by other regulatory agencies, such as the Regional Water  
30 Quality Control Board.  
31

32 CDD Elliano concurred, noting that these items will provide resource documents for the  
33 public, developers, and others. She explained that the requirements were not limited  
34 to private development, but applied to public development as well, as a guideline for  
35 better water quality and conservation. She noted that the changes were shown on  
36 Attachment 2A of the staff report.  
37

38 It was **MOVED** by Commissioner Rogers and **SECONDED** by Commissioner Overmyer  
39 to recommend **ADOPTION** of the recommendations in staff report Attachment 2A  
40 regarding the Regional Water Quality Control Board.  
41

42 The MOTION was carried by the following vote:  
43

44 **AYES:** Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer,  
45 and Rogers  
46

47 **NOES:** None

48 **ABSTAIN:** None

49 **ABSENT:** None  
50

51 CDD Elliano continued her PowerPoint presentation regarding the Airport Land Use  
52 Consistency, explaining the various land use limitations specifically in Area 2 of the

1 Airport Land Use Plan. She presented a series of modifications to the Land Use map  
2 and the text of the Draft General Plan, to be consistent with the Airport Land Use  
3 Commission's recommendations.  
4

5 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Vice Chairman  
6 Deuber to recommend **ADOPTION** of the clarifications and modifications as set forth in  
7 staff report Attachments 2A and 2B.  
8

9 The MOTION was carried by the following vote:

10  
11 **AYES:** Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer,  
12 and Rogers

13 **NOES:** None

14 **ABSTAIN:** None

15 **ABSENT:** None  
16

17 CDD Elliano concluded her PowerPoint presentation regarding Planning Commission  
18 Resolution Bill No. 11-019 concerning the certification of the Final Environmental  
19 Impact Report for the 2030 General Plan.  
20

21 Chairman Gifford had questions concerning the air quality impacts of short-term  
22 construction projects. He asked if the concerns centered on uses that were long term  
23 and continually exceed standards of pollutants.  
24

25 CDD Elliano explained that the concerns were regarding not only short-term  
26 construction, but also the long term. Because of the magnitude of the General Plan,  
27 the agencies are looking at it from a cumulative basis, and because the total south  
28 coast air basin is in non-attainment, the report is saying that we've mitigated it to a  
29 point, but not to a point of insignificance, which is the test for environmental  
30 significance.  
31

32 Commissioner Overmyer asked if that meant the proposed business parks and  
33 industries could be limited because of hazardous chemicals or toxins.  
34

35 CDD Elliano responded that the AQMD regulates different types of emissions. Short-  
36 term construction requires dust control and muffler emission regulation, but there is  
37 also what is called stationary source emissions, which would be a plume of some  
38 chemicals from an industrial or manufacturing facility. Those are regulated very strictly  
39 by the AQMD. Next are the mobile source emissions, which are the pollutants  
40 generated by the motor vehicles operating within the basin and the region. She  
41 explained that it was a cumulative issue, which is mitigated to the extent possible, and  
42 AQMD recognizes that there is a component that is going to be unattainable. By  
43 completing Findings and a Statement of Overriding Considerations, Hemet has  
44 performed a good faith effort to comply with those regulations. Hemet is still required  
45 to do ongoing compliance, but in terms of looking at the big picture for growth, Hemet  
46 is able to move forward. The agency suggested additional mitigation measures, but  
47 did not raise an issue of Hemet being noncompliant. She further explained that the  
48 General Plan promotes increased industry in the region, thus eliminating some of the  
49 vehicle emissions because of shorter commutes; it also encourages walking, cycling,  
50 Metrolink stations, and bus transit to further reduce emissions.

1  
2 Chairman Gifford asked if most of the General Plan documents being adopted currently  
3 have significant unavoidable impacts with air quality.  
4

5 CDD Elliano responded affirmatively, and Vice Chairman Deuber noted that the report  
6 appears to adequately cover all fronts.  
7

8 Chairman Gifford felt that the water supply assessment was overkill and contained  
9 speculation. He also suggested that under Mitigation Measure 4.3-1C, (page G5 of the  
10 Mitigation Monitoring Plan), which is the two-stroke engine regulations, a reference to  
11 the AQMD circular would assist in explaining the regulation.  
12

13 The public hearing was opened, and C.W. Cecchi, 2433 Tulip Court, Hemet  
14 approached the lectern and asked about the grade separations that would be required  
15 if the Metrolink was going to be set up in the present location, since it crosses two state  
16 highways. He suggested moving the location to the south of Florida Avenue.  
17

18 It was **MOVED** by Vice Chairman Deuber and **SECONDED** by Commissioner  
19 Overmyer to **ADOPT** Resolution Bill No. 11-019 with a recommendation to the City  
20 Council to certify the Final Environmental Impact Report for the Hemet 2030 General  
21 Plan.  
22

23 The MOTION was carried by the following vote:  
24

25 **AYES:** Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer,  
26 and Rogers  
27

28 **NOES:** None

29 **ABSTAIN:** None

30 **ABSENT:** None  
31

32 ***(Adopted Planning Commission Resolution No. 12-001.)***

33 (Short recess taken.)  
34

35 **5. ZONING ORDINANCE AMENDMENT 12-001 establishing Sex Offender**  
36 **Residency Restrictions in the City of Hemet**  
37

38 **APPLICANT:** City of Hemet

39 **LOCATION:** City-wide

40 **PLANNER:** Deanna Elliano, Community Development Director

41 **DESCRIPTION:** A city-initiated ordinance of the City of Hemet amending Chapter  
42 90 (Zoning) of the Hemet Municipal Code to add a new Article X entitled "Special  
43 Housing Classifications" and adopting Division 3 which establishes Sex Offender  
44 Residency Restrictions. This ordinance is a component of the Hemet ROCS  
45 (Restoring Our Communities Strategy) Program for the City of Hemet.  
46  
47

48 CDD Elliano gave an explanatory presentation regarding the ordinance, noting that,  
49 following the implementation of this statute, any newly-released sex offender could not  
50 live with another sex offender released pre-statute.

1 Commissioner Rogers inquired regarding the library prohibition, considering that the  
2 sex offender is also a taxpayer.

3  
4 CDD Elliano stated that they could still go to the library, but could not live within 2,000  
5 feet of it. She also explained that there was a companion ordinance that had been  
6 reviewed by the City Council within the last month that was a sex offender locational  
7 restriction, which is why it's going through the zoning code. It was locational in terms of  
8 restricting sex offenders from parks or places where children might congregate.

9  
10 Commissioner Overmyer commented that, because of low property values, Hemet is at  
11 risk for such instances.

12  
13 Commissioner Rogers commented that property owners are not always aware of the  
14 crimes of their tenants. Therefore, he appreciated the wording of "knowingly" in the  
15 ordinance.

16  
17 CDD Elliano stated that the mayor was requesting that at the end of each of these  
18 ordinances, a mention be made of Hemet ROCS so that the public, the Commission,  
19 and the Council could identify that this is one of the components of that program.

20  
21 To Vice Chairman Deuber's question concerning the Salvation Army and children's  
22 programs, CDD Elliano stated that their programs tended to be more family-based than  
23 child-based.

24  
25 Vice Chairman Deuber also asked if the ordinance could be amended to include new  
26 facilities as they are established, to which CDD Elliano responded affirmatively.

27  
28 Chairman Gifford opened the public hearing.

29  
30 Stefany Nelson, 555 East Fruitvale, Apartment 613, Hemet, inquired about the  
31 restriction applying to apartment complexes where there are playgrounds for children  
32 and where managers allow sex offenders as tenants.

33  
34 CDD Elliano replied that the ordinance specifies parks, both publicly and privately  
35 owned, so an HOA park could qualify. An assessment might have to be made to  
36 ascertain its availability to children. If it were a park within a senior-oriented  
37 community, the ordinance would probably not apply.

38  
39 Ms. Nelson also asked about the legality of an apartment manager prohibiting a sex  
40 offender from living there.

41  
42 CDD Elliano responded that the law allows the sort of prohibition as outlined in the  
43 ordinance for sex offenders released after the date of the ordinance adoption. Once  
44 managers are informed as to what their responsibilities are, pursuant to this ordinance,  
45 if they still continue to violate the ordinance, they could be held responsible.

46  
47 Commissioner Rogers wanted to know how many apartment complexes included  
48 parks.

1 CDD Elliano responded that, if the City begins to discover during the implementation  
2 and enforcement mode that the ordinance is overly restrictive, they may have to take  
3 another look at those concentric circles, but that, as it is written, and based on the  
4 information to date, the 2,000 foot distance requirement imposed by the ordinance  
5 allows for sufficient residency locations.  
6

7 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner Rogers  
8 to **ADOPT** Resolution Bill No. 12-001 recommending approval to the City Council of  
9 Zoning Ordinance Amendment No. 12-001.

10  
11 The MOTION was carried by the following vote:

12  
13 **AYES:** Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer,  
14 and Rogers

15 **NOES:** None

16 **ABSTAIN:** None

17 **ABSENT:** None  
18

19 *(Adopted Planning Commission Resolution No. 12-002.)*  
20  
21

## 22 DEPARTMENT REPORTS

### 23 6. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

#### 24 25 A. Report on City Council actions from the December 13, 2011 and January 10, 26 2012 meetings

27  
28 CDD Elliano reported the following items on the January 10, 2012 meeting: 1) a  
29 presentation by Environmental Services Manager Linda Nixon, of the City's  
30 Engineering Division, regarding municipal storm drain permits; 2) a presentation of the  
31 winners of the Hemet/San Jacinto Green Coalition shopping cart awareness poster  
32 contest; 3) the election of Wayne Disher, Hemet Library Director, as the President of  
33 the California Library Association; 4) the retirement of Hemet Building Official Colin  
34 McNie, and appointment of Tim Steenson as the part-time Interim Building Official; 5) a  
35 report on the RDA situation and Hemet's choice to be the successor agency and have  
36 control of its own affairs rather than cede it to the county or another local district.  
37  
38

39  
40 At the December 13th meeting, the new Mayor, Robert Youssef and the new Mayor  
41 Pro Tem, Jim Foreman, were initiated. Also, CDD Elliano had given a presentation on  
42 the General Plan, and the item was continued to the January 24th meeting.  
43

#### 44 B. Report on WRCOG Planning Directors' Meeting

45  
46 CDD Elliano reported that WRCOG had received a \$400,000 grant to work on a  
47 climate action plan. Hemet has a Greenhouse Gas Inventory that was done at the time  
48 of the General Plan, but staff is hoping to utilize what WRCOG is developing on a  
49 regional basis to assist in development of the local Climate Action Plan, which will  
50 lessen the amount of local funding needed for the project.

1 Also, the 2012 to 2035 Regional Transportation Plan and Sustainable Communities  
2 Strategy is now out for public review, which includes the counties of Los Angeles,  
3 Orange, Ventura, Riverside and San Bernardino. Hemet provided input in terms of  
4 growth projections for the City of Hemet and the city limits.  
5

6 Another important matter was the State's allocation and SCAG's allocation for the  
7 Regional Housing Needs Assessment (RHNA), where the city is given an allotment of  
8 units to support extremely low, very low, low to moderate, and moderate and above  
9 moderate income housing categories. Going into the process, it looked like Hemet was  
10 going to be allocated 12,000 units, which was then reduced to 6,000 units. Hemet  
11 continued to protest with SCAG, as did San Jacinto. At the end of last year, the draft  
12 RHNA numbers were circulated, and the draft number for Hemet was 604 units, across  
13 all categories — a huge reduction. Other cities and needs may influence the numbers,  
14 but it's heading in the right direction.  
15

16 Vice Chairman Deuber asked if the 604 was inclusionary.  
17

18 CDD Elliano responded that, yes, it could be inclusionary and could be spread  
19 throughout, although the City's Housing Element must indicate available vacant sites.  
20

21 Vice Chair Deuber commented that Hemet has enough vacant housing units to  
22 accommodate the numbers.  
23  
24

25 **7. CITY ATTORNEY REPORT: None**  
26  
27

28 **8. PLANNING COMMISSIONER REPORTS:**  
29

30 **A.** Chairman Gifford commended staff on the General Plan and the work that  
31 had been put into it. He also applauded Vice Chairman Deuber and her coalition for  
32 working with the downtown Hemet Theater and hopefully making it a nice  
33 establishment.  
34

35 **B.** Vice Chairman Deuber reported on the situation with the Valley Queens,  
36 noting that in 2008 a nonprofit organization had purchased the Valley Queens  
37 organization, collected the money from the public, and ran out of town. She indicated  
38 that a fundraiser was held in the theater on January 6th to show everyone who was in  
39 attendance how the pageant selection process happens, and introduced the current  
40 Miss San Jacinto, Miss Hemet, and Miss Teen Hemet. She also recited other  
41 community-wide efforts that had been going on recently with the Farmers Market and  
42 the Downtown Hometown Christmas.  
43  
44

45 **C.** Commissioner Overmyer commended the staff and Chairman Gifford for the  
46 phenomenal work done on the EIR for the General Plan. He then reported, as liaison  
47 to the Traffic and Parking Commission, that there was going to be a traffic signal  
48 installed at Thornton and Sanderson Avenues, and that a request for a stop sign at  
49 San Marcos and Elk Streets had been denied. There was also discussion of recent  
50 accidents at Warren Road.

1 D. Commissioner Rogers joined with the others in applauding the Planning  
2 Division and CDD Elliano on their work with the General Plan.  
3  
4

5 **9. FUTURE AGENDA ITEMS:**  
6

- 7 A. Report on "Human Signs" and other temporary signage in the City  
8 B. Status report on foreclosure activity and housing market  
9 C. Report on Industrial Development Opportunities  
10 D. Status of Shopping Cart Retrieval Plans and Compliance  
11 E. Report on methods to reduce panhandling at commercial establishments  
12

13 CDD Elliano reported other items to be considered, including a work study for a cell  
14 tower proposed at the Prince of Peace Church at Sanderson and Devonshire Avenues;  
15 Lazaro's Plaza, a commercial establishment proposed on East Florida Avenue; and an  
16 extension of time for a condominium project that was approved but not yet built at  
17 Cawston and Stetson Avenues.  
18

19  
20 **10. ADJOURNMENT:** It was unanimously agreed to adjourn the meeting at 8:25 p.m.  
21 to the regular meeting of the City of Hemet Planning Commission scheduled for  
22 **February 7, 2012 at 6:00 p.m.** to be held at the City of Hemet Council Chambers  
23 located at 450 E. Latham Avenue, Hemet, California 92543  
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31 John Gifford, Chairman  
32 Hemet Planning Commission

33 ATTEST:  
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38 Nancie Shaw, Records Secretary  
39 Hemet Planning Commission  
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