

PLANNING COMMISSION

AGENDA

REGULAR MEETING OF THE HEMET PLANNING COMMISSION

City Council Chambers

450 East Latham Avenue, Hemet CA 92543

May 1, 2012

6:00 PM

If you wish to make a statement regarding any item on the agenda, please complete a Speaker Card and hand it to the clerk. When the Chairman calls for comments from the public on the item you wish to address, step forward to the lectern and state your name and address. Only testimony given from the lectern will be heard by the Planning Commission and included in the record.

1. CALL TO ORDER:

Roll Call: Chairman John Gifford, and Commissioners Vince Overmyer, Nasser Moghadam, Michael Perciful, and Greg Vasquez

Invocation and Flag Salute: Commissioner Overmyer

2. INTRODUCTION OF NEW PLANNING COMMISSIONER – Community Development Director Deanna Elliano

3. OATH OF OFFICE FOR COMMISSIONER VASQUEZ –administered by the minutes clerk

4. NOMINATION AND ELECTION OF PLANNING COMMISSION CHAIR FOR 2012-13 – Community Development Director Elliano

5. NOMINATION AND ELECTION OF PLANNING COMMISSION VICE-CHAIR FOR 2012-13 – Community Development Director Elliano

**** Brief Recess for Reorganization of Commission Members ****

□ CITY OF HEMET PLANNING COMMISSION MEETING □

MAY 1, 2012

Page 1 of 5

6. **APPROVAL OF MINUTES:** *There are no Minutes ready for approval at this meeting.*

7. **PUBLIC COMMENTS:**

*Anyone who wishes to address the Commission regarding items **not on the agenda** may do so at this time. Please line up at the lectern when the Chairman asks if there are any communications from the public. When you are recognized, please give your name and address. Please complete a Speaker Card and hand it to the Clerk so that we have an accurate recording of your name and address for the minutes.*

PUBLIC HEARINGS

Meeting Procedure for Public Hearing Items:

1. Receive Staff Report Presentation
2. Commissioners Report Regarding Any Site Visit or Applicant Contact, and ask questions of staff
3. Open the Public Hearing and receive comments from the applicant and the public.
4. Close the Public Hearing
5. Planning Commission Discussion and Motion

8. **ZONE CHANGE NO. 12-001 (ESPLANADE COMMERCE CENTER)**

APPLICANT: Jose and Maria Cuevas

LOCATION: 463 W. Esplanade Avenue

PLANNER: Soledad Carrisoza, Planning Technician

DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding a zone change from M-1 (Light-Manufacturing) to C-M (Commercial-Manufacturing) on the northwest portion (approx. 1.62 ac) of a parcel with an existing 16,200 square-foot commercial building, located on the south side of Esplanade Avenue approximately 1.5 blocks (900 feet) west of State Street.

Recommended Action:

Adopt Planning Commission Resolution Bill No. 12-006, entitled:

"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CHANGE NO. 12-001 TO CHANGE THE ZONING FROM M-1 (LIGHT MANUFACTURING) TO C-M (COMMERCIAL MANUFACTURING) ON THE NORTHWEST PORTION, APPROXIMATELY 1.62 ACRES, OF A PARCEL WITH AN EXISTING 16,200 SQUARE-FOOT COMMERCIAL BUILDING, LOCATED ON THE SOUTH SIDE OF ESPLANADE AVENUE APPROXIMATELY 1.5 BLOCKS (900 FEET) WEST OF STATE STREET (APN: 439-030-021)."

9. **GENERAL PLAN AMENDMENTS: Cycle 2 of General plan Amendments for 2012:** *The following General Plan Amendments are two related applications that will be presented as one staff presentation and public hearing item. At the close of the public hearing, formal action should be taken on agenda Item 9B first and then item 9A.*

A. GENERAL PLAN AMENDMENT NO. 12-002 (AMENDMENT TO THE ADOPTED 2008-2014 HOUSING ELEMENT)

APPLICANT: City of Hemet
LOCATION: City-wide
PLANNER: Nancy Gutierrez, Contract Planner

DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding amendments to the adopted 2008-2014 Housing Element to comply with California Housing and Community Development Department conditional certification requirements.

Recommended Action:

Adopt *Planning Commission Resolution Bill No. 12-012, entitled:*

"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 12-002 REGARDING AMENDMENTS TO THE ADOPTED 2008-2014 HOUSING ELEMENT TO COMPLY WITH STATE CONDITIONAL CERTIFICATION REQUIREMENTS."

B. GENERAL PLAN AMENDMENT NO. 12-001 (GENERAL PLAN LAND USE MAP REVISIONS)

APPLICANT: City of Hemet
LOCATION: City-wide
PLANNER: Nancy Gutierrez, Contract Planner

DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding 2012 Cycle 2 revisions to the General Plan Land Use Map to change the land use designation of the following five sites:

- Site 1: Amend the designation on approx. 15 acres located on the south side of Stetson Ave. between Palm and Lyon Aves. from High-Density Residential to Very High Density Residential.
- Site 2: Amend the designation on approx. 5 acres located on the north side of Acacia Ave., approximately 300 feet east of Yale Ave. from Community Commercial and High Density Residential to Very High Density Residential.
- Site 3: Amend the designation on approximately 9 acres located on the southeast corner of State St. and Johnston Ave. from High Density Residential to Very High Density Residential.

- Site 4: Amend the designation on approximately 4 acres located on the southwest corner of Johnston and Buena Vista Aves. from High Density Residential to Office Professional/Medical.
- Site 5: Amend the designation on approximately 1.6 acres located on the north side of Devonshire Ave., approximately 100 feet east of San Jacinto Ave. from Low Density Residential to Office Professional/Medical.

Recommended Action:

Adopt Planning Commission Resolution Bill No. 12-011, entitled:

"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 12-001 REGARDING 2012 CYCLE 2 REVISIONS TO THE GENERAL PLAN MAP FOR FIVE SPECIFIED SITES."

10. ZONING ORDINANCE AMENDMENT NO. 12-002 (BOARDING HOUSES, GROUP HOMES AND REASONABLE ACCOMMODATION)

APPLICANT: City of Hemet

LOCATION: City-wide

PLANNER: Deanna Elliano, Community Development Director

DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding a city-initiated ordinance amending Chapter 90 (Zoning) of the Hemet Municipal Code by repealing and readopting zoning and development regulations for Boarding Houses and Group Homes and adopting new reasonable accommodation procedures. This ordinance is a component of the Hemet ROCS (Restoring our Community Strategy) Program for the City of Hemet (**Ordinance Bill No. 12-034.**)

Recommended Action:

Adopt Planning Commission Resolution Bill No. 12-008, entitled:

"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING ORDINANCE AMENDMENT NO. 12-002, AN ORDINANCE (1) REPEALING ORDINANCE NO. 1798 WHICH ADDED SECTION 90-75 "BOARDING HOUSES AND RESIDENTIAL CARE FACILITIES" TO THE HEMET MUNICIPAL CODE; (2) AMENDING ARTICLE X OF "SPECIAL HOUSING CLASSIFICATIONS" OF CHAPTER 90 OF THE HEMET MUNICIPAL CODE; AND (3) AMENDING VARIOUS OTHER SECTIONS OF CHAPTER 90 OF THE HEMET MUNICIPAL CODE RELATING TO THE MATRIX OF PERMITTED LAND USES FOR RESIDENTIAL AND COMMERCIAL ZONES WITHIN THE HEMET MUNICIPAL CODE."

DEPARTMENT REPORTS

11. **CITY ATTORNEY REPORTS:** *Verbal reports from Assistant City Attorney Tom Jex on items of interest to the Planning Commission.*
12. **COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**
 - A. Report on City Council actions from the April 24, 2012 meeting
13. **HEMET ROCS CITIZEN ADVISORY COMMITTEE REPORT** – *Chairman John Gifford*
14. **PLANNING COMMISSIONER REPORTS:** *Commissioner reports on meetings attended or other matters of Planning interest*
 - A. Chairman Gifford
 - B. Commissioner Overmyer
 - C. Commissioner Moghadam
 - D. Commissioner Perciful
 - E. Commissioner Vasquez
15. **FUTURE AGENDA ITEMS:** *Items to be scheduled for upcoming Planning Commission Meetings*
 - A. Jasmine Gardens CUP
 - B. Report on Industrial Development Opportunities
 - C. Status of Shopping Cart Retrieval Plans and Compliance
 - D. Proposed Fence Ordinance – Part II
 - E. Temporary Sign Provisions – Part II
16. **ADJOURNMENT:** To the regular meeting of the City of Hemet Planning Commission scheduled for **May 15, 2012 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, California 92543.

NOTICE TO THE PUBLIC:

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Planning Department counter of City Hall located at 445 E. Florida Avenue during normal business hours. Agendas for Planning Commission meetings are posted at least 72 hours prior to the meeting. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact the Planning Department office at (951) 765-2375. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to insure accessibility to the meeting. (28 CFR 35.102-35.104 ADA Title II).

AGENDA #8



Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director *DEE*
Soledad Carrisoza, Planning Technician *SC*

DATE: May 1, 2012

RE: **ZONE CHANGE 12-001 (Esplanade Commerce Center)** A request for Planning Commission review and approval of a Zone Change from M-1 (Light Manufacturing) to C-M (Commercial-Manufacturing) to the northwest portion of an approximately 1.62 acre site with an existing 16,200 square foot commercial building. The subject property is located on the south side of Esplanade Avenue approximately 1.5 blocks (900 feet) west of State Street, and consideration of a Notice of Determination that the project is consistent with a previously adopted EIR pursuant to CEQA Guidelines Section 15162.

PROJECT APPLICANT INFORMATION

Owner: Jose A. Cuevas and Maria P. Cuevas
Applicant: Jose A. Cuevas and Maria P. Cuevas
Authorized Agent: Blaine Womer Civil Engineering
Project Location: 463 W. Esplanade Avenue
Site Area: Approximately 1.62 ac (71,000 square-feet)

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt the attached Planning Commission Resolution Bill No. 12-006 (Attachment No. 1), entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE ZONE CHANGE NO. 12-001 TO CHANGE THE ZONING FROM M-1 (LIGHT MANUFACTURING) TO C-M (COMMERCIAL MANUFACTURING) ON THE NORTHWEST PORTION, APPROXIMATELY 1.62 ACRES, OF A PARCEL WITH AN

City of Hemet - Planning Department
Planning Commission Meeting of May 1, 2012

**EXISTING 16,200 SQUARE FOOT COMMERCIAL BUILDING,
LOCATED ON THE SOUTH SIDE OF ESPLANADE AVENUE
APPROXIMATELY 1.5 BLOCKS (900 FEET) WEST OF STATE
STREET (APN: 439-030-021)."**

PROJECT DESCRIPTION:

The property owner has requested a zone change for the northwest portion of his property. The property is currently zoned M-1 (Light Manufacturing) and the owner has requested C-M (Commercial Manufacturing) zoning. The approximately 1.62 acre zone change being requested includes an existing 16,200 square foot building with eleven suites and required parking. The entire parcel is 8.82 acres. Please see Zone Change Plat Map (Exhibit 1A).

The property owner's reason for requesting the zone change is to accommodate commercial uses not presently permitted in the M-1 zone. The existing 16,200 square foot building was built with store fronts facing Esplanade and the property owner has received requests for uses not allowed in the M-1 zone, but that would be allowed in the C-M zone by right or with approval of a Conditional Use Permit or an Administrative Use Permit. Currently, there are several vacant tenant spaces in the building and the owner has been unable to locate industrial users for this space. Due to the type of construction and tenant spaces existing in the building, the applicant believes the structure is better suited for commercial uses that would be allowed under the C-M zoning district. See Adjacent Zoning, Attachment No. 2

SURROUNDING LAND USES AND SETTING:

The site is located on the south side of Esplanade Avenue across the street from Valley Wide Regional Park. The parcels to the east are zoned M-1 (Light Manufacturing) and there is a variety of light manufacturing businesses located there. The parcel to the west is zoned C-M (Commercial-Manufacturing) and there is a large industrial building in the front of the property. The southerly portion of the subject property is zoned M-1 and contains an existing, 55,000 square-foot industrial building, as shown in the Aerial View, Attachment No. 3.

The north side of Esplanade Avenue west of State Street is within San Jacinto city limits. Valley Wide Regional Park is directly north of project site. There is an existing professional building northwest of the project site and a mini-storage facility and a business center northeast of the project site, both zoned M-1 (Light Manufacturing). See Photos of Site, Attachment No. 4.

The project and surrounding land uses are summarized in the Table below:

| | LAND USE | ZONING | GENERAL PLAN |
|--------------|---|-------------------------------|---------------------|
| PROJECT SITE | Industrial and Commercial Uses | Current: M-1 Proposed: C-M | Industrial |
| NORTH | Valley-Wide Regional Park and Industrial Uses | Park and M-1 | City of San Jacinto |
| SOUTH | Industrial Uses | M-1 | Industrial |
| EAST | Industrial Uses | M-1 | Industrial |
| WEST | Commercial Uses | C-M | Industrial |

BACKGROUND

On February 20, 2007, Site Development Review 06-028 was approved for façade improvements to an existing 55,000 square foot building and for the development of a new 16,200 square foot building on an 8.82 acre lot. The 16,200 square foot building, appurtenant site improvements, and parking associated with this development are on approximately 1.62 acres of the 8.82 acre site. The property owner is proposing the zone change only for the 1.62 acre area.

The 16,200 square-foot building fronts onto Esplanade Avenue, and contains ten suites and one larger office suite. Most of the units are presently occupied, but several spaces are vacant. The existing building, site improvements, vehicular and pedestrian circulation, landscaping, lighting, and parking meet the current zoning requirements. The Applicant is proposing no changes to the existing building or site conditions at this time.

CEQA REVIEW

The proposed Zone Change application is considered a project under the California Environmental Quality Act (CEQA) Guidelines. However, a Final EIR was certified for the Comprehensive General Plan Update which was adopted by the Hemet City Council on January 24, 2012. The proposed project is consistent with the existing Industrial Land Use analyzed in the adopted EIR for the General Plan and no further review is required pursuant to Section 15162 of the CEQA Guidelines.

PUBLIC COMMUNICATIONS RECEIVED

At the time of report preparation, the Planning Department has not received any letters of comment from the public. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the public hearing.

Property owners located within a 1,000-foot radius of the project site were notified of the public hearing on April 19, 2012 with a 10-day hearing notice in addition to a public notice in the Press Enterprise.

GENERAL PLAN CONSISTENCY

Land Use Element

The City of Hemet General Plan establishes the fundamental policy framework to guide decisions related to, in part, land use and development. The "Land Use Element" of the General Plan directs and defines development patterns by designating allowable uses, requirements, and locations for both existing and future development. Through maps and text, the Land Use Element defines the distribution and intensity of development of residential neighborhoods commercial and industrial districts, parks and other open spaces, and public uses of property in Hemet.

Land Use Map

This mandatory element of the General Plan contains the Land Use Map, which presents a pictorial representation of land use policy. To ensure appropriate implementation of the element's goals, the text describes the relationship between General Plan land use policy and zoning. The Land Use Map graphically represents the planned distribution and intensity of land use citywide. In addition to land use designations the City is divided into Districts. Dividing the City into Districts has been a way to create neighborhood identity and foster a "small town" feeling desired in the 1992 General Plan and reiterated as part of the current and newly adopted General Plan 2030. The current General Plan Land Use designation for the property being considered in this action is Industrial. Industrial Land uses may include any of the following zoning designations: Heavy Agriculture (A-2-C); Heavy Commercial/Limited Industrial (C-2); Light Manufacturing (M-1); and General Manufacturing (M-2) among others.

Greater Downtown District

Like many older cities, Hemet has a distinct greater downtown area characterized by a traditional grid street system, older homes and buildings, and a varied land use pattern. Smaller neighborhoods and areas within the Greater Downtown District are grouped by similar uses with consistent character. These districts are shown in Figure 2.3, see Attachment No. 5

The project site is located in the the State Street Business Park area of the Greater Downtown District. These areas are represented graphically in Figure 2.4, see Attachment No. 6. The area south of Esplanade, and on both sides of State Street is designated for industrial and business park purposes. As the northerly gateway to the City of Hemet, the area is underutilized and lacks attractive design elements and identity. The long term vision for this area is a transition to clean industrial, Business Park uses within a landscaped framework, particularly along State Street.

Zoning Consistency

The applicant is proposing a zone change to a portion of his property located in the State Street Business Park. The property is currently zoned M-1 (Light Manufacturing) and the property owner is proposing changing the zone to C-M (Commercial Manufacturing) on 1.62 acres.

The current Land Use Designation for the property is Industrial, and changing the zoning designation to C-M is consistent with Industrial lands as indicated in Table 2.2. of the General Plan Land Use Element. See Table, Attachment No. 7. This Table indicates the relationship between Hemet's zoning districts and the General Plan Land Use designations and shows that the proposed action is consistent with the Industrial Land Use designation.

The existing 16,200 square-foot building on the subject site was developed to the standards of the existing M-1 zone, which has more stringent requirements for setbacks, but allows a higher percentage of lot coverage. However, the subject site is already developed and, therefore, it is unlikely that the lot coverage percentage will be impacted by the change of zone. The existing M-1 zone also allows building height to reach up to 60 feet, whereas the proposed C-M zone is limited to 35 feet in height. The existing development on the site is consistent with the proposed zone change and it is anticipated that no significant impacts will result from the proposed project.

ANALYSIS

Staff feels the design of the building is well suited for Commercial uses and adequately conforms to the City's Commercial Design Guidelines. The landscaping and irrigation was recently upgraded by the current owner after suffering neglect due to the building going into foreclosure. The site also meets parking requirements for shopping centers, the parking requirements for shopping centers is 1 space per 250 square feet of gross floor area. To meet this requirement 65 stalls are required and 75 stalls are provided. Changing the zone from M-1 to C-M shall not pose any foreseeable parking issues.

Changing the zone from M-1 (Light Manufacturing) to C-M (Commercial-Manufacturing) is consistent with the current General Plan Land Use. Table 2.2 City of Hemet General Plan 2030 identifies the relationship between Hemet's Zone Districts and the General Plan Land Use Designations. The current land use designation for the subject property is Industrial.

Esplanade Avenue is designated as a Secondary Street, which is identified in the General Plan Circulation Element as a four-lane street with a painted centerline and no median. The proposed project does not expand any current uses on site and is not anticipated to cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. The proposed project is not anticipated to result in exceeding, either cumulatively or individually, a level of service standard established by the City for designated roads or highways. Ingress and egress to the proposed parking lot meets City standards, and was reviewed by the City's Fire and

Police Departments for emergency vehicle access and circulation prior to construction. Circulation impacts associated with the proposed zone change will be less than significant.

The proposed Zone Change to C-M (Commercial-Manufacturing) is compatible with the surrounding M-1 (Light Manufacturing) zoning.

Adding C-M (Commercial Manufacturing) will increase the number of commercial, manufacturing, recreational and miscellaneous uses currently allowed in the C-M zone, either by right or through approval of an AUP (Administrative Use Permit) or CUP (Conditional Use Permit) in the M-1 zone. See Commercial Land Use Matrix (Attachment No. 4) for a comprehensive list of Permitted uses. The majority of the uses listed in the C-M which are not listed in the M-1 zone will require Administrative approval. See Commercial Land Use Matrix, Attachment No. 8.

The proposed zone change is expected to help further General Plan Goals, policies and objectives, including but not limited to the following:

Land Use Goal LU-1. "Achieve a balanced and sustainable pattern of land uses, community services and amenities that provide for the needs of the City's residents and businesses and enhance the overall quality of life in the community." The proposed zone change will positively impact two policies under this goal which are LU 1.1 and LU 1.2 to encourage a diverse mix of land uses and promote job growth in the City of Hemet.

Land Use Goal LU-6. "Establish a comprehensive range of attractive and economically viable commercial centers throughout the City that meet the needs of the community." The proposed zone change will positively impact two policies under this goal which are LU-6.2 and LU-6.3 to promote the establishment of integrated commercial centers and encourage retail and other support uses that offer a broad selection of goods and services.

Land Use Goal LU-13. "Provide a strategic and proactive economic development program in order to attract, retain and expand businesses, create sustainable jobs for the local workforce, and generate revenue to support municipal functions, services, and reinvestment back into the community." The proposed zone change will positively impact three policies under this goal which are LU-13.4, LU-13.6, and LU-13.7 to promote economic development that creates jobs, retains businesses, and reuses underutilized commercial or industrial centers.

REQUIRED FINDINGS:

1. That the proposed change of zone is in conformance with the latest adopted general plan for the City;

Changing the zone from M-1 (Light Manufacturing) to C-M (Commercial-Manufacturing) is consistent with the current General Plan Land Use. Table 2.2 City of Hemet General Plan 2030 identifies the relationship between Hemet's Zone Districts

and the General Plan Land Use Designations. The current land use designation for the subject property is Industrial.

2. That the streets in the area are adequate to handle potential traffic generated by the change of zone; and

Esplanade Avenue is classified in Circulation Element of the General Plan as a Secondary Street. The proposed project is not anticipated to cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. The proposed project is not anticipated to result in exceeding, either cumulatively or individually, a level of service standard established by the City for designated roads or highways. Ingress and egress to the proposed parking lot meets City standards. Circulation impacts associated with the proposed project would be less than significant. .

3. That the proposed change of zone is compatible with adjacent zoning.

The proposed Zone Change to C-M (Commercial-Manufacturing) is compatible with the surrounding M-1 (Light Manufacturing) zoning.

ENVIRONMENTAL FINDINGS:

1. **CEQA.** The City Council approved a resolution certifying the Final Program EIR for the Comprehensive General Plan 2030 update by Resolution No. 4474 on January 24, 2012, and a Notice of Determination was filed in accordance with CEQA requirements on January 26, 2012. The Planning staff believes that the proposed zone change is consistent with the previously adopted Comprehensive General Plan Update and Environmental Impact Report and, pursuant to Section 15162 of the CEQA Guidelines, no further review is required.
2. **Multi-Species Habitat Conservation Plan (MSHCP).** The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

CONCLUSION:

Staff has reviewed the application and materials for Zone Change No. 12-001 and has determined that the request for the change of zone can be supported under the existing Industrial General Plan Land Use designation. The subject site is an existing center originally designed to accommodate industrial office types of uses, and was developed to accommodate parking, adequate pedestrian and vehicular circulation throughout the site. The proposed zone change is not expected to create any significant environmental impacts. Staff has reviewed the project for

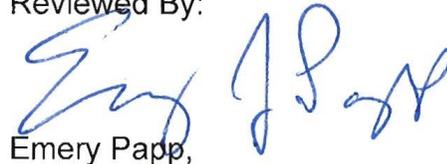
compliance with the California Environmental Quality Act (CEQA), and has determined that the project is exempt from further review under CEQA because it has been deemed to be consistent with the previously adopted Comprehensive General Plan Update Environmental Impact Report. No further CEQA action is required.

Respectfully submitted,



for Soledad Carrisoza,
Planning Technician

Reviewed By:



Emery Papp,
Principal Planner

SC/sc

ATTACHMENTS

- 1) Planning Commission Resolution Bill No. 12-006
Exhibit 1A - Zone Change Plat Map
- 2) Adjacent Zoning Map
- 3) Aerial View
- 4) Photographs of Site
- 5) Land Use Districts Figure 2.3
- 6) Greater Downtown District Plan Figure 2.4
- 7) Table 2.2
- 8) Commercial Land Use Matrix
- 9) Parcel Map

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan 2030
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Commercial Design Guidelines – applicable to all projects submitted after August 13, 2003
City of Hemet Subdivision Ordinance

Attachment No. 1

Planning Commission
Resolution Bill No.
12-006

Planning Commission
Meeting of
May 1, 2012



CITY OF HEMET
Hemet, California

PLANNING COMMISSION
RESOLUTION BILL NO. 12-006

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE ZONE CHANGE NO. 12-001 TO CHANGE THE ZONING FROM M-1 (LIGHT MANUFACTURING) TO C-M (COMMERCIAL MANUFACTURING) ON THE NORTHWEST PORTION, APPROXIMATELY 1.62 ACRES, OF A PARCEL WITH AN EXISTING 16,200 SQUARE FOOT COMMERCIAL BUILDING, LOCATED ON THE SOUTH SIDE OF ESPLANADE AVENUE APPROXIMATELY 1.5 BLOCKS (900 FEET) WEST OF STATE STREET (APN: 439-030-021).”

WHEREAS, on February 27, 2012 an application for Zone Change No. 12-001 has been duly filed by:

Owner: Jose A. Cuevas and Maria P. Cuevas
Agent/Applicant: Blaine Womer Civil Engineering
Project Location: 463 W. Esplanade Avenue
Lot Area: Approximately 1.62-acres; and

WHEREAS, the Planning Commission has the authority per section 90-41 *et seq.* of the Hemet Municipal Code to review and make a recommendation to the City Council regarding proposed Zone Change 12-001 to allow the zone change from M-1 (Light Manufacturing) to C-M (Commercial Manufacturing); and

WHEREAS, on April 19, 2012, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 1,000 feet, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

WHEREAS, on May 1, 2012, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the proposed Zone Change and at which time the Planning Commission considered the Zone Change, and

Planning Commission Resolution No. 12-006
ZONE CHANGE NO. 12-001 – ESPLANADE COMMERCECENTER

Page 1 of 4

1 **WHEREAS**, staff has determined that the project is consistent with the EIR
2 adopted for the Comprehensive General Plan Update adopted by the City Council on
3 January 24, 2012 and is, therefore, exempt from further review under the California
4 Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15162
5 (Subsequent EIR's and Negative Declarations), and that the exceptions to the
6 categorical exemptions contained in CEQA Guidelines Section 15300.2 are not
7 applicable to the project.

8
9 **NOW, THEREFORE**, the Planning Commission of the City of Hemet does
10 Resolve, Determine, Find and Order as follows:

11
12 **SECTION 1: ENVIRONMENTAL FINDINGS**

13
14 The Planning Commission, in light of the whole record before it, including but not limited
15 to, the City's Local CEQA Guidelines and Thresholds of Significance, the
16 recommendation of the Community Development Director as provided in the Staff
17 Report dated May 1, 2012 and documents incorporated therein by reference, and any
18 other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2)
19 within the record or provided at the public hearing of this matter, hereby finds and
20 determines as follows:

- 21
22 1. **CEQA.** The City Council approved a resolution certifying the Final Program EIR
23 for the Comprehensive General Plan 2030 update by Resolution No. 4474 on
24 January 24, 2012, and a Notice of Determination was filed in accordance with
25 CEQA requirements on January 26, 2012. The Planning staff believes that the
26 proposed zone change is consistent with the previously adopted Comprehensive
27 General Plan Update and Environmental Impact Report and, pursuant to Section
28 15162 of the CEQA Guidelines, no further review is required.
29
30
31 2. **Multi-Species Habitat Conservation Plan (MSHCP).** The project is found to be
32 consistent with the MSHCP. The project is located outside of any MSHCP
33 criteria area and mitigation is provided through payment of the MSHCP Mitigation
34 Fee.
35

36 **SECTION 2: REQUIRED ZONE CHANGE FINDINGS**

37
38 Pursuant to Hemet Municipal Code Section 90-41.5 (b) and in light of the record before
39 it including the staff report dated May 1, 2012, and all evidence and testimony heard at
40 the public hearing of this item, the Planning Commission hereby finds as follows:

- 41
42
43 **1. That the proposed change of zone is in conformance with the latest**
44 **adopted general plan for the city;**
45

1 Changing the zone from M-1 (Light Manufacturing) to C-M (Commercial-
2 Manufacturing) is consistent with the current General Plan Land Use. Table 2.2
3 City of Hemet General Plan 2030 identifies the relationship between Hemet's Zone
4 Districts and the General Plan Land Use Designations. The current land use
5 designation for the subject property is Industrial.

6
7 **2. That the streets in the area are adequate to handle potential traffic**
8 **generated by the change of zone; and**

9
10 *Esplanade Avenue is classified in the Circulation Element of the General Plan as*
11 *a Secondary Street. The proposed project is not anticipated to cause an*
12 *increase in traffic which is substantial in relation to the existing traffic load and*
13 *capacity of the street system. The proposed project is not anticipated to result in*
14 *exceeding, either cumulatively or individually, a level of service standard*
15 *established by the City for designated roads or highways. Ingress and egress to*
16 *the proposed parking lot meets City standards. Circulation impacts associated*
17 *with the proposed project would be less than significant.*

18
19
20 **3. That the proposed change of zone is compatible with adjacent zoning.**

21 *The proposed Zone Change to C-M (Commercial-Manufacturing) is compatible*
22 *with the surrounding M-1 (Light Manufacturing) zoning.*

23
24
25 **SECTION 3: Planning Commission Action**

26 The Planning Commission hereby takes the following action:

- 27 1. Recommend to the City Council approval of Zone Change No. 12-001, a request
28 to change the zone from M-1 (Light Manufacturing) to C-M (Commercial Manufacturing).

1 **PASSED, APPROVED AND ADOPTED** this 1st day of May, 2012, by the
2 following vote:

3
4
5 **AYES:**

6 **NOES:**

7 **ABSTAIN:**

8 **ABSENT:**

9
10
11
12
13 _____
14 John Gifford, Chairman
15 Hemet Planning Commission

16 **ATTEST:**

17
18 _____
19 Nancie Shaw, Records Secretary
20 Hemet Planning Commission

Exhibit No. 1A

Zone Change Plat Map

Planning Commission
Meeting of
May 1, 2012

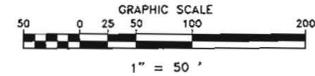
RECEIVED

APR 12 2012

PLANNING

ZC 12-001

CITY OF HEMET
ZONE CHANGE PLAT
FOR
CASE NO. 12-001



OWNER/APPLICANT:

JOSE A. CUEVAS AND MARIA P. CUEVAS
1248 WEST 6TH STREET
UPLAND, CA 91786

ASSESSOR PARCEL NUMBERS:

439-030-021, 022

SITE ADDRESS:

463 W ESPLANADE AVENUE

AREA:

TOTAL AREA 10.95 ACRES
ZONE CHANGE AREA 31.62 ACRES/871,000 SF

EXISTING ZONING:

LIMITED MANUFACTURING (M-1)

PROPOSED ZONING:

COMMERCIAL MANUFACTURING (C-M)

EXISTING/PROPOSED GENERAL PLAN:

INDUSTRIAL

PARKING SPACES PROVIDED

75 SPACES

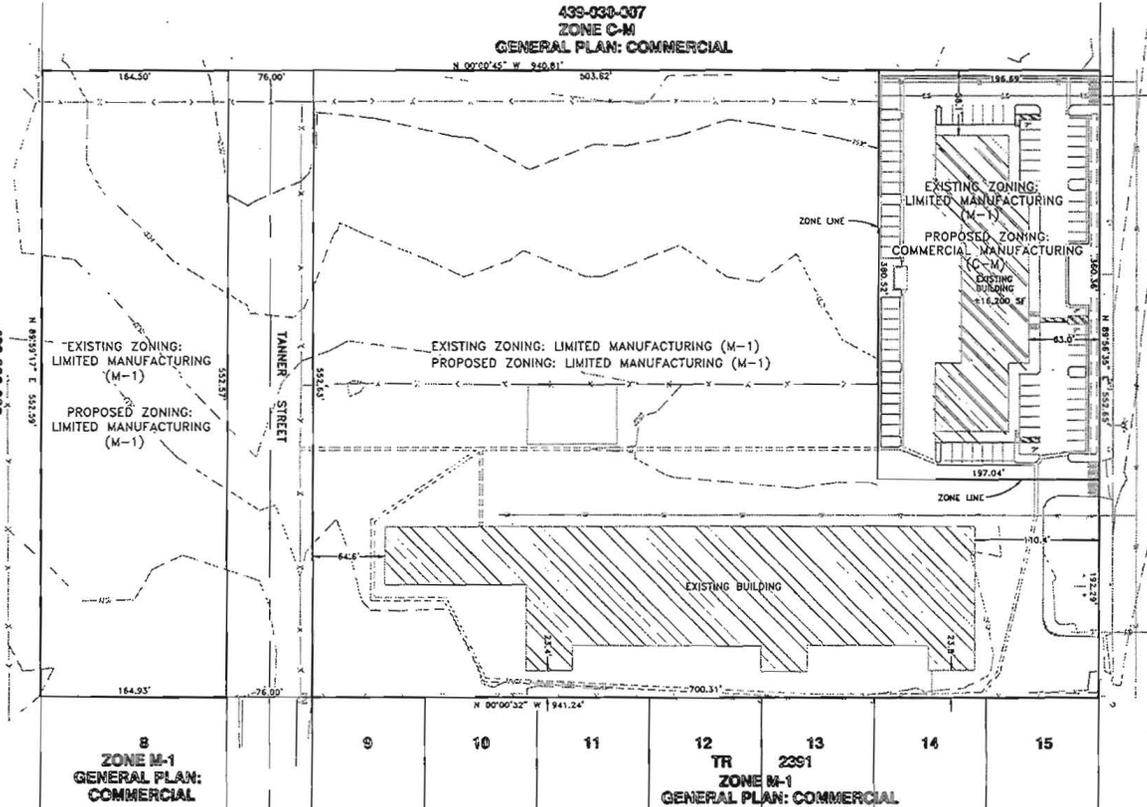
439-030-007
ZONE C-M
GENERAL PLAN: COMMERCIAL

439-019-054
ZONE PARK
GENERAL PLAN: PARK

439-019-028
ZONE PARK
GENERAL PLAN: PARK

439-019-029
ZONE M-1
GENERAL PLAN: INDUSTRIAL

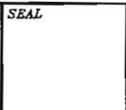
439-030-009
ZONE C-M
GENERAL PLAN: COMMERCIAL



8
ZONE M-1
GENERAL PLAN:
COMMERCIAL

12 TR 2351
ZONE M-1
GENERAL PLAN: COMMERCIAL

Underground Service Alert
Call TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG



APPROVED BY: _____ DATE _____
PREPARED BY: _____ DATE _____
R.C.E. NO. 46354 EXP. DATE 12-31-12

BLAINE A. WOMER
CIVIL ENGINEERING
• PLANNING
• SURVEYING
• CIVIL ENGINEERING
• PUBLIC WORKS

| REV. | DATE | DESCRIPTION | DATE | APPROVAL |
|------|------|-------------|------|----------|
| | | | | |
| | | | | |
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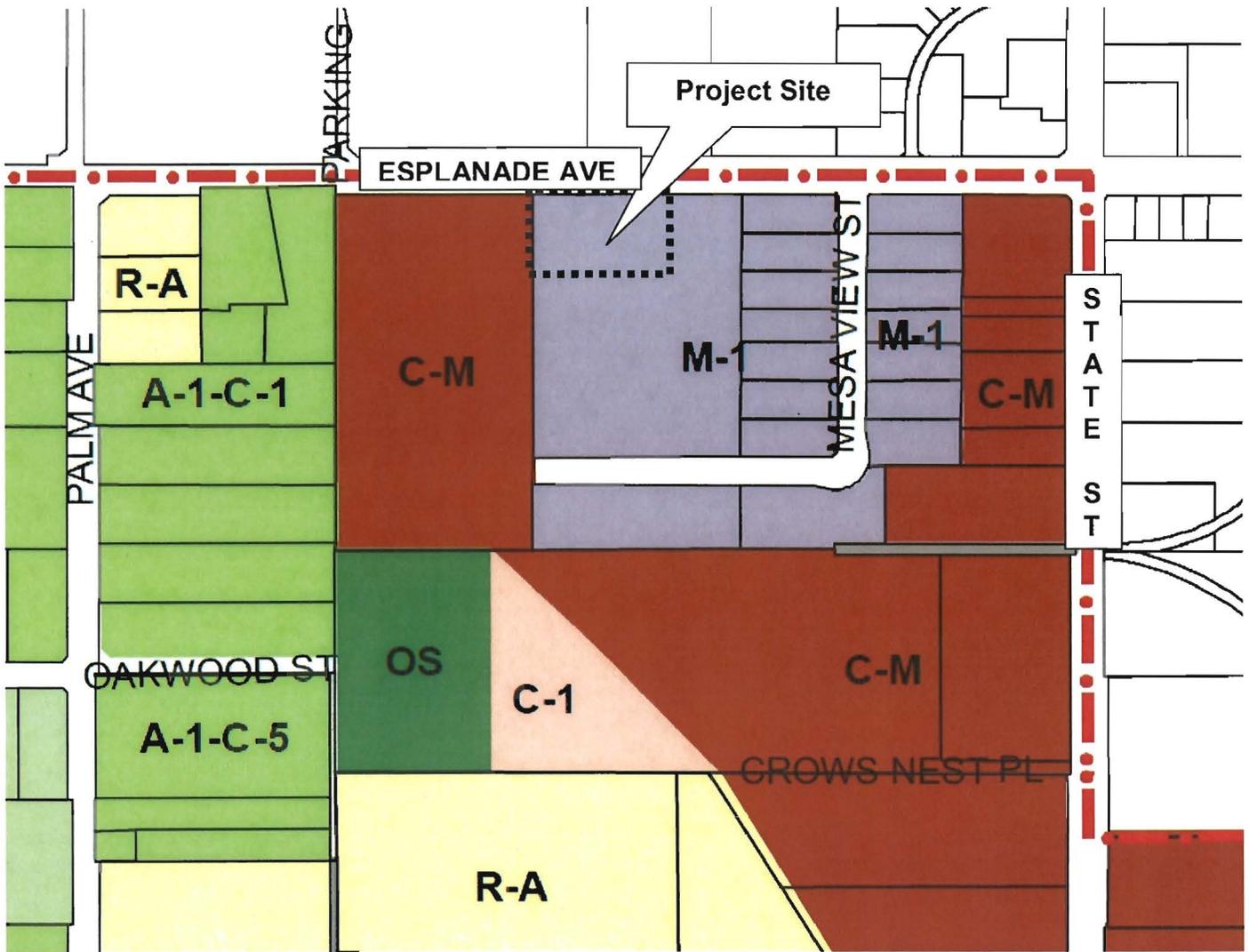
CITY OF HEMET
ZONE CHANGE PLAT
FOR
CASE NO. 12-001

SHEET NO.:
1
OF 1 SHEETS

Attachment No. 2

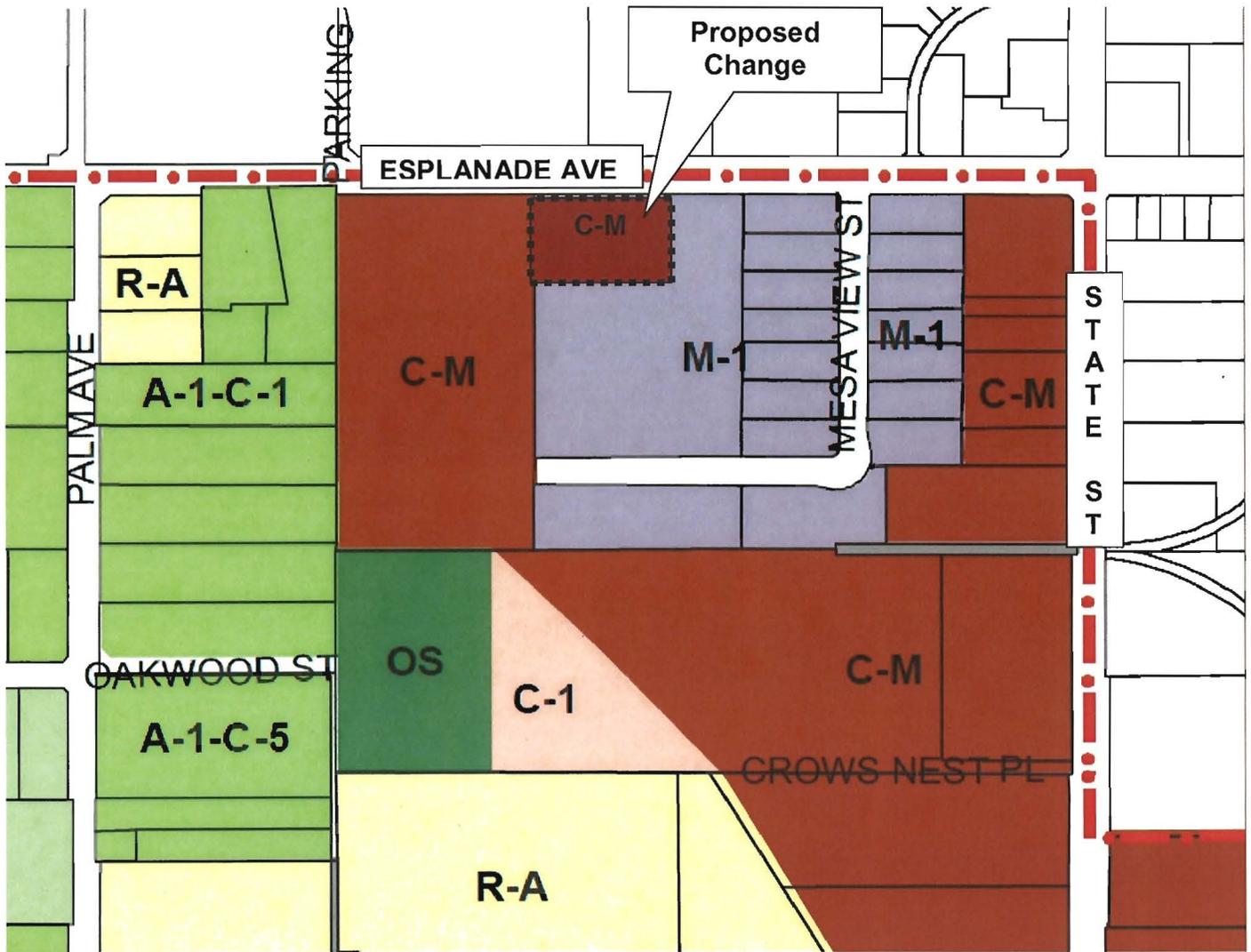
Adjacent Zoning Map

Planning Commission
Meeting of
May 1, 2012



Zoning Map

Zone Change 12-001
Before



Zoning Map

Zone Change 12-001
After

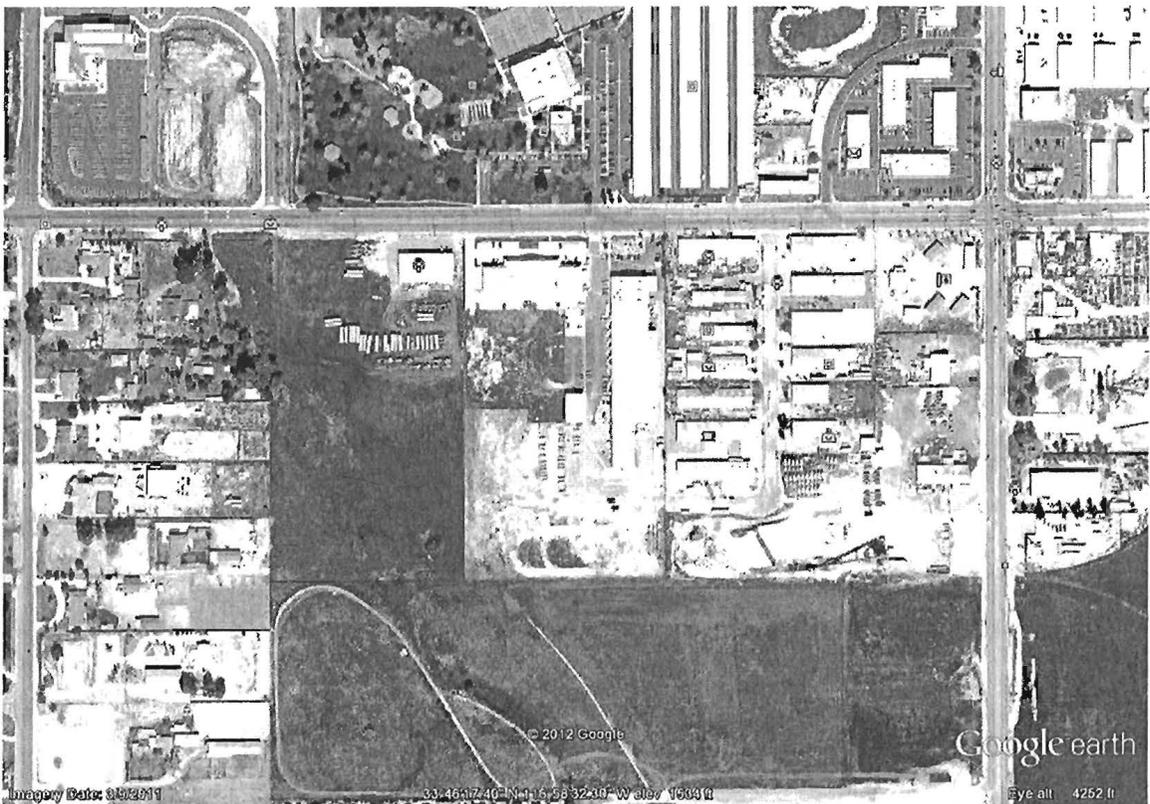
Attachment No. 3

Aerial View

Planning Commission
Meeting of
May 1, 2012

AERIAL VIEW

ZC 12-001



Attachment No. 4

Photographs of Site
and Surrounding

Planning Commission
Meeting of
May 1, 2012



PROJECT SITE



INDUSTRIAL BUILDING – WEST OF PROJECT SITE



COLLISION CENTER – EAST OF PROJECT SITE



PROFESSIONAL BUILDING N/W OF SITE .

SAN JACINTO CITY LIMITS



MINI STORAGE AND INDUSTRIAL PARK N/E OF SITE

SAN JACINTO CITY LIMITS



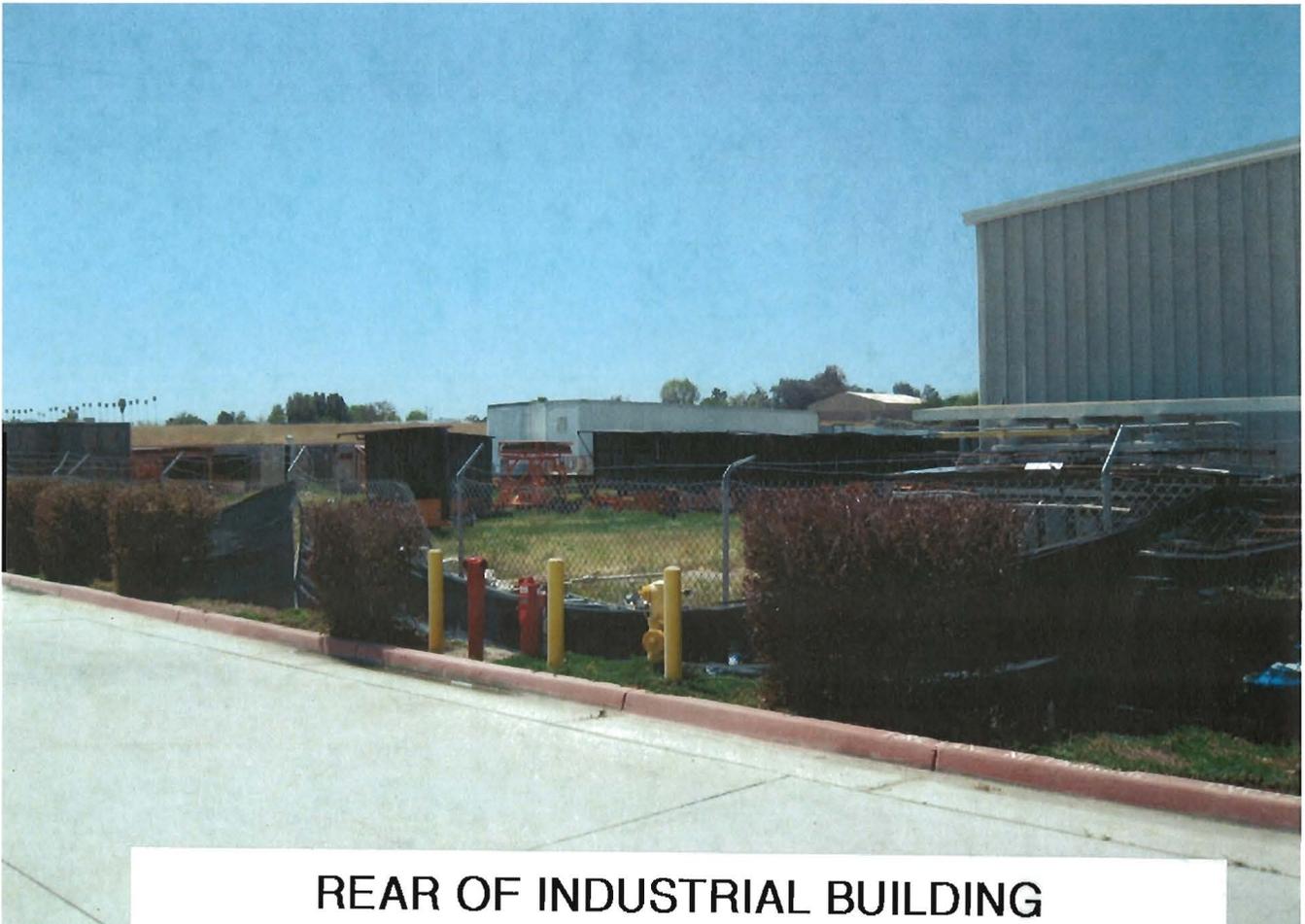
VALLEY WIDE PARK DIRECTLY FACING PROJECT SITE



REAR OF PROJECT SITE



REAR OF COLLISION CENTER

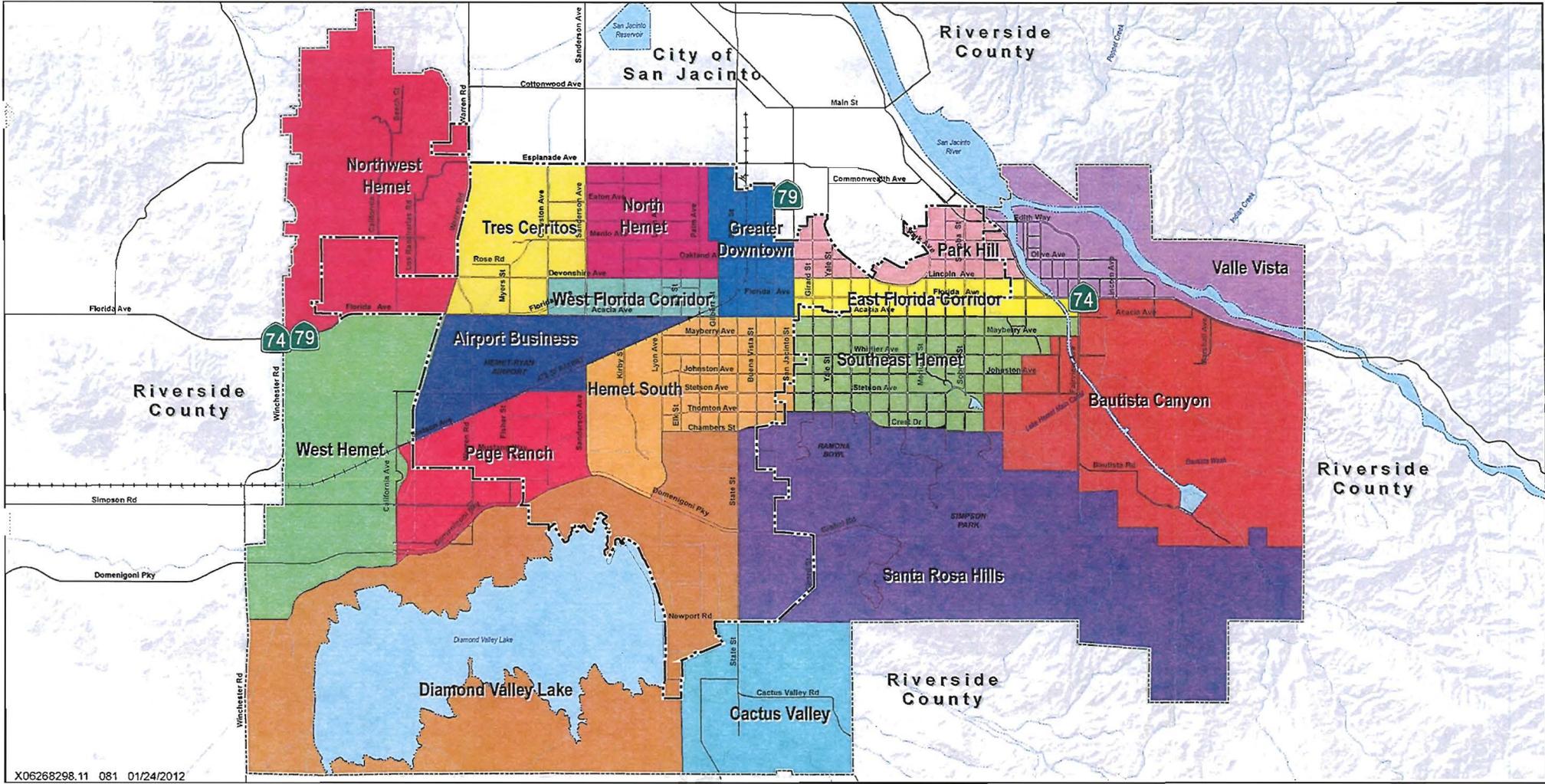


REAR OF INDUSTRIAL BUILDING

Attachment No. 5

Land Use Districts Figure 2.3

**Planning Commission
Meeting of
May 1, 2012**



X06268298.11 081 01/24/2012



Sources:
Census Tiger Line Data 2005
ESRI 2010



LEGEND

- | | | | |
|-----------------------|------------------|-----------------------|---------------------|
| Airport Business | Hemet South | Southeast Hemet | Hemet City Boundary |
| Bautista Canyon | North Hemet | Tres Cerritos | Planning Area |
| Cactus Valley | Northwest Hemet | Valle Vista | Street |
| Diamond Valley Lake | Page Ranch | West Florida Corridor | Railroad |
| East Florida Corridor | Park Hill | West Hemet | Creek/Canal |
| Greater Downtown | Santa Rosa Hills | | River/Lake |

Figure 2.3
LAND USE DISTRICTS
Hemet General Plan

Attachment No. 6

Greater Downtown District Plan Figure 2.4

**Planning Commission
Meeting of
May 1, 2012**

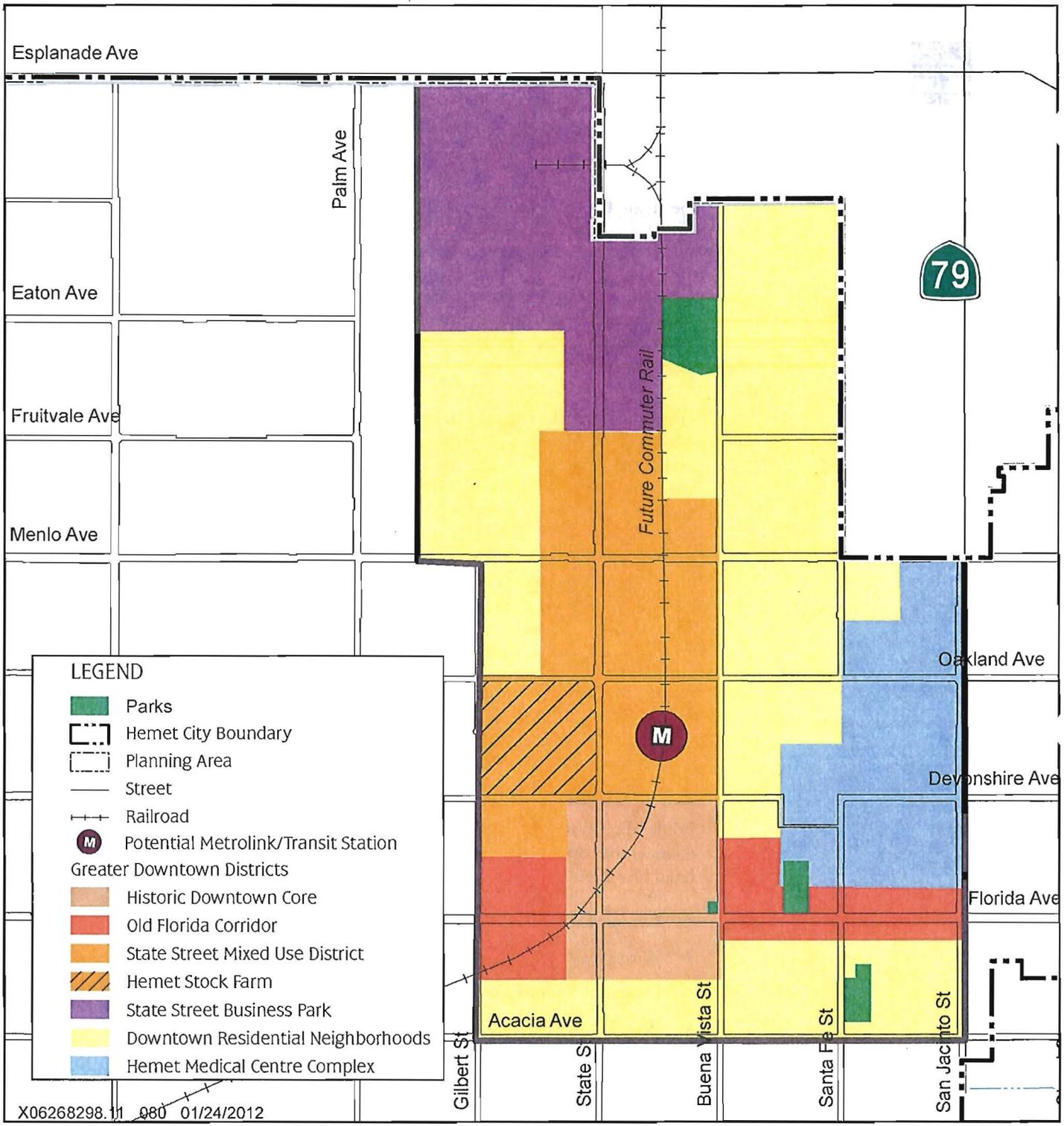
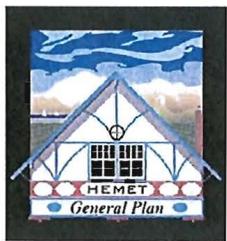


Figure 2.4
**GREATER DOWNTOWN
 DISTRICT PLAN**
 Hemet General Plan



Sources:
 Census Tiger Line Data 2005
 ESRI 2010

Attachment No. 7

General Plan Table 2.2

**Planning Commission
Meeting of
May 1, 2012**



LAND USE

**Table 2.2
Relationship Between Hemet's Zone Districts and the General Plan Land Use Designations**

| Zoning Codes | | General Plan Land Use Designations | | | | | | | | | | | | | | | | | | | |
|--------------|-------------------------------------|------------------------------------|----|-----|------|-----|-----|------|------------|----|----|----|----|------------|----|---|-----------------------|---|----|---|-----|
| | | Residential | | | | | | | Commercial | | | | | Industrial | | | Public and Open Space | | | | |
| | | RR | HR | LDR | LMDR | MDR | HDR | VHDR | NC | CC | RC | OP | MU | ARPT | BP | I | PF | P | OS | A | SCH |
| A | Agriculture | X | | | | | | | | | | | X | | | X | X | X | X | X | X |
| A-1-C | Light Agriculture | X | | | | | | | | | | | X | | | X | X | X | X | X | X |
| A-2-C | Heavy Agriculture | X | | | | | | | | | | | X | | X | X | X | X | X | X | X |
| R-A | Residential Agriculture | X | | | | | | | | | | | | | | | X | X | X | X | |
| R-1-D | Single Family Downtown | | | X | X | | | | | | X | | | | | | | | | X | |
| R-1-H | Single Family Hillside | X | X | | | | | | | | | | | | | | X | X | X | X | |
| R-1-6 | Single Family Lot 6,000 sf+ | | | X | X | | | | | | X | | | | | | | | | X | |
| R-1-7.2 | Single Family – Lot 7,200 sf+ | | | X | | | | | | | | | | | | | | | | X | |
| R-1-10 | Single Family – Lot 10,000 sf+ | | X | X | | | | | | | | | | | | | | | | X | |
| R-1-20 | Single Family – Lot 20,000 sf+ | X | X | X | | | | | | | | | | | | | | | X | X | |
| R-1-40 | Single Family – Lot 40,000 sf+ | X | X | | | | | | | | | | | | | | | | X | X | |
| R-2 | Two Family | | | | X | X | | | | | X | | | | | | | | | X | |
| R-3 | Multiple Family | | | | X | X | X | X | | | X | | | | | | | | | X | |
| SLR | Small Lot Residential | | | X | X | | | | | | X | | | | | | | | | X | |
| PCD | Planned Community Development | X | X | X | X | X | X | X | X | X | X | X | | X | X | X | X | X | | X | X |
| MHP | Mobile Home Park | | | | X | X | X | | | | | | | | | | | | | | |
| TR-20 | Independent Mobile Home Subdivision | | | | X | X | X | | | | | | | | | | | | | | |
| R-P | Residential Professional | | | X | X | X | | X | | | X | X | | | | | | | | X | |
| OP | Office Professional | | | | | | | | X | X | X | X | | X | | X | | | | | X |
| C-1 | Neighborhood Commercial | | | | | | | X | | | X | X | | | | | | | | X | |
| C-2 | General Commercial | | | | | | | | X | X | X | X | | X | | X | | | | | |
| C-M | Heavy Commercial/Limited Industrial | | | | | | | | X | X | | X | | X | X | X | | | | | |
| D-1 | Downtown 1 | | | | | | | | | | X | X | | | | | | | | | |
| D-2 | Downtown 2 | | | | | | | | | | X | X | | | | X | | | | | |
| M-1 | Light Manufacturing | | | | | | | | | | | | X | X | X | X | | | | | X |
| M-2 | General Manufacturing | | | | | | | | | | | | X | X | X | X | | | | | |
| OS | Open Space | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| I | Institutional | | | | | | | | X | X | X | X | | X | X | X | | | | X | X |
| SP | Specific Plan | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| S-1 | Church | | | X | X | X | X | X | X | X | X | X | | | | X | | | | | X |

Attachment No. 8

Commercial Land Use Matrix

**Planning Commission
Meeting of
May 1, 2012**

COMMERCIAL LAND USE MATRIX

A=Administrative Use (AUP) C=Conditionally Permitted Use (CUP) P= Permitted Use

| | | R-P | O-P | C-1 | C-2 | C-M |
|-----------|--|-----|-----|-----|-----|-----|
| A. | Agricultural Uses | | | | | |
| 1. | Kennel for dogs and/or cats, (in accordance with special regulations listed in section 90-78) | | | | | |
| | a. As an accessory use (indoor) | | | P | P | P |
| | b. As an accessory use (outdoor) | | | A | A | A |
| | c. As a primary use (indoor or outdoor) | | | C | C | C |
| 2. | Nursery | | | | | |
| | a. Wholesale | C | C | C | C | C |
| | b. Retail | P | P | P | P | P |
| | c. Retail - Indoor only | P | P | P | P | P |
| B. | Residential Uses | | | | | |
| 1. | Bed and breakfast | A | A | A | A | |
| 2. | Day care facility serving more than six clients | P | P | P | P | P |
| 3. | Residential care facilities (see section 90-75) | C | C | | | |
| 4. | Home occupation in an existing single-family home subject to the requirements of section 90-72 | P | P | P | P | P |
| 5. | Household pets in an existing single-family home including, but not limited to, dogs, pot belly pigs, and cats when on the site of an existing residential unit subject to the requirements of section 90-77 | P | P | P | P | P |
| 6. | Mixed use, an integrated mix of residential and non-residential uses on a single site. | | | C | C | |
| 7. | Mobile home park, recreational vehicle park, or travel trailer park | | | | | C |
| 8. | Multiple-family residence subject to the requirements of the R-3 zone development standards | C | | | | |
| 9. | Rented room, a maximum of one room, within an existing single-family dwelling | P | P | P | P | P |
| 10. | Single-family residence (existing only) including manufactured housing, prefabricated housing, and mobile homes built after 1986 when installed on permanent foundations and subject to the requirements of subsection 90-315(a) | P | P | P | P | P |
| C. | Commercial Uses | | | | | |

RP OP C1 C2 CM

| | | | | | | |
|-----|--|---|---|---|---|---|
| 1. | Adult business as defined in section 90-18 and subject to the requirements of section 90-4-1 | | | C | C | C |
| 2. | Arcade, video or internet | | | A | A | A |
| 3. | Automotive, motorcycle, and marine vehicle services including, but not limited to, parts and equipment sales (including tires) with or without installation, engine and transmission maintenance and repair, smog certification, and window tinting installation | | | | C | C |
| 4. | Automotive, motorcycle, and marine vehicle body and/or paint shop | | | | C | C |
| 5. | Automotive, motorcycle, and marine vehicle sales | | | | | |
| | a. Without outdoor display | | | | A | A |
| | b. With outdoor display | | | | C | C |
| 6. | Automotive, motorcycle, and marine vehicle rental | | | | | |
| | a. Without outdoor display | | | | A | A |
| | b. With outdoor display | | | | C | C |
| 7. | Automotive, motorcycle, and marine vehicle wash facility | | | | | |
| | a. Self service | | | | A | A |
| | b. Full service | | | | C | C |
| 8. | Bakery, with or without on-site sales | | | P | P | P |
| 9. | Bank, savings and loan, credit unions | P | P | P | P | P |
| 10. | Bar, nightclub, and dance hall | | | | | |
| | a. With on-site sale of alcoholic beverage | | | | A | A |
| | b. With on-site live entertainment or dancing | | | | C | C |
| 11. | Barber and/or beauty shop | P | P | P | P | P |
| 12. | Big box retailer, >80,000 sf of gross floor area including outdoor display area | | | | C | C |
| 13. | Boarding house | C | C | | | |
| 14. | Cemetery and/or mortuary | | | | | |
| | a. Cemetery without mortuary or crematorium | C | C | C | C | C |
| | b. Cemetery with mortuary | C | C | C | C | C |
| | c. Cemetery with crematorium | | | | C | C |
| | d. Mortuary without cemetery | | | | C | C |
| | e. Crematorium without cemetery | | | | C | C |

| | | | | | | |
|-----|--|---|---|---|---|---|
| 15. | Communication services without assembly or manufacturing | | | C | C | C |
| 16. | Drive-through or drive-in facility including, but not limited to, dry cleaners, fast food restaurants, and pharmacies | | | C | C | C |
| 17. | Department store | | | P | P | P |
| 18. | Equipment rental including, but not limited to, moving and construction vehicles and equipment | | | | C | C |
| 19. | Flower or produce stand | | | | | |
| | a. Permanent | | | A | A | A |
| | b. Non-permanent as a temporary use subject to section 90-73 | | | P | P | P |
| 20. | Fortune telling | | | C | C | C |
| 21. | Gasoline station including self service or full service facilities | | | | | |
| | a. As a primary use (offered for sale) on the site subject to the regulations listed in section 90-897(b). All vehicle fuel storage tanks shall be underground. Aboveground propane, natural, and other similar fuel gas tanks may be permitted when setback at least 50 feet from the public right-of-way, installed in accordance with the Uniform Fire Code, applicable state and federal laws, and screened in accordance with subsection 90-895(10) | | | C | C | C |
| | b. Gasoline pumps as an accessory use and where fuel is not offered for sale | | | A | A | A |
| 22. | Graphics production | P | P | P | P | P |
| 23. | Grocery stores and bulk food outlets | | A | A | A | A |
| 24. | Hotel or motel | C | C | C | C | C |
| 25. | Manufactured home sales with and without on-site display of models and inventory | | | | C | C |
| 26. | Medical and/or dental laboratory | A | A | A | A | A |
| 27. | Medical urgent care facilities | | | | | |
| | a. Open within the hours of 7:00 a.m. to 9:00 p.m. | P | P | P | P | P |
| | b. Open outside the hours of 7:00 a.m. to 9:00 p.m. | | C | C | C | C |
| 28. | Mobile use including, but not limited to, car washing, book and/or video rental, blood bank, MRI | | | | | |
| | a.<15 days in a 90-day period (subject to a | P | P | P | | |

RP OP C1 C2 CM

| | | | | | | |
|-----|--|---|---|---|---|---|
| | temporary use permit: see section 90-73 | | | | | |
| | b.>15 days in a 90-day period | C | C | C | C | C |
| 29. | Newspaper printing | | | | C | C |
| 30. | Offices | | | | | |
| | a. General including, but not limited to, accounting, appraising, architects, consulting, research, insurance, legal, stockbrokerage, real estate | P | P | P | P | P |
| | b. Medical, dental, and optometry | P | P | P | P | P |
| | c. Counseling | | P | P | P | P |
| 31. | Parking lot - commercial | A | A | A | A | A |
| 32. | Photographic studio | | | | | |
| | a. Excluding film processing, supplies, and retail a. sales. | P | P | P | P | P |
| | b. With film processing, supplies, and retail b. sales. | | | P | P | P |
| 33. | Radio station, AM and/or FM (without antennae) | | | | C | C |
| 34. | Recording studio | | C | | C | C |
| 35. | Recycling facility | | | | | |
| | a. Non-permanent collection center as a temporary use subject to the requirements of section 90-73 | P | P | P | P | P |
| | b. Permanent collection center | C | C | C | C | C |
| | c. Processing center | | | | | C |
| 36. | Restaurant (not including bars and nightclubs) | | | | | |
| | a. Without b, c, d, or e | | P | P | P | P |
| | b. With on-site sale of alcoholic beverages | | C | P | P | P |
| | c. With dancing and/or live entertainment | | C | C | C | C |
| | d. With drive-through or drive-in | | | C | C | C |
| | e. With micro-brewery or winery and limited distribution | | | C | C | C |
| 37. | Retail service shop including, but not limited to, appliance repair and sales, stereo/TV/video repair and sales, catering, health spa, martial arts or dance studios, laundromat, dry cleaners, locksmith, mail receiving service, swimming pool/spa service and supplies, pet grooming, photographic processing, printing, lithography, engraving, copy, plumbing, electrical, heating/air conditioning, shoe repair, tailor, costume rental, dry cleaning without an on- | | | | | |

| | | | | | | |
|-----------|---|---|---|---|---|---|
| | site plant. | | | | | |
| | a. Open within the hours of 7:00 a.m. to 9:00 p.m. | | | P | P | P |
| | b. Open outside the hours of 7:00 a.m. to 9:00 p.m. | | | A | A | A |
| 38. | Retail sales shop including, but not limited to, books, stationery, arts and crafts (with light assembly), hobby, coins and/or stamps, candy, window coverings, gifts, hardware, home furnishings, florist, meat, delicatessen, medical supply, pharmacy, music (with or without instruction), furniture, jewelry, dry good or notions, shoes, pets, liquor, paint, firearms, sporting goods, glass, clothing, ice cream, and antiques. | | | | | |
| | a. Open within the hours of 7:00 a.m. to 9:00 p.m. | | | P | P | P |
| | b. Open outside the hours of 7:00 a.m. to 9:00 p.m. | | | A | A | A |
| 39. | Shelter for the homeless and short-term transitional housing | | | | | C |
| 40. | Shopping and business center | | | | | |
| | a. Retail uses | | | C | C | C |
| | b. Retail and non-retail uses | | | C | C | C |
| | c. Non-retail | A | A | A | A | A |
| 41. | Smoke, cigarette, cigar, or tobacco store or hookah lounge | | | C | C | |
| 42. | Tattoo and/or piercing service | | | | | C |
| 43. | Taxi or fleet dispatch and maintenance facility | | | | | C |
| 44. | Theater, motion picture and/or live | | | | | |
| | a. Indoor | | | A | A | A |
| | b. Outdoor | | | C | C | C |
| 45. | Towing and impound service subject to the requirements of section 90-895 (g). | | | | | C |
| 46. | Transportation service including, but not limited to, dial-a-ride, depot, train station, bus station (no truck terminals) | | | C | C | C |
| 47. | Thrift store | | | A | A | |
| D. | Manufacturing and Assembly | | | | | |
| 1. | Above ground vehicle fuel storage tank used for an on-going manufacturing business. Sale of fuel to the public is prohibited. Tanks shall be considered structures, they shall comply with setback | | | | | C |

RP OP C1 C2 CM

| | | | | | | |
|-----------|--|---|---|---|---|---|
| | compliance with section 90-895 (storage of fuel or flammable liquids is prohibited) | | | | | |
| | a. General storage | | | | | C |
| | b. Lumber and building materials and equipment storage (not associated with a retail store) | | | | C | C |
| | c. Mini-storage including recreational and marine vehicles | | | | | C |
| E. | Recreation and Open Space Uses | | | | | |
| 1. | Billiard parlor and/or pool hall | | | | C | C |
| 2. | Bowling alley | | | C | C | C |
| 3. | Game court - lighted (with ten-foot high court fencing) | C | C | C | C | C |
| 4. | Golf course, country club and/or driving range | C | C | | | |
| 5. | Lodge hall for civic, social, or fraternal organizations | C | C | C | C | C |
| 6. | Recreation center, slot car racing, miniature golf, batting cages, game court (with ten-foot high court fencing), health club, racquetball, swim facility, and water park - commercial | | C | C | C | C |
| 7. | Skating center | | | C | C | C |
| 8. | Shooting range, indoor only | | | | C | C |
| F. | Miscellaneous Uses | | | | | |
| 1. | Church, temple, synagogue or other religious facility including, but not limited to, parish house, convent, parsonage, monastery, religious school | C | C | C | C | |
| 2. | Conversion of a structure from a residential use to a non-residential use in compliance with Article IX | | | | | |
| | a. For use by a permitted use | A | A | A | A | A |
| | b. For use by a conditionally permitted use | C | C | C | C | C |
| 3. | Library | A | P | P | P | P |
| 4. | Meal and grocery charitable service | | | | | |
| | a. On-site distribution | | | | C | C |
| | b. Off-site distribution | | | | P | P |
| 5. | Museum | A | P | P | P | P |
| 6. | Public facilities and utilities including, but not limited to, electrical substations, transmission substation, city facilities and public offices, | A | P | P | P | P |

RP OP C1 C2 CM

| | | | | | | |
|-----------|---|---|---|---|---|---|
| 7. | School or college including, but not limited to, art, business, cosmetology, craft, dance, music, professional, technical and trade | | P | P | P | P |
| 8. | Storm water facilities | | | | | |
| | a. Flood control channels | P | P | P | P | P |
| | b. Detention and retention basins | P | P | P | P | P |
| 9. | Swap meet and farmer's market | | | | | |
| | a. Permanent | | | | | C |
| | b. Non-permanent as a temporary use subject to section 90-73 | | | | P | P |
| G. | Accessory Uses | | | | | |
| 1. | Accessory structures and uses located on the same site as a permitted use | P | P | P | P | P |
| 2. | Accessory structures and uses located on the same site as a conditional use | C | C | C | C | C |
| 3. | Satellite dish antennas | | | | | |
| | a. <39 inches in diameter when ground- or roof-mounted subject to the requirements of Article XLVI and section 90-894 A. | P | P | P | P | P |
| | b. >39 inches when ground- or roof-mounted subject to the requirements of Article XLVI and section 90-894 A. | P | P | P | P | P |
| 4. | Outdoor activities within a clearly defined area accessory to a primary use | | | | | |
| | a. Display of merchandise | A | A | A | A | A |
| | b. Outdoor seating | A | A | A | A | A |

Sec. 90-894 General Requirements

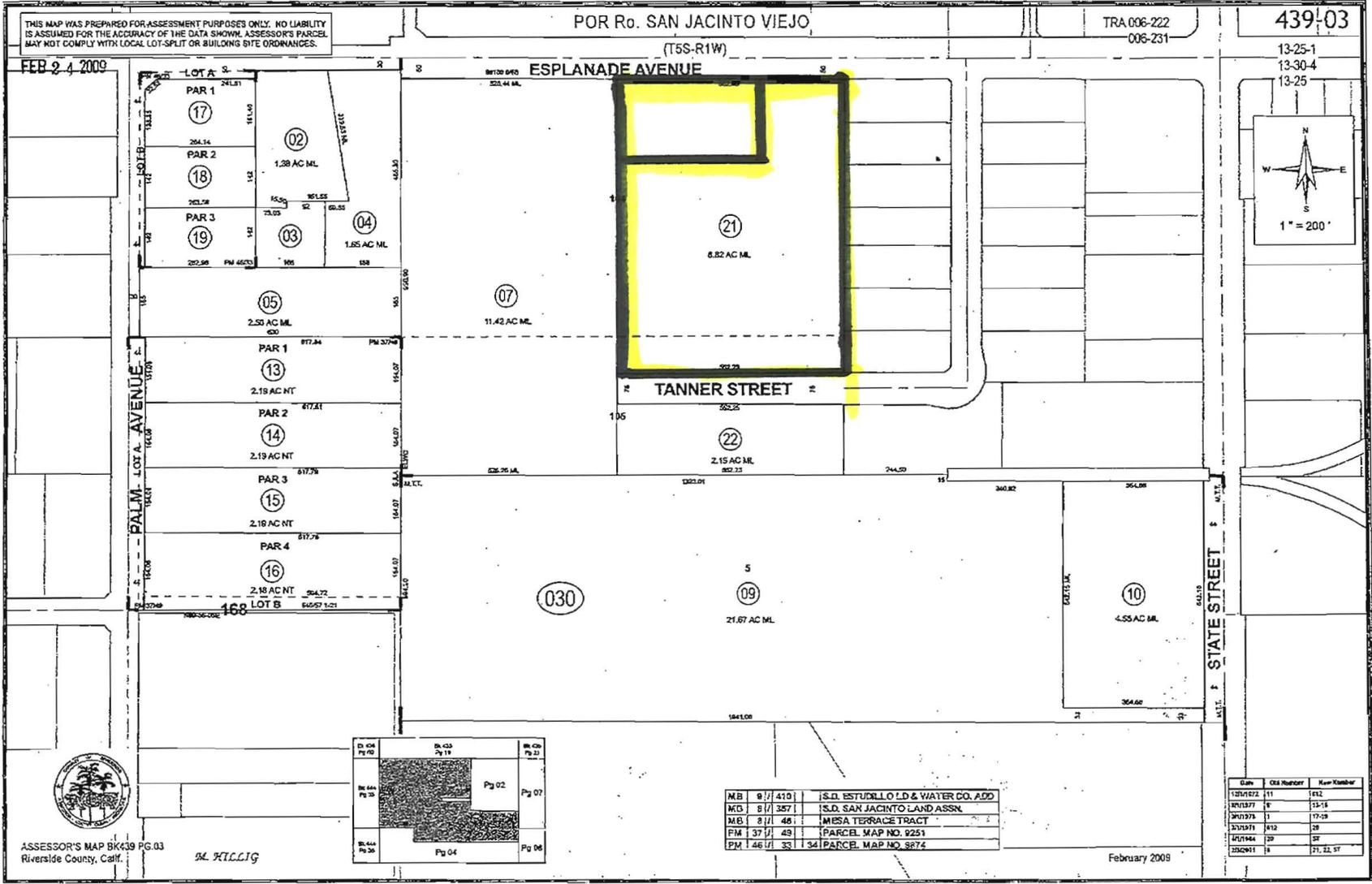
Prior to the construction of any building or structure a building permit shall be required in accordance with the latest city-adopted Uniform Building Code. The following are minimum requirements, unless otherwise noted, and shall apply to all land, buildings and structures in their respective zones. All area dimensions are in square feet, unless otherwise noted.

| <i>A. COMMERCIAL ZONE MINIMUM DEVELOPMENT STANDARDS</i> | | | | | |
|---|-----|-----|-----|-----|-----|
| ZONE | R-P | O-P | C-1 | C-2 | C-M |
| 1. Coverage (in percent)(in the R-P zone ten | 60 | 60 | 40 | 40 | 40 |

Attachment No. 9

Surrounding Assessor's Parcel Map

**Planning Commission
Meeting of
May 1, 2012**



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

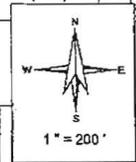
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POR Ro. SAN JACINTO VIEJO

TRA 006-222
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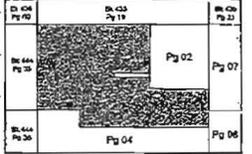
439-03

13-25-1
13-30-4
13-25



ASSESSOR'S MAP BK 439 PG 03
Riverside County, Calif.

M. HILLIG



| | | | |
|----|-------|-----|-----------------------------------|
| MB | 9/1 | 410 | S.D. ESTUILLLO LD & WATER CO. ADD |
| MD | 8/1 | 357 | S.D. SAN JACINTO LAND ASSN. |
| MB | 2/1 | 46 | MESA TERRACE TRACT |
| PM | 37/1 | 49 | PARCEL MAP NO. 9251 |
| PM | 146/1 | 33 | 134 PARCEL MAP NO. 8874 |

February 2009

| Date | Old Report | New Number |
|-----------|------------|------------|
| 12/1/1972 | 11 | 1612 |
| 10/1/1977 | 8 | 1514 |
| 12/1/1978 | 1 | 17128 |
| 3/1/1979 | 112 | 28 |
| 12/1/1984 | 29 | 27 |
| 12/24/91 | 8 | 21, 22, 27 |

AGENDA #9A



Staff Report

TO: Honorable Chairman and Members of the Planning Commission

FROM: Deanna Elliano, Community Development Director 
Nancy Gutierrez, Contract Planner 

DATE: May 1, 2012

RE: **GENERAL PLAN AMENDMENT NO. 12-002 (Amendment to the Adopted 2008 – 2014 Housing Element)** – A request for Planning Commission review and recommendation to the City Council regarding amendments to the adopted 2008-2014 Housing Element to comply with California Housing and Community Development Department conditional certification requirements. (Applicant: City of Hemet Planning Division.)

STAFF RECOMMENDATION

1. *That the Planning Commission receive public comment on the changes recommended by GPA 12-002 to the Housing Element of the General Plan, close the public hearing, and consider the proposed changes; and **Adopt Resolution Bill No. 12-012** recommending to the City Council the adoption of GPA 12-002, as part of Cycle 2 of General Plan Amendments for 2012, and entitled as follows:*

"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 12-002 REGARDING AMENDMENTS TO THE ADOPTED 2008-2014 HOUSING ELEMENT TO COMPLY WITH STATE CONDITIONAL CERTIFICATION REQUIREMENTS."

BACKGROUND

The City Council adopted the comprehensive update to the city's General Plan on January 24, 2012. Per state law, the general plan contains certain mandatory and optional "Elements" (or chapters) based on various topics. Chapter 11 of the City's General Plan is the Housing Element. The Housing Element is the only General Plan element that must be reviewed and certified by the State. Housing Elements are required to be certified by the California Department of Housing and Community Development (HCD) and must contain specified strategies to respond to the statewide need to provide affordable housing for a broad range of residents and to accommodate the City's share of regional housing needs.

Housing Elements must be adopted by the local agency before they can be certified by the State HCD. Subsequent to adoption by the City Council on January 24, 2012, staff submitted the Housing Element to HCD for certification. HCD responded with a list of necessary modifications as a condition to granting certification. Staff then made additional proposed modifications to the Housing Element and submitted a revised draft to HCD. Per HCD's letter response (Attachment #2), the revised Element has been

□ City of Hemet - Community Development Department □
GENERAL PLAN AMENDMENT NO. 12-002 (Amendment of Adopted 2008-2014 Housing Element)
Planning Commission Meeting of May 1, 2012

"conditionally approved" if the proposed changes are formally adopted by the City. Therefore, GPA 12-002 proposes to make the changes prescribed by HCD to ensure certification. The GPA requires a public hearing before the Planning Commission and the City Council for adoption of the revised Housing Element.

HCD requires local governments to update their Housing Elements every four to eight years on a set cycle specified by region. Hemet is in the Southern California Association of Governments (SCAG) region, in which the current cycle (4th cycle) covers the period of July 1, 2008 through October 3, 2012; and the next cycle (5th cycle) is from October 4, 2013 to the end of September 2021. The fluctuating due date is a result of the adoption of SB 375, the Sustainable Communities and Climate Protection Act of 2008, which sets the housing element due date as 18 months after adoption of a region's Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS). SCAG's current RTP/SCS was adopted on April 4, 2012.

If the city's recently adopted Housing Element is not certified by the State, the affordable housing requirements in the current cycle will be added to the allocation for the next cycle, and the Housing Element Update will be required more often. In addition, a certified Housing Element is required in order for the City to continue to be eligible for a number of State and Federal housing improvement programs. According to HCD, approximately 1/3 of the jurisdictions within California are currently out of compliance in regard to their Housing Elements. Recent state legislation (SB 375) has added additional sanctions to encourage local agencies to get their Housing Elements and corresponding zoning up to date.

State law allows the General Plan to be amended up to four times per year. Amendments may be made to the text and policies of the General Plan document or to the land use designation of a particular property. This staff report (GPA 12-002) discusses proposed text and program changes to the Housing Element of the General Plan. The accompanying staff report (GPA 12-001) proposes associated land use map amendments. Both amendment proposals are part of the second cycle of General Plan amendments for 2012. The first cycle was the comprehensive amendment to the General Plan, which was adopted on January 24, 2012.

PROPOSED HOUSING ELEMENT AMENDMENTS:

HCD's comments generally focused on two areas: 1) the City's Regional Housing Needs Allocation (RHNA); and 2) program language concerning supportive and transitional housing. Each area is discussed below. The letter from HCD, included as Attachment No. 2, indicates that once the City adopts the recommended changes, the Housing Element will be certified. The red-line text and figure changes to the Housing Element (General Plan Chapter 11) are shown in Attachment No. 1A. The corresponding land use map changes are addressed in the accompanying staff report for GPA 12001.

Regional Housing Needs Allocation

State law requires every general plan to contain a housing element that makes "adequate provision for the existing and projected housing needs of all economic segments of the community." Adequate provision is determined through the RHNA. The RHNA is a distribution of housing development capacity that each jurisdiction must provide for through its land use designations and zoning in a planning period/cycle. It is not a construction requirement; a community is not obligated to actually produce the housing units, but available sites must be identified and properly zoned.

Hemet's housing share for the 2008-2014 period (Cycle 4) was determined by SCAG and allocated into five income categories representing the range of household incomes in the City. The City demonstrated in the Housing Element that it has already exceeded its Cycle 4 housing allocation for units serving Moderate-

and Above Moderate-income families through completed subdivisions and entitled specific plans. However, HCD did not accept the City's available sites inventory for Extremely Low-, Very Low-, and Low-income households. Therefore, to meet its RHNA allocation for the 2008-2014 period, staff recommends the modifications summarized below:

1. The current Housing Element assumed that housing for Low-, Very Low-, and Extremely Low-income households could be accommodated on parcels designated High Density Residential (HDR 18-30 dwelling units per acre). HCD rejected that assumption. To address HCD's objection and obtain certification, GPA 12-002 proposes that the RHNA allocation for Low-, Very Low-, and Extremely Low-income households be accommodated on parcels designated for Very High Density Residential (VHDR 30.1-40 du/acre).
2. Table 11.3, entitled "Vacant Parcels for High Density Housing" (page 11-14) in the Housing Element (Attachment No. 1A), lists the parcels designated HDR and VHDR that staff had determined would be appropriate sites for the available sites inventory. However, since HCD determined that the HDR designation cannot be used to meet the City's RHNA for lower income households, it is necessary to remove the parcels from the inventory or to modify the land use designation on the HDR parcels to VHDR. GPA 12-002 recommends changing the land use designation of three sites (five total parcels) from HDR to VHDR, adding two parcels to the sites inventory with VHDR land use designations, and removing six parcels designated HDR that would not be appropriate for very high density use from the available sites inventory. With these changes, as shown in Attachment No. 1A, the City meets its RHNA allocation for Low-, Very Low-, and Extremely Low-income households as required by the state.
3. To ensure internal consistency and to accurately reflect these changes, GPA 12-002 recommends associated text modifications and the updating of Figure 11.1 "Vacant Multi-Family Sites." The red-lined text changes and amended figure are shown in the modified Housing Element (Attachment No. 1A).

Housing Element Program Amendments

HCD also requested that the City clarify its implementation programs regarding transitional housing. To address this concern, GPA 12-002 proposes to modify Program H3-f (Remove Constraints to the Development of Housing), as shown on page 11-44 in Attachment No. 2, to consider transitional housing as a "residential use subject only to those requirements that apply to other residential uses of the same type in the same zone," in compliance with the Health and Safety Code. Additional associated modifications to the Programs section for internal consistency or clarification are included in the revised Element as red-lined text.

PUBLIC NOTICE AND COMMENTS:

A 10-day public notice was placed in the Press Enterprise newspaper regarding GPA 12-002. As of the time of preparation of this staff report, no public comments had been received.

ENVIRONMENTAL DETERMINATION:

On January 24, 2012, the Hemet City Council adopted a Final Environmental Impact Report (EIR) for the Comprehensive General Plan Update. Staff has determined that the proposed text and land use changes are consistent with the build-out and total housing unit projections analyzed in the previously adopted EIR,

and therefore are exempt from further review pursuant to Section 15162 of the State Guidelines for Implementing CEQA. No further environmental analysis is required at this time.

STAFF ANALYSIS:

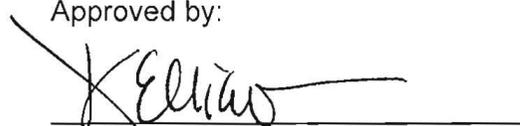
It is in the City's best interest to obtain State certification of its Housing Element. Many, if not most, federal, state, and regional grants and programs require a certified Housing Element as a prerequisite to funding. In addition, cities not in compliance with a certified housing element face a number of potential sanctions that will only serve to make future compliance more difficult. Staff has been working with HCD to prepare a document that reflects Hemet's goals and vision while meeting housing element requirements. Therefore staff recommends that the Planning Commission review the proposed modifications to the Housing Element and adopt Resolution Bill No. 12-012, recommending approval of GPA 12-002 to the City Council.

Prepared by:



Nancy Gutierrez
Contract Planner

Approved by:



Deanna Elliano
Community Development Director

ATTACHMENTS:

1. **Planning Commission Resolution Bill No. 12012** recommending approval of GPA 12-002 to the City Council
 - a. **General Plan Housing Element (Chapter 11) with Proposed Amended Text and Figure 11.1**
2. **Conditional Certification Letter from HCD dated March 23, 2012**

Attachment 1

Planning Commission
Resolution Bill No. 12-012



**CITY OF HEMET
Hemet, California**

**PLANNING COMMISSION
RESOLUTION BILL NO. 12-012**

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF HEMET, CALIFORNIA RECOMMENDING
THAT THE CITY COUNCIL APPROVE GENERAL PLAN
AMENDMENT NO. 12-002 REGARDING AMENDMENTS
TO THE ADOPTED 2008-2014 HOUSING ELEMENT TO
COMPLY WITH STATE CONDITIONAL CERTIFICATION
REQUIREMENTS**

WHEREAS, on January 24, 2012, the Hemet City Council approved Resolution No. 4476 adopting a comprehensive General Plan Updated 2030; and

WHEREAS, California state law allows General Plans to be amended up to four times per year; and

WHEREAS, the proposed amendments are part of Cycle 2 of 2012 Amendments to the Hemet General Plan; and

WHEREAS, the Housing Element is an element (Chapter 11) of the General Plan; and

WHEREAS, the California Housing and Community Development Department (HCD) has the authority to review and certify housing elements prepared by local jurisdictions; and

WHEREAS, HCD has requested modifications to the City's Housing Element as a condition to granting certification; and

WHEREAS, it is in the City's best interest to obtain State certification of its Housing Element; and

WHEREAS, the Hemet Planning Department is proposing modifications to the Housing Element to obtain HCD certification; and

**Planning Commission Resolution Bill No. 12-012
GENERAL PLAN AMENDMENT NO. 12-002
Amendment to Adopted 2008-2014 Housing Element**

1 **WHEREAS**, the Planning Commission has the authority to review and make
2 recommendations to the City Council on General Plan Amendment No 12-002; and

3 **WHEREAS**, in accordance with Government Code Sections 65353, 65355 and
4 65090, on April 19, 2012 the City placed a notice of public hearing in the Press
5 Enterprise newspaper announcing the holding of a public hearing at which the General
6 Plan Amendment No.12-002 would be considered by the Planning Commission; and

7 **WHEREAS**, in accordance with Government Code Section 65353, on May 1,
8 2012, the Planning Commission held the noticed public hearing at which interested
9 persons had an opportunity to testify in support of, or opposition to, General Plan
10 Amendment No. 12-002, and at which time the Planning Commission considered
11 General Plan Amendment No. 12-002; and

12
13 **WHEREAS**, at this public hearing on May 1, 2012, the Planning Commission
14 considered, heard public comments on, and adopted Resolution 12-012 recommending
15 approval to City Council.

16
17 **NOW, THEREFORE**, the Planning Commission of the City of Hemet does
18 Resolve, Determine, Find and Order as follows:
19

20 **SECTION 1: ENVIRONMENTAL FINDINGS**

21 The Planning Commission, in light of the whole record before it, including but not limited
22 to, the City's Local CEQA Guidelines and the recommendation of the Community
23 Development Director as provided in the Staff Report dated May 1, 2012, hereby finds
24 and determines as follows:
25

- 26 1. **CEQA:** The approval of this General Plan Amendment is exempt from
27 CEQA review per Section 15162 of the State Guidelines for Implementing CEQA
28 because the proposed text and land use changes are consistent with the
29 previously adopted Final Environmental Impact Report for the Comprehensive
30 General Plan Update that was certified by the City Council on January 24, 2012.
31

32 **SECTION 2: GENERAL PLAN AMENDMENT**

33
34 The Planning Commission approves General Plan Amendment No. 12-002 on the
35 following grounds:

- 36 1. The proposed General Plan Amendment will not cause any internal
37 inconsistencies in the General Plan and serves to implement the policies and
38 programs contained in the Housing Element. The sites identified in the revised
39 Housing Element are all infill sites with developed infrastructure surrounding
40 them, and the changes in land use density will not impact the existing circulation

Planning Commission Resolution Bill No. 12-012
GENERAL PLAN AMENDMENT NO. 12-002
Amendment to Adopted 2008-2014 Housing Element

1 or public service and infrastructure networks. Therefore, the proposed General
2 Plan Map revisions are appropriate and consistent with the General Plan 2030.
3
4

5 **SECTION 3: PLANNING COMMISSION ACTIONS**
6

7 The Planning Commission hereby recommends that the City Council take the following
8 action:
9

- 10 1. **Approve General Plan Amendment No. 12-002**, regarding amendments to the
11 adopted 2008-2014 Housing Element to comply with State HCD Conditional
12 Certification Requirements, as shown in Exhibit A which is attached hereto and
13 incorporated herein by this reference.
14

15 **PASSED, APPROVED AND ADOPTED** this 1st day of May, 2012, by the
16 following vote:
17

18 AYES:
19 NOES:
20 ABSTAIN:
21 ABSENT:
22
23
24

25 _____, Chairman
26 Hemet Planning Commission
27

28 ATTEST:
29
30
31

32 _____
33 Nancie Shaw, Records Secretary
Hemet Planning Commission

**Planning Commission Resolution Bill No. 12-012
GENERAL PLAN AMENDMENT NO. 12-002
Amendment to Adopted 2008-2014 Housing Element**

Exhibit A

General Plan
Housing Element (Ch. 11)
With Proposed
Amended Text
and Figure 11.1



TRADITION



COMMUNITY



OPPORTUNITY

CITY OF HEMET

2030 GENERAL PLAN

Housing Element



ADOPTED
January 24, 2012





CITY OF HEMET HOUSING ELEMENT

GENERAL PLAN 2030

ADOPTED JANUARY 24, 2012

RESOLUTION NO. 4476

FOURTH CYCLE: 2008-2014

AMENDED MAY 22, 2012

RESOLUTION NO. XXXX

City of Hemet
445 East Florida Avenue
Hemet, CA 92543

Contact: Deanna Elliano
Community Development Director
delliano@cityofhemet.org
(951) 765-2375



TABLE OF CONTENTS

| Chapter | Page |
|--|-------------|
| 11.0 HOUSING | 11-1 |
| 11.1 Scope and Context..... | 11-1 |
| 11.2 State Law Requirements..... | 11-2 |
| 11.3 Public Involvement..... | 11-2 |
| 11.4 General Plan Consistency..... | 11-4 |
| 11.5 Community Profile..... | 11-5 |
| 11.6 Constraints..... | 11-5 |
| 11.6.1 Nongovernmental Constraints | 11-6 |
| 11.6.2 Governmental Constraints | 11-6 |
| 11.7 Housing Resources..... | 11-7 |
| 11.7.1 Residential Land Inventory | 11-7 |
| 11.7.2 Financial Resources | 11-20 |
| 11.7.3 Policy Resources..... | 11-23 |
| 11.8 Housing Plan..... | 11-26 |
| 11.8.1 Evaluation of Achievements | 11-26 |
| 11.8.3 Quantified Objectives | 11-27 |
| 11.9 Goals and Policies..... | 11-29 |

| List of Tables | Page |
|---|-------------|
| 11.1 Housing and Specific Plan Projects Completed January 1, 2006 through May 31, 2011..... | 11-9 |
| 11.2 Housing and Specific Plan Projects In Progress Anticipated Completion: June 1, 2011 through June 30, 2014..... | 11-11 |
| 11.3 Vacant Parcels for High Density Housing June 1, 2011 through June 30, 2014..... | 11-14 |
| 11.4 Residential Land Inventory by General Plan Land Use Designation and Income Category January 1, 2006 through June 30, 2014..... | 11-17 |
| 11.5 Housing Units to Accommodate RHNA January 1, 2006 through June 30, 2014 | 11-18 |
| 11.6 Quantified Objectives January 1, 2006 through June 30, 2014..... | 11-27 |

| List of Figures | Page |
|--------------------------------------|-------------|
| 11.1 Vacant Multi-Family Sites | 11-15 |



The City is committed to ensuring an adequate supply of quality housing in a variety of types and prices to meet the needs of its residents and enhance its economic vitality. A mix of homes appropriate to a wide-range of income levels will facilitate both the provision of affordable housing through new construction and preservation, and the attraction and retention of a diverse employment base to support local economic development objectives.

Residential growth in Hemet will be approached in a manner that respects the City’s scenic, cultural, and historic heritage, while meeting the housing, recreation, and employment needs of its residents and businesses. Pursuing balanced growth enables the City to provide quality services to meet the long-term needs of the community.

Policies and programs in this element will ensure that as the City grows, new development will maintain or enhance the levels of public services and facilities enjoyed by current residents. The City is committed to providing safe, diverse, accessible, and well-maintained neighborhoods that instill a sense of community pride and identity. In addition to maintaining a high level of services for seniors and younger families, the City intends to create an economically sound community, boasting a diverse economy, expanded employment opportunities, and a balanced but friendly, approach to business and development. Opportunities for a variety of cultural and recreational activities will be provided for all ages.

Achieving the Vision. Hemet is committed to a vision of a diverse and sustainable community that increases housing choice for all current and future residents. This element outlines the City’s approach to achieving this vision by:

- ❖ matching housing supply with current and projected needs,
- ❖ facilitating and promoting a fair and balanced distribution of housing choices throughout the City,
- ❖ assisting in the provision of affordable housing through new construction and preservation,
- ❖ removing or mitigating governmental and other constraints to housing investment, and
- ❖ promoting fair and equal housing opportunities.

11.1 SCOPE AND CONTEXT

The housing market in California, particularly in Southern California, is extremely volatile. Market conditions, constraints, and opportunities change rapidly, necessitating periodic reassessment of our housing needs and strategies. Adjustments to implementing actions and objectives have been made in this element to ensure the City continues to move toward its housing goals. Although other elements of the General Plan require



updating less frequently, the Housing Element is typically updated every five to eight years, both to satisfy the City's desire to track changes in the community and to respond to requirements of state law. This element covers the period of January 1, 2006 through June 30, 2014.

11.2 STATE LAW REQUIREMENTS

Pursuant to State Housing Element law (Section 65580) of the Government Code, the Housing Element must contain local commitments to:

- ❖ provide sites with appropriate zoning and development standards and with services and facilities to accommodate the jurisdiction's Regional Housing Needs Assessment (RHNA) for each income level;
- ❖ assist in the development of adequate housing to meet the needs of low and moderate income households;
- ❖ address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities;
- ❖ conserve and improve the condition of the existing affordable housing stock;
- ❖ promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability; and
- ❖ preserve for lower income households the assisted housing developments.

The Housing Element must establish specific actions, objectives, and timelines for addressing the above requirements. The 2006-2014 Housing Element represents a revision of the City's 2001 Housing Element. The revision was prepared to comply with Section 65583 of the Government Code and to address revisions of other state laws since 2001 that address housing, planning, and zoning issues.

11.3 PUBLIC INVOLVEMENT

The City held a public workshop to discuss housing policy and the update to the Housing Element on March 17, 2008 at the Hemet Public Library from 1 to 3 pm. The meeting was hosted by the City of Hemet Housing Authority and was advertised in the Riverside Press-Enterprise and the Valley Chronicle, as well as the Spanish-language newspaper La Prensa. Flyers were posted across Hemet, including at mobile home parks and social service agencies. The Housing Element was further reviewed and discussed at a public meeting of the General Plan Advisory Committee on August 13, 2009.

Over a 2-hour period, 50 people, representing a wide range of interests provided public input. Some of the key points of public comments:



- ❖ Affordable housing is now needed for people from many walks of life – including firefighters and teachers.
- ❖ Residents with disabilities and those living on social security or disability payments need more alternatives to traditional housing.
- ❖ The City should encourage higher-density housing, lower cost housing to reduce overcrowding.
- ❖ The City lacks Single Room Occupancy facilities (SRO) or similar studio or group home options for single, lower income residents who are under 65 years of age.
- ❖ The City's existing density bonus program is not being well-utilized.
- ❖ Affordable housing options should be located near bus lines, neighborhood commercial uses, or downtown because many lower income residents do not have cars.

The Housing Element includes programs to address a number of the concerns expressed by residents:

- ❖ Programs H-2a and H-3a will increase the supply of affordable housing, including construction of new affordable units and rehabilitation of existing units. Hemet has established an available sites inventory with the potential to produce 3,322 units of housing affordable to extremely low-, very low-, and low- income residents between 2006 and 2014.
- ❖ Program H-1c includes adoption of a reasonable accommodation policy or ordinance to provide exceptions as needed for residents with disabilities. Program H-1d aims to provide increased housing options for special needs populations, including senior citizens, while meeting the City's goals for providing additional housing units.
- ❖ Program H-3f will increase the permitted densities in R-3 districts. The maximum density in this district is currently 25 units per acre. Minimum densities will also be added to the City's residential districts in this program.
- ❖ Program H-3f will establish development standards for SROs or similar studio type housing, which will then be permitted in one or more zoning district. This program also includes clarification and simplification of regulations for other types of special needs housing.
- ❖ Program H-3e includes promotion of the recently-revised State density bonus law.
- ❖ The General Plan update includes goals and policies supporting mixed-use development, with the goal of ensuring that all residents can access the services they need without the use of an automobile.

Deleted: 3,499



11. 4 GENERAL PLAN CONSISTENCY

State law requires the Housing Element to contain a statement of “the means by which consistency will be achieved with other General Plan elements and community goals” (California Government Code, Section 65583[c] [6] [B]). There are two aspects of this analysis: 1) an identification of other General Plan goals, policies, and programs that could affect implementation of the Housing Element or that could be affected by the implementation of the Housing Element, and 2) an identification of actions to ensure consistency between the Housing Element and affected parts of other General Plan elements.

The elements of the new General Plan most closely related to housing issues are the Land Use, Community Design, Circulation, and Community Services and Infrastructure elements. Several of the goals of these elements relate to Housing Element goals and will affect implementation of the Housing Element.

Relevant Land Use Element goals and policies include:

- ❖ **Revitalization through Infill Development** Goals, policies, and land use designations support the City’s desire to provide additional opportunities for infill development. These include providing higher densities in central areas, providing for a mix of uses that will encourage housing near employment and services, and locating new housing in areas already served by infrastructure and public services.
- ❖ **Balancing jobs and housing** Goals and policies support increased employment uses in or near Hemet, as well as additional support for existing businesses. The General Plan update includes policies to support high-quality jobs that will provide higher wages and better benefits to residents.
- ❖ **Encouraging Connections between Transportation Corridors and Housing** Goals and policies encourage the location of higher density housing along major transportation corridors that provide transit services as well as neighborhood commercial uses.

Relevant Community Design Element goals and policies include:

- ❖ **Creating Walkable Communities** Policies and goals emphasize creating residential areas where pedestrians are welcomed and encouraged.
- ❖ **Improving Community Safety** Goals and policies encourage utilizing safescape and defensible space design principles to improve community image, personal safety, and the use of public gathering spaces.

Relevant Circulation Element goals and policies include:

- ❖ **Maintaining the roadway network** Goals and policies guide how the roadway network is maintained so residential development is adequately served. This includes policies that direct the improvement of roads



during new development, the collection of impact fees, and creative solutions to finding adequate capacity.

- ❖ **Transportation choices** Goals and policies support non-automobile transportation, emphasizing pedestrian pathways, bicycle facilities, and enhanced transit services.

Relevant Community Services and Infrastructure Element goals and policies include:

- ❖ **Schools** Goals and policies support linking the development of new schools with the needs of residents. The City will work with the school districts to enable timely planning and funding for schools.
- ❖ **Seniors and the physically disabled** Goals and policies provide for the appropriate placement of senior facilities, support affordable housing that is accessible for the disabled, and support other facilities and services for these populations. The City plans to use the Housing Element sites inventory to locate areas that would be appropriate for senior housing. Specifically, the City will seek sites that are close to public transportation, shopping, and services.
- ❖ **Facilities and Services** Goals and policies support the provision of services (water, sewer, solid waste), facilities, and utilities for new development, adequate to serve the project sites.
- ❖ **Energy Efficiency** Goals and policies include energy conservation techniques that would use green building materials, methods, and operations. This, and other policies, is also referenced in the Energy Conservation section of the Housing Element.

11.5 COMMUNITY PROFILE

The purpose of the Community Profile is to provide a comprehensive assessment of the characteristics and trends in Hemet's population, economy, and housing. Population and demographic data is key in determining housing needs, but economic trends and assessments of the local housing stock are essential in formulating predictions of how many and what kind of housing units will be in high demand in upcoming years. With Hemet's continuing evolution from a retirement community to a destination for younger families seeking affordable living, planning for housing must reflect the City's changing needs. Detailed community profile information is included in Appendix C, which includes Housing Data associated with the General Plan.

11.6 CONSTRAINTS

Governmental, market, infrastructure, and environmental factors may limit the provision of adequate and affordable housing. These constraints may result in housing that is not affordable to lower- and moderate-income households, or not readily available for households with special needs, or may cause certain types of residential construction to be economically infeasible for developers.



Private developers play a significant role in the provision of affordable housing. Nonprofit developers generally have access to a wider range of public funding to subsidize affordability than for-profit developers; however, the competition for such funding is usually tight. For-profit developers may have the financial capacity to provide affordable housing but are generally not obligated to do so.

In recent years, recognizing that affordable housing cannot be provided by the market, local jurisdictions have created a variety of methods to facilitate and encourage the development of affordable housing. Effective methods include provision of subsidies (e.g. redevelopment housing set-aside funds), flexible development standards, regulatory concessions, and development agreements.

11.6.1 NONGOVERNMENTAL CONSTRAINTS

Nongovernmental constraints are those factors outside of local government control that limit the availability of housing and/or the feasibility of building affordable housing. The assessment of these constraints provides a basis for possible actions by the City to offset potential effects on housing supply and cost. However, the City has little or no control over many of the nongovernmental factors that influence the cost and availability of housing.

Nongovernmental factors such as land, construction, and financing costs and availability are described in detail in Appendix C.

11.6.2 GOVERNMENTAL CONSTRAINTS

The intent of local government regulations is to protect public health and safety, and to ensure a decent quality of life for the community. However, local policies and regulations affect the price and availability of housing and in particular, the provision of affordable housing. Land use controls, site improvement requirements, fees and exactions, permit processing procedures, and other factors can constrain the maintenance, development, and improvement of housing.

State and federal regulations also affect the availability of land for housing and the cost of producing housing. Regulations related to environmental protection, building codes, and other topics have significant, often adverse, impacts on housing cost and availability. Perhaps one of the greatest constraints to the production of housing affordable to lower-income households is the chronic shortage of state and federal financial assistance for such housing.

While constraints exist at other levels of government, the City has little or no control over these regulations and no ability to directly mitigate their effects on housing. The City's efforts, therefore, emphasize policies and regulations that can be mitigated by the City.

Governmental constraints include land use controls and their enforcement, site improvements, fees, exactions required of developers, and local processing and permit procedures. Land use controls may limit the amount or density of development, thus increasing the cost of housing. Building



codes set specific building standards that may add material costs, limit the amount of buildable area, or otherwise constrain housing production. Governmental constraints are described in detail in Appendix C.

11.7 HOUSING RESOURCES

This section of the Housing Element deals with those physical, social, and financial resources that aid the City in providing for the housing needs of its population. The following sub-sections include additional information on land, financial, and policy resources that the City will rely on for this planning period.

11.7.1 RESIDENTIAL LAND INVENTORY

The City's share of the region's housing need was determined by the Southern California Association of Governments (SCAG) through the RHNA adopted on July 12, 2007. SCAG determined that the City must accommodate 11,243 housing units between January 1, 2006 and June 30, 2014. The City's RHNA allocation is accommodated by projects completed, in progress, planned or within specific plan areas, and by an inventory of vacant parcels that may be used for future residential development. Outlined below is a brief summary of legal requirements framing the land inventory, the City's progress towards meeting its RHNA allocation, a description of the actions the City will take to create adequate sites with realistic capacity, and information regarding environmental constraints affecting the sites and availability of infrastructure for the sites.

Legal Requirements

California law (Government Code Section 65583 (a)(3)) requires that the Housing Element contain "an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites."

Government Code Section 65583.2(c) requires the local government to demonstrate that the projected residential development capacity of the sites identified in the inventory can realistically be achieved. The City must determine whether each site in the inventory can accommodate some portion of its share of the regional housing needs by income level during the planning period. The number of units calculated must be adjusted as necessary based on land use controls and site improvement requirements.

Regional Housing Need Allocation

The RHNA is divided into four income groups established by HCD. Pursuant to State Housing Element law, a jurisdiction must demonstrate in its Housing Element that it has adequate residential sites at appropriate densities and development standards to accommodate its RHNA. In January 2007, a new law (AB 2634 [Lieber]) took effect that requires housing elements to include an analysis of extremely low income needs and address those needs in proposed programs. According to §65583(a)(1) Hemet may "presume that 50 percent of the very low income households qualify as extremely low income households." For this reason, the number of very low income units provided in the RHNA number has been split into



two equal categories. The RHNA is divided into five income categories as follows:

- ❖ Extremely Low Income (<30 percent of the Area Median Income [AMI]) – 1,242 units
- ❖ Very Low Income (31-50 percent AMI) – 1,242 units
- ❖ Low Income (51-80 percent AMI) – 1,781 units
- ❖ Moderate Income (81-120 percent AMI) – 2,080 units
- ❖ Above Moderate Income (>120 percent AMI) – 4,898 units

Generally, the RHNA allocation for Moderate and Above Moderate Income households can be met with housing constructed at any of the City's permitted density ranges. Housing affordable to Low, Very Low and Extremely Low Income households is typically constructed at density ranges of 30.1 to 45 dws per acre. These sites are identified as very high density sites on the land inventory.

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Progress in Meeting the RHNA Goal

Hemet's efforts to meet its "fair share" of regional housing go beyond simply identifying adequate sites. The City actively encourages housing production. As a result of these efforts, the City has already met a portion of its 2006-2014 RHNA obligation and adequate sites and actions have been identified to accommodate the remaining housing need.

Between January 1, 2006 and May 31, 2011, 2,015 units were constructed in Hemet. These units were comprised of a variety of housing types and income levels. Table 11.1 shows the number of units built during this period by income level. As of May 31, 2011, an additional 1,907 units were in progress or included in approved specific plans. Each of these projects and specific plans is described below and shown in Table 11.2

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Units in Progress: Specific Plans and Projects

Four specific plan areas are included among the completed or in-progress projects. These are the McSweeney Farms, Tres Cerritos, Arthofer, and North Hemet specific plan areas.

McSweeney Farms Specific Plan

The plan for the area known as McSweeney Farms was adopted in 2003. McSweeney Farms is located in the southernmost part of the City and includes 673 acres. The Specific Plan proposes 1,640 units, to be constructed in three phases. Phase I is completed; Phase II was initiated, but has ceased development until the housing market improves. Between the two phases, 327 moderate income units have been built. Phase I includes 295 units, Phase II includes 493 units, and Phase III includes 852 units. Phase III has not been counted towards the City's RHNA obligations.



HOUSING

Table 11.1
Housing and Specific Plan Projects Completed
January 1, 2006 through May 31, 2011

| Project Name | Description | Funding | Operator/ Developer | Date Completed | Target | Location | Number of Units | Type of Unit | Owner/ Renter |
|------------------------------------|------------------------------------|---------------------------|-----------------------------|--|----------|--------------------|--------------------|-----------------|---------------------|
| Hemet Estates Apartments | Preservation of Affordability | CAL HFA | Bentall Residential | June 2006 | Very Low | 1101 E. Menlo | 40 | MFR | Renter |
| Habitat | New SFR | LMIHF | Habitat for Humanity | August 2007 | Very Low | 387 Western | 1 | SFR | Owner |
| Habitat | New SFR | LMIHF | Habitat for Humanity | November 2006 | Very Low | 380 Hamilton | 1 | SFR | Owner |
| Habitat | New SFR | LMIHF | Habitat for Humanity | December 2009 | Very Low | 233 N. Tahquitz | 1 | SFR | Owner |
| Habitat | New SFR | LMIHF | Habitat for Humanity | December 2010 | Very Low | 213 N. Tahquitz | 1 | SFR | Owner |
| Sahara Senior | New Senior | HUD 202 LMIHF HCD Home | Habibi Terrace, Inc | May 2008 | Very Low | 465 N. Palm | 75 | MFR | Renter |
| Oasis Senior | New Senior | HUD 202 LMIHF | Sahure Senior Villa, Inc | October 2010 | Very Low | 1015 W. Oakland | 65 | MFR | Renter |
| Hemet Estates Apartments | Preservation of Affordable Project | CAL HFA | Bentall Residential | June 2006 (55-yr affordability covenants executed) | Low | 1101 E. Menlo | 40 | MFR | Renter |
| -- | New Mobile Homes | Private | Private | Jan 2006-May 2011 | Low | Citywide | 79 | SFR | Owner/ Renter |
| Neighborhood Stabilization Program | New Affordable | HUD – NSP | Hemet Housing Authority | Jan 2006-May 2011 | Low | HUD Target Areas | 7 | SFR | Owner |
| First Time Homebuyer | New Affordable | LMIHF | Hemet Housing Authority | Jan 2006-May 2011 | Low | Citywide | 5 | SFR | Owner |
| Neighborhood Stabilization Program | New Affordable | HUD – NSP | Hemet Housing Authority | Jan 2006-May 2011 | Moderate | HUD Target Areas | 7 | SFR | Owner |
| First Time Homebuyer | New Affordable | LMIHF | Hemet Housing Authority | Jan 2006-May 2011 | Moderate | Citywide | 5 | SFR | Owner |
| McSweney Farms | New SFR | Private | Lennar | August 2008 | Moderate | Newport /State | 61 | SFR | Owner |
| Madrid Condominiums | New MFR | Private | Bloomage Beverly Hills | June 2008 | Moderate | 3626 W. Devonshire | 15 | SFR | Renter; TB Owner |



Table 11.1
Housing and Specific Plan Projects Completed
January 1, 2006 through May 31, 2011

| Project Name | Description | Funding | Operator/ Developer | Date Completed | Target | Location | Number of Units | Type of Unit | Owner/ Renter |
|---------------------------|-------------|---------|------------------------------|-------------------|-----------|-----------------------|--------------------|-----------------|------------------|
| Tract 30158 | New SFR | Private | Flowerwood | May 2007 | Moderate | Fruitvale Buena Vista | 66 | SFR | Owner |
| Tract 31295 | New SFR | Private | Hemet/San Jacinto Venture | June 2007 | Moderate | Menlo/Sanderson | 81 | SF | Owner |
| Tract 30969 | New SFR | Private | Kalpesh Homes | November 2006 | Moderate | NEC Berkley/Hemet | 34 | SFR | Owner |
| Four Seasons | New SFR/MFR | Private | K Houvanians | April 2008 | Moderate | California/Devonshire | 220 | SFR/MFR | Owner |
| Tract 33075 | New SFR | Private | KB Homes | August 2009 | Moderate | Fruitvale/Sanderson | 142 | SFR | Owner |
| Stoney Mountain | New SFR | Private | MDM Properties | August 2007 | Moderate | Esplanade/Warren | 96 | SFR | Owner |
| Tract 30724 | New SFR | Private | Enclave@Hemet | May 2007 | Moderate | Lincoln/Hemet | 15 | SFR | Owner |
| Tract 31188 | New SFR | Private | Osborne Dev | July 2006 | Moderate | Palm/Eaton | 42 | SFR | Owner |
| Willow Walk | New SFR | Private | Continental | July 2006 | Above Mod | Sanderson/Domenigoni | 67 | SFR | Owner |
| Montero | New SFR | Private | Corman Brooke | February 2007 | Above Mod | Warren/Devonshire | 68 | SFR | Owner |
| -- | New SFR | Private | Countryside | October 2007 | Above Mod | East Menlo | 3 | SFR | Owner |
| Willow Walk | New SFR | Private | DR Horton | August 2006 | Above Mod | Sanderson/Domenigoni | 53 | SFR | Owner |
| -- | New SFR | Private | Desert Elite | September 2008 | Above Mod | Commonwealth/Lyon | 12 | SFR | Owner |
| Willow Walk | New SFR | Private | Horton Continental | August 2007 | Above Mod | Sanderson/Domenigoni | 72 | SFR | Owner |
| McSweeny Ranch | New SFR | Private | Woodside | August 2008 | Above Mod | State/Newport | 39 | SFR | Owner |
| Four Seasons | New SFR | Private | K Houvanians | April 2008 | Above Mod | California/Devonshire | 101 | SFR | Owner |
| Tract 29843 | New SFR | Private | Pacific Century | October 2007 | Above Mod | Fruitvale/Cawston | 15 | SFR | Owner |
| Rancho Diamante/Solera | New SFR | Private | Pulte | March 2009 | Above Mod | Warren/Mustang | 170 | SFR | Owner |
| Tract 31970 | New SFR | Private | Ryland Homes | September 2007 | Above Mod | Devonshire/Myers | 63 | SFR | Owner |
| Tract 32183 | New SFR | Private | Sagefield | April 2007 | Above Mod | Girard/Oakland | 5 | SFR | Owner |
| McSweeny Ranch | New SFR | Private | Lennar | March 2008 | Above Mod | State/Newport | 227 | SFR | Owner |
| Tract 32359 | New SFR | Private | Vaughn Property | August 2006 | Above Mod | Charlton/Park | | SFR | Owner |
| -- | New SFR | Private | Various | May 2011 | Above Mod | Citywide | 11 | SFR | Owner |
| Total | | | | | | | 2,015 | | |



HOUSING

**Table 11.2
Housing and Specific Plan Projects In Progress
Anticipated Completion: June 1, 2011 through June 30, 2014**

| Project Name | Description | Funding | Operator/ Developer | Status | Target | Location | Number of Units | Type of Unit | Owner/ Renter |
|------------------------------------|--|-----------------------|-----------------------------|----------------------------|----------------|---------------------------------|--------------------|-----------------|------------------|
| Village Meadows | Acquisition, Rehab, Affordability Preservation | Tax Credit LMIHF; MHP | Hemet Leased Housing Assoc. | Rehabilitation in Progress | Very Low | 700 S. Arbor Parkway | 68 | Multiple Family | Rental |
| North Hemet Specific Plan | New HDR within SP area | LMIHF | Hemet HA; Riv Co RDA | New Plan in Progress | Very Low | State Street at Menlo Avenue | 231 | Multiple Family | Rental |
| Habitat | New SFR | LMIHF | Habitat for Humanity | July 2011 | Very Low | 704 W. Latham | 1 | SFR | Owner |
| Habitat | New SFR | LMIHF | Habitat for Humanity | Under construction | Very Low | 720 W. Latham | 1 | SFR | Owner |
| Habitat | New SFR | LMIHF | Habitat for Humanity | Under construction | Very Low | 740 W. Latham | 1 | SFR | Owner |
| North Hemet Specific Plan | New HDR within SP area | LMIHF | Hemet HA; Riv Co RDA | New Plan in Progress | Low | State Street at Menlo Avenue | 231 | Multiple Family | Rental |
| Arthofer Specific Plan | New HDR within SP area | Private | Arthofer | Deferred due to Economy | Low | Sanderson Avenue at Florida | 124 | Multiple Family | Rental |
| Seven Hills Senior Apartments | New HDR within planned community | Private | Private | In Plan Check | Low | Seven Hills Senior Community | 40 | Multiple Family | Rental |
| Neighborhood Stabilization Program | New Affordable | HUD – NSP | Housing Authority | In Progress | Low | HUD Target Areas | 17 | SFR | Owner |
| First Time Homebuyer | New Affordable | LMIHF | Housing Authority | In Progress | Low | Citywide | 3 | SFR | Owner |
| Neighborhood Stabilization Program | New Affordable | HUD – NSP | Housing Authority | In Progress | Moderate | HUD Target Areas | 17 | SFR | Owner |
| First Time Homebuyer | New Affordable | LMIHF | Housing Authority | In Progress | Moderate | Citywide | 2 | SFR | Owner |
| McSweeney Farms | New SFR within SP area | Private | McSweeney Farms Properties | New Owner in 2011 | Moderate | Newport Rd and State St | 417 | Single-family | Owner |
| Tres Cerritos | New SFR within SP area | Private | Equitas Fund | Amendment to PC 6- 2011 | Moderate | Devonshire Ave/Rose Rd/Myers St | 210 | Single-Family | Owner |
| Tres Cerritos | New SFR within SP area | Private | Equitas Fund | Amendment to PC 6-2011 | Above Moderate | Devonshire Ave/Rose Rd/Myers St | 500 | Single-family | Owner |
| McSweeney Farms | New SFR within specific plan area | Private | McSweeney Farms Properties | New Owner in 2011 | Above Moderate | Newport Rd and State St | 44 | Single-family | Owner |
| Total | | | | | | | 1,907 | | |



Tres Cerritos Specific Plan/2011 Amendment The Tres Cerritos Specific Plan was originally adopted in 1990. It was amended in 1999 and in 2004 and is currently being amended to add new acreage and increase the number of dwelling units. The existing Specific Plan (Tres Cerritos East and West) currently allows for a total of 710 units. It is anticipated that approximately 210 of these units will be moderate income and the balance above- moderate.

Arthofer Specific Plan The Arthofer Specific Plan has designated two parcels for high density use. The parcels are 2.9 and 4.0 acres, respectively. Each carries a high density residential General Plan land use designation and is expected to develop at 18.1 dwelling units per acre. Combined planned capacity is 124 low income units.

North Hemet Specific Plan The North Hemet Specific Plan is a joint project of the Hemet Housing Authority and the Riverside County Redevelopment Agency to increase affordable housing opportunities in the City. The project is comprised of seven planning areas of which six contain affordable and high density housing. The seventh planning area is intended for neighborhood commercial and quasi-public agencies to serve the residents. The project is located on State Street, a major City thoroughfare that provides a bus line and access to regional commercial and service uses. The project will provide 231 Very Low units and 231 Low units.

City Actions to Find Adequate Sites

After subtracting the number of units produced or in progress, the City's land inventory must accommodate 3,226 very high density units, and 3,874 low density units. To fulfill the remainder of the housing allocation, the City has created an inventory of available vacant, agricultural, or infill development sites. Although current City zoning does not fully accommodate residential housing needs, the updated Land Use Element establishes a Very High Density Residential land use designation (30.1-45 dus/acre), Program H-3a commits the City to update its zone district definitions and revise its zoning map to correspond to the General Plan by Spring 2013. Although all City residential zone districts do not currently establish minimum densities, Program H-3f requires the City to establish minimum densities for all residential zones. The City is committed to completing these changes to the zoning code by Spring 2013.

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Criteria for Selection of Sites

The sites inventory was created by reviewing the assessor land use codes for each parcel within the City, flagging vacant or agricultural parcels, and reviewing updated aerial photography to determine validity of existing uses. The list was further narrowed by general plan land use designation; only residentially-designated parcels were chosen. The capacity that the City could realistically expect on each parcel was adjusted using information on known environmental constraints. If a parcel contained an environmental constraint that severely limits its development capacity, it was removed from the inventory.

Remaining sites within the inventory met one of the following criteria:



- ❖ Vacant or agricultural residentially zoned sites; or
- ❖ Vacant or agricultural non-residentially zoned sites; or
- ❖ Non-vacant non-residentially zoned sites.

Method for Estimating Capacity of Opportunity Sites

To estimate the capacity of the opportunity sites, realistic unit densities were created based on the density range of the general plan land use designation. A program has been included within this Housing Element requiring the City to rezone these parcels consistent with their proposed general plan land use designation.

Realistic unit densities for general plan land use designations were created using the lower end of the allowed density range in most cases. Realistic unit densities for designations with a minimum density of zero were estimated at the midrange. Descriptions of each general plan land use designation are provided in the Land Use Element and included in Appendix C to this Housing Element.

The inventory assumes that housing for Low-, Very Low- and Extremely Low- income households can be accommodated on 21 parcels zoned for 30.1 or more units per acre. The City will be rezoning the housing sites to provide for these densities and correspond to the General Plan.

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Over 70 percent of the overall high-density housing need can be accommodated on sites that permit only residential uses. The remaining units will be accommodated on mixed-use zones. Program H-3a commits the City to ensuring its mixed-use zones promote the development of affordable housing. The zones will require a percentage of the land to be residential with minimum densities 30.1 dus per acre.

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Table 11.3 lists the parcels and General Plan land use designations for its higher density housing. Figure 11.1 shows the location of the sites. It is anticipated that 3,322 Very Low- and Low-income housing units will be constructed on these sites.

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- Deleted: and 2,256 Very Low-income

Available Residential Sites

The inventory of sites available to fulfill Hemet's RHNA requirements includes the very high density sites identified in Table 11.3 and as well as sites for 9,115 additional units appropriate for all other housing. It consists of parcels with sufficient capacity to accommodate a variety of multifamily and single-family housing types for both renters and owners and provide up to 12,437 new units as shown in Table 11.4. Sites included in the inventory are identified by general plan land use designations, which are in-turn used to identify affordability status based on their density ranges.

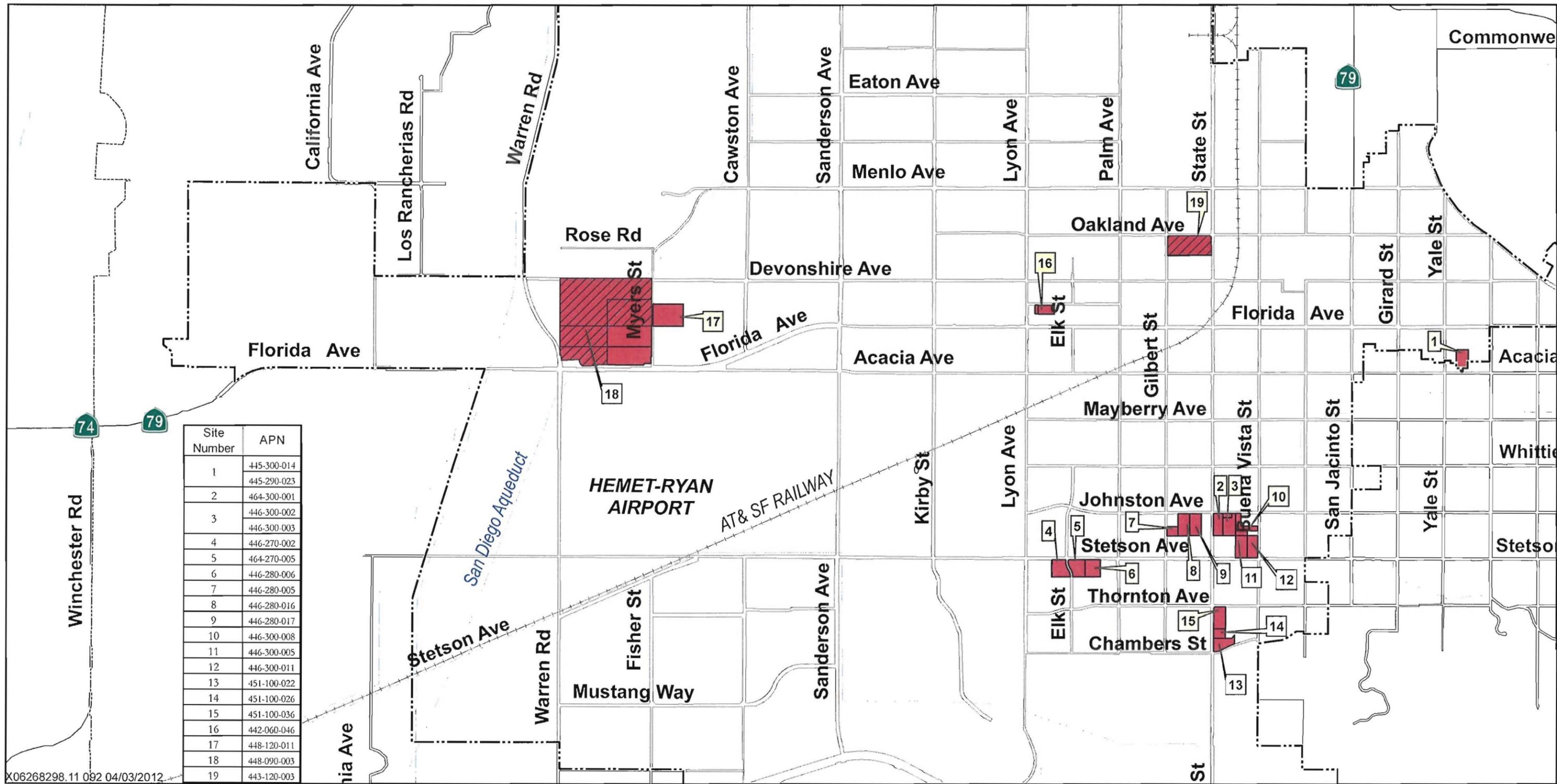
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Table 11.3
Vacant Parcels for Very High Density Housing
June 1, 2011 through June 30, 2014

| Site Number | APN | GP | Allowed Density (dus per acre) | Anticipated Density (dus per acre) | Acres | Anticipated Capacity (units) |
|---------------------------|-------------|------|--------------------------------|------------------------------------|--------------|------------------------------|
| 1 | 439-090-024 | HDR | 18.1-30 | 18.1 | 4.8 | 86 |
| 2 | 442-030-004 | HDR | 18.1-30 | 18.1 | 4.7 | 86 |
| 3 | 445-220-015 | HDR | 18.1-30 | 18.1 | 0.6 | 11 |
| 4 | 445-230-019 | HDR | 18.1-30 | 18.1 | 1.5 | 27 |
| 5 <u>1</u> | 445-300-014 | VHDR | 30.1-45 | 30.1 | 4.1 | 123 |
| | 445-290-023 | VHDR | 30.1-45 | 30.1 | 0.6 | 19 |
| 6 <u>2</u> | 446-300-001 | VHDR | 30.1-45 | 30.1 | 3.8 | 114 |
| 7 <u>3</u> | 446-300-002 | VHDR | 30.1-45 | 30.1 | 0.70 | 21 |
| | 446-300-003 | VHDR | 30.1-45 | 30.1 | 4.5 | 135 |
| 8 <u>4</u> | 464-270-002 | VHDR | 30.1-45 | 30.1 | 5.3 | 160 |
| 9 <u>5</u> | 464-270-005 | VHDR | 30.1-45 | 30.1 | 5.1 | 154 |
| 10 <u>6</u> | 464-280-006 | VHDR | 30.1-45 | 30.1 | 4.9 | 147 |
| 11 | 448-120-014 | HDR | 18.1-30 | 18.1 | 12.3 | 223 |
| 13 | 443-120-003 | MU-D | 18.1-30 | 18.1 | 7.1 | 128 |
| 14 <u>7</u> | 446-280-005 | VHDR | 30.1-45 | 30.1 | 1.9 | 58 |
| 15 <u>8</u> | 446-280-016 | VHDR | 30.1-45 | 30.1 | 4.7 | 143 |
| 16 <u>9</u> | 446-280-017 | VHDR | 30.1-45 | 30.1 | 4.8 | 143 |
| 17 <u>10</u> | 446-300-008 | VHDR | 30.1-45 | 30.1 | 4.3 | 128 |
| 18 <u>11</u> | 446-300-005 | VHDR | 30.1-45 | 30.1 | 4.7 | 143 |
| 19 <u>12</u> | 446-300-011 | VHDR | 30.1-45 | 30.1 | 4.3 | 128 |
| 20 <u>13</u> | 451-100-022 | VHDR | 30.1-45 | 30.1 | 4.1 | 124 |
| 21 <u>14</u> | 451-100-026 | VHDR | 30.1-45 | 30.1 | 2.0 | 62 |
| 22 <u>15</u> | 451-100-036 | VHDR | 30.1-45 | 30.1 | 5.1 | 152 |
| 23 <u>16</u> | 442-060-046 | VHDR | 30.1-45 | 30.1 | 3.3 | 99 |
| 24 <u>17</u> | 448-120-010 | VHDR | 30.1-45 | 30.1 | 12.2 | 367 |
| 25 <u>18</u> | 448-090-003 | MU-1 | 30.1-45 | 30.1 | 20.0 | 602 |
| 26 <u>19</u> | 443-120-003 | MU-D | 30.1-45 | 30.1 | 10.0 | 300 |
| Total High Density | | | | | 110.4 | 3,322 |

Source: City of Hemet 2012



Sources:
Census Tiger Line Data 2005
ESRI 2010



LEGEND

- Vacant Multi-Family Sites
- Mixed Use Sites
- Hemet City Boundary
- Planning Area
- Street
- Railroad
- Creek/Canal
- River/Lake

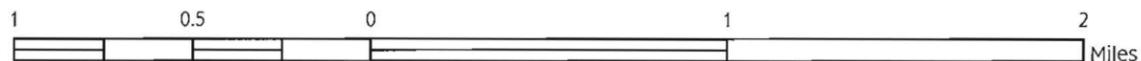


Figure 11.1
VACANT MULTI-FAMILY SITES
Hemet General Plan



HOUSING

**Table 11.4
Residential Land Inventory by
General Plan Land Use Designation and Density Category
January 1, 2006 through June 30, 2014**

| General Plan Residential Designation | Density Range (du/acre) | Realistic Unit Density | Vacant/ Agricultural Acreage | Realistic Unit Capacity (All other housing) | Realistic Unit Capacity (Very High density housing) |
|--------------------------------------|-------------------------|------------------------|------------------------------|---|---|
| Hillside Residential | 0-0.5 | 0.10 | 50.30 | 12 | |
| Rural Residential | 0-2.0 | 1.00 | 20.13 | 22 | |
| Low Density Residential | 2.1-5.0 | 2.10 | 796.88 | 1,344 | |
| Low Medium Density Residential | 5.1-8.0 | 5.10 | 58.35 | 291 | |
| Medium Density Residential | 8.1-18 | 8.10 | 97.95 | 758 | |
| High Density Residential | 18.1-30 | 18.10 | 80.64 | 1,460 | 0 |
| Very High Density Residential | 30.1-45 | 30.10 | 80.4 | 0 | 2,420 |
| Mixed Use 1 | 8.1-18 | 8.10 | 457.61 | 640 | 602 |
| Mixed Use 2 | 8.1-18 | 8.10 | 211.33 | 1,697 | |
| Mixed Use 3 | 12.1-25 | 12.10 | 82.08 | 992 | |
| Mixed Use 4 | 8.1-18 | 8.10 | 107.12 | 867 | |
| Mixed Use 5 | 10.1-22 | 10.10 | 61.98 | 283 | |
| Mixed Use Downtown | 5-45 dus/ac | 5.00 | 60.53 | 749 | 300 |
| Total | | | 2,235 | 9,115 | 3,322 |

Source: AECOM 2011

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Table 11.5 shows that the City is able to accommodate all remaining need within its land inventory. The inventory is expected to create the opportunity for a surplus of more than 5,000 units with many of these being in the affordable range. However, in recognition of the constraints discussed herein, the City acknowledges that the potential for housing construction and preservation presented in Tables 11.4 and 11.5 may be difficult to achieve. Realistically, the City anticipates achieving the objectives outlined in Table 11.6 shown in Section 11.8.3 for the plan period January 1, 2006 through June 30, 2014.

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**Table 11.5
Housing Units to Accommodate RHNA
January 1, 2006 through June 30, 2014**

| Income Category | RHNA | Units Produced / In Progress | Sites Inventory | Surplus / Deficit |
|---------------------------------------|---------------|------------------------------|----------------------|-----------------------------|
| Extremely Low (<30% AMI) ¹ | 1,242 | 0 | <u>3,322</u> | Surplus <u>96</u> |
| Very Low (31-50% AMI) | 1,242 | 486 | | |
| Low (51-80% AMI) | 1,781 | 553 | | |
| Moderate (81%-120% AMI) | 2,080 | 1,423 | <u>2,287</u> | Surplus <u>1,630</u> |
| Above Moderate (>120% AMI) | 4,898 | 1,460 | <u>6,828</u> | Surplus <u>3,390</u> |
| Total | 11,243 | 3,922 | <u>12,437</u> | Surplus <u>5,116</u> |

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Source: City of Hemet Planning Department, March 2012. AECOM 2011.

Environmental Constraints

Several environmental constraints were considered during the selection of sites. Sites with significant environmental constraints were removed from consideration for higher-density housing, and many have been removed from the inventory completely. In some cases, the realistic dwelling unit capacity was adjusted based on the development policy requirements applicable to various constraints. Environmental constraints considered in the analysis include:

- ❖ Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)
- ❖ Hemet-Ryan Airport Land Use Compatibility Zones
- ❖ 100-Year Floodplain
- ❖ Fire Hazard Severity Zones



MSHCP. The MSHCP serves as a Habitat Conservation Plan (HCP) pursuant to Section 10(a)(1)(B) of the Federal Endangered Species Act. It is used to direct conservation efforts in the City towards areas with threatened or endangered species. Through the general plan process, MSHCP conservation areas were spatially delineated using “MSHCP cells”. These cells were assigned percentages of expected development and preservation depending on the resource(s) present within each cell. Realistic dwelling unit capacity was adjusted for each parcel located within an MSHCP cell. Parcels located within an MSHCP cell were not considered for higher-density housing, with one exception. Site numbers 12 and 25 are a part of a MSHCP cell but will be available for development as the City will be brokering agreements with landowners to focus needed preservation on nearby parcels.

Hemet-Ryan Airport Land Use Compatibility Zones. Airport Land Use Compatibility Zones surround the Hemet-Ryan Airport and range from moderate to extreme risk areas. For units in high risk areas, the realistic dwelling unit capacity was adjusted per the density requirements expressed within the Airport Land Use Plan. No parcels in extreme risk or transition areas were used for the site inventory. No modifications to the realistic capacity were needed to include parcels in the moderate risk area. Additional information on the Airport Land Use Plan and its density requirements can be found in the Land Use Element.

Floodplain. Flood Insurance Rate Maps show potential flood zones for the 100-year and 500-year floods. Chapter 14, Article V of the Municipal Code includes flood hazard reduction standards for construction, subdivisions, manufactured homes, utilities, and recreational vehicles. Parcels within a 100-year floodplain were only included in the inventory where drainage improvements or slight elevation can easily remove the flood hazard.

Fire Hazard Severity Zones. Fire hazard severity zones were also used to evaluate a parcel’s potential for use as housing. Severity zones are determined by CAL FIRE and range from moderate to extreme fire hazard. Development within Very High and Extremely High fire hazard severity zones must comply with standards found in Article IX of the City’s Municipal Code Section 14-416 et seq. The code outlines standards for roadways, water supplies, structural design and construction, landscaping, and perimeter protection.

Infrastructure

The City of Hemet has determined that all properties identified within the land inventory are available and feasible for development. All of the properties are located within suburban or urban areas of the City that are presently served by utilities/water/sewer facilities and future capacity is available through will-serve letters, water supply analyses and communications with utility companies.



11.7.2 FINANCIAL RESOURCES

This section offers a summary of funding sources which are currently used by the City, as well as additional funding sources which are potentially available to support various housing programs.

Redevelopment Area Tax Increment Revenues

The Hemet Redevelopment Agency's Low- and Moderate- Income Housing Fund (Housing Fund) is the main source of housing funds utilized to support the City's housing programs. A portion of the tax increment revenues collected from Hemet's redevelopment project area (called the housing set-aside) is the revenue source for the Housing Fund. State law requires that the Redevelopment Agency place 20 percent of the tax increment revenues from these redevelopment project areas into the Housing Fund. It is difficult to estimate the availability of funds until the State legislature completes its 2011-12 budget in which it is contemplating massive changes to redevelopment law.

Section 3333.4(b) of Redevelopment Law requires that the Housing Fund expenditures be in proportion to the population according to the most recent Census. According to the 2005-2009 American Community Survey 5-Year Estimates, 23.2 percent of the City's population in the 2000 Census was over the age of 65; therefore, not more than 23.2 percent of the Housing Fund projected for the Compliance Plan's planning period (2004-2014) may be expended on senior housing units.

Federal Sources of Funds

The primary source of federal funding for housing in Hemet is the United States Department of Housing and Urban Development (HUD). It supports public housing units, including operating subsidies and rehabilitation. HUD also provides Housing Choice Vouchers (formerly Section 8 certificates), a tenant-based subsidy program. Housing Choice Vouchers funding can also be used to support homeownership and project-based rental assistance.

As an entitlement city under HUD regulations, Hemet is also eligible for Community Development Block Grants (CDBG), Home Investment Partnership (HOME) funds, Emergency Shelter Grants (ESG), and Housing for People with AIDS/HIV (HOPWA).

HOME funds are used for the new construction and rehabilitation of affordable housing, covering both homeownership and rental properties. HOME funds can be used to support homeownership programs, as "gap" loans for multifamily rental development and rehabilitation. CDBG funds designated for housing primarily support rehabilitation and First Time Homebuyer programs.

Mortgage Revenue Bonds

Tax-exempt mortgage revenue bonds can be issued by the City for housing developments that restrict a portion of their units for very low income and low income households. The basic federal requirements are that 20 percent of the units must be restricted to very low income households (50 percent



of area median income), or 40 percent of the units restricted to households at 60 percent of area median income. The funds raised as a result of the bond sales carry below market interest rates, but these favorable terms are often not sufficient to produce a feasible mixed income development. Under these conditions, developers may couple their bond applications with Low Income Housing Tax Credits to raise the equity needed for the project's affordability and feasibility. Bond-funded developments with tax credits may have a longer affordability period (55 years) than the 30-year regulatory term on a project with bonds alone.

Proposition 1c Funding

Proposition 1C authorized about \$2.85 billion in State funding for a variety of housing programs. Potential uses of Proposition 1C funds include brownfield cleanup and infill incentives, multifamily housing programs, implementation of Transit Oriented Development (TOD), the state's Homeowner Downpayment Assistance program, supportive housing, farmworker housing, emergency housing assistance, and programs for homeless youth.

Mortgage Credit Certificates

The Mortgage Credit Certificate (MCC) program provides financial assistance to first time homebuyers for the purchase of new or existing single-family homes. The MCC provides qualified first time homebuyers with a federal income tax credit. Income tax credits reduce an individual's tax payment(s) by an amount equal to the credit. The MCC program can be used to increase homeownership.

Multifamily Housing Program

The Multifamily Housing Program (MHP) is used to assist the new construction, rehabilitation, and preservation of permanent and transitional rental housing for lower income households. Special allocations have been made for supportive housing with associated health and social services for low income renters with disabilities, or individuals or households that are moving from emergency shelters or transitional housing, or are at risk of homelessness. MHP funding can be used by local governments, for-profit and nonprofit corporations, limited equity housing cooperatives, and individuals to construct, rehabilitate, or preserve permanent and transitional rental housing.

Affordable Housing Innovation Program

Affordable Housing Innovation Program funds the creation of pilot programs to demonstrate innovative, cost-saving approaches to creating or preserving affordable housing through grants and loans.

Building Equity and Growth in Neighborhoods

Building Equity and Growth in Neighborhoods funding includes grants to local public agencies to make deferred-payment second mortgage loans to qualified buyers of new homes, including manufactured homes on permanent foundations, in projects with affordability enhanced by local regulatory incentives or barrier reductions. These grants are used to increase homeownership among low- and moderate income residents.



Neighborhood Stabilization Program

The Neighborhood Stabilization Program (NSP) was established by the federal government for the purpose of stabilizing communities that have suffered from foreclosures and abandonment. Hemet's NSP program is designed to assist areas that have been most affected by abandoned and foreclosed homes by acquiring and rehabilitating foreclosed single-family properties and re-selling these often blighted homes to low and moderate income families. The program also offers grants that are used to increase homeownership among low- and moderate income residents.

HOME

HOME provides formula grants to States and localities that communities use-often in partnership with local nonprofit groups-to fund a wide range of activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low-income people.

CalHOME

CalHOME funding includes grants to local public agencies and nonprofit corporations to assist individual households through deferred-payment loans, as well as direct, forgivable loans to assist development projects involving multiple ownership units, including single-family subdivisions. These grants are used to enable low- and very low income residents to become or remain homeowners.

CalHOME Self-Help Housing Technical Assistance Allocation

CalHOME Self-Help funding includes grants to local public agencies and nonprofit corporations for programs that assist low and moderate income families to build their homes with their own labor. These grants are used to increase homeownership and asset-building among low- and moderate income residents.

Emergency Housing and Assistance Program

Emergency Housing and Assistance Program funding includes both operating grants and deferred loans for capital development. Grants can be used for facility operations of emergency shelters, transitional housing projects, and supported services for homeless individuals and families. Loans to local public agencies and nonprofit developers may be used for capital development activities for emergency shelters, transitional housing and safe havens that provide shelter and supportive services for homeless individuals and families.

Predevelopment Loan Program

Predevelopment Loan Program funding includes short term loans to provide capital to finance the start of low income housing projects. These loans can fund redevelopment costs of projects to construct, rehabilitate, convert or preserve assisted housing, including manufactured housing and mobile home parks.



Workforce Housing Reward Program

This program provides financial incentives to cities and counties that issue building permits for new housing affordable to very low or low income households. Grants can be used for construction or acquisition of capital assets.

Federal Tax Credits

Tax credits enable low-income housing developers to raise project equity through the sale of tax benefits to investors. Two types of federal tax credits are available: 9% credits and 4% credits. The program is administered by the California Tax Credit Allocation Committee.

11.7.3 POLICY RESOURCES

Energy Conservation

State law (Government Code Section 65583[a][7]) requires housing elements to contain an analysis of opportunities for residential energy conservation. According to the California Department of Housing and Community Development, the energy conservation section of a housing element must inventory and analyze the opportunities to encourage the incorporation of energy saving features, energy saving materials, and energy efficient systems and design for residential development. Housing element policies and programs should address the environmental significance and operational benefits of employing energy conservation in the building and retrofitting of housing.

According to the U.S. Department of Energy, residential energy use accounts for about 21 percent of all energy use nationwide, although homes in the Pacific region, with its milder climate, use up to 35 percent less energy than homes in other parts of the country. Space heating and cooling account for about 43 percent of residential energy use, followed by water heating (12 percent), and lighting (11 percent). Greater energy efficiency in these three residential components would greatly contribute to an overall reduction in energy use.

Opportunities for residential energy conservation exist at all levels: the individual dwelling unit, the residential project, the neighborhood, the community, and the region. As described in this chapter, the City of Hemet has adopted or will adopt strategies, policies, and programs to address opportunities for energy conservation, including residential energy conservation, at all of these levels. Opportunities for residential energy conservation include:

- ❖ Compliance with minimum energy conservation standards for residential construction and operations (heating, cooling, cooking, refrigeration, etc.). California requires cities and counties to enforce minimum energy efficiency standards through state building code standards (Title 24 of the California Code of Regulations) and through energy efficiency standards for household appliances.
- ❖ Retrofitting of existing homes that are energy inefficient through weatherization, rehabilitation, and the replacement of older appliances.



- ❖ Energy efficient project site planning that takes maximum advantage of natural systems (sun, shade, wind) for lighting, heating, cooling, and generation of electricity.
- ❖ Neighborhood design and layout that encourage alternatives to automobile use through higher density, mixing of uses, greater connections, and street design for all types of mobility.
- ❖ Community and regional growth strategies that emphasize infill development; higher intensity and mixed-use development along transportation corridors;
- ❖ Neighborhood, community, and regional centers with a mix of employment, housing, retail, and services;
- ❖ The placement of housing for a variety of households and income levels as close as possible to job centers and services.
- ❖ Water conservation, water conserving landscaping, and stormwater management systems that reduce energy use.

The city's strategies and policies related to energy conservation are shaped by several state, regional, and local initiatives and programs. Among the most important initiatives and programs described in this chapter are:

- ❖ state building code standards for energy efficiency (Title 24);
- ❖ the state's climate change strategies focused on reductions in greenhouse gas emissions, as required by AB 32, the California Global Warming Solutions Act of 2006; and
- ❖ the City of Hemet General Plan.

State Energy Efficiency Requirements for New Construction

Title 24 of the California Code of Regulations contains California's building standards for energy efficiency. Each city and county must enforce these standards as part of its review of building plans and issuance of building permits. The standards, prepared by the California Energy Commission, were established in 1978 in response to a state legislative mandate to reduce California's energy consumption. The standards are updated periodically to consider and incorporate new energy efficiency technologies and methods. The Energy Commission estimates that California's building efficiency standards (along with those for energy efficient appliances) have saved more than \$56 billion in electricity and natural gas costs since 1978. It is estimated the standards will save an additional \$23 billion by 2013.

California Green Building Standards Code

The 2010 California Green Building Standards Code (CALGreen) took effect January 1, 2011. CALGreen is the first statewide mandatory green building code in the nation. It sets minimum standards for all new structures as part of a broad effort to significantly reduce California's carbon emissions. The code has approximately 52 mandatory measures and



an additional 130 optional provisions. The code addresses compliance verification by using the existing building code enforcement structure. Public agencies incorporate CALGreen code provisions into their building inspection procedures.

Greenhouse Gas Emissions Reduction

The California Legislature adopted the California Global Warming Solutions Act in 2006 (Assembly Bill 32) and declared that “global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California.” In adopting the act, the Legislature found that human activity is one of the leading contributors to an increase in carbon dioxide, methane, and other “greenhouse gases” (GHGs). The state has declared that these gases are leading to an increase in average global temperatures and contributing to changes in climate throughout the world. The purpose of AB 32 is to reduce GHG emissions to 1990 levels by 2020 (25 percent reduction over current levels). Executive Order S-03-05 requires further reduction of GHGs to 80 percent below 1990 levels by 2050.

AB 32 is being implemented by the California Air Resources Board and local air pollution control districts. The California Air Pollution Control Officers Association (CAPCOA), which represents local air districts, recently released a report describing ways to measure and reduce GHGs at the local level, including steps that cities and counties can take to contribute to the goals of AB 32. An important local strategy recommended by CAPCOA is the adoption of general plan policies and implementation measures that encourage energy conserving community layout and design. Many of the recommendations are relevant for residential energy conservation. Among the suggestions are:

- ❖ Promote walkability through a highly connected street system with small blocks;
- ❖ Promote mixed-use neighborhood centers and transit-oriented development;
- ❖ Reduce the amount of water used for landscaping and encourage the use of recycled water for landscaping;
- ❖ Promote the use of fuel-efficient heating and cooling equipment and other appliances;
- ❖ Encourage green building designs in both new construction and building renovation;
- ❖ Encourage building orientations and landscaping that enhance natural lighting and sun exposure;
- ❖ Encourage the expansion of neighborhood-level products and services and public transit opportunities throughout the area to reduce automobile use;



- ❖ Promote energy-efficient design features, including appropriate site orientation, use of light color, roofing, and building materials;
- ❖ Encourage the development of affordable housing throughout the community, as well as development of housing for elderly and low and moderate income households near public transportation services; and
- ❖ Ensure that a portion of future residential development is affordable to low and very low income households.

Hemet General Plan

The City of Hemet is currently in the process of updating its General Plan. The updated General Plan includes goals and policies in several elements which support energy conservation in order to comply with AB 32. Goals and policies include:

- ❖ Make use of federal, State, and utility energy conservation incentive and education programs.
- ❖ Support conversion of asphalt to green space where possible to help reduce urban heat island effects.
- ❖ Coordinate the locations of new public facilities with mass transit services to encourage alternative transportation use.
- ❖ Encourage increased use of passive solar design and day-lighting in new and rehabilitated structures, as well as new developments.
- ❖ Encourage installation and use of cogeneration facilities.
- ❖ Promote mixed-use development. The General Plan Update will include mixed-use designations, and development standards associated with these zones will seek to facilitate energy-efficient development patterns.
- ❖ The City will review its Zoning Code to ensure that provisions encourage and facilitate infill development, especially development of infill sites that might otherwise remain undeveloped or under-used due to economic or physical site constraints.
- ❖ The City will encourage more energy efficient subdivision design through standards for lot orientation to take advantage of natural solar power during the preliminary subdivision design evaluation process.

11.8 HOUSING PLAN

11.8.1 EVALUATION OF ACHIEVEMENTS

Appendix C includes a description of the City's accomplishments in implementing the existing Housing Element. State law requires that the Housing Element include:



- ❖ An evaluation of the “effectiveness of the element,” including a review of the actual results of the previous element’s goals, objectives, policies, and programs (Government Code 65588(a)(2)).
- ❖ An evaluation of “progress in implementation” of the Housing Element programs, including an analysis of the significant difference between what was projected or planned in the previous element and what was achieved (Government Code 65588(a)(3)).
- ❖ An evaluation of the “appropriateness of goals, objectives and policies” of the existing element. This includes a description of how the goals, objectives, policies, and programs of the updated element incorporate lessons learned from the results of the previous element (Government Code 65588(a)(1)).

Appendix C briefly describes the programs contained within the existing element. The objective of each program is identified, and the results of each program are evaluated. Based on the results and the requirements of State law (Government Code 65583(c)(1) through 65583(c)(6)(d)), modifications, continuation, or deletion are recommended for each program.

11.8.3 QUANTIFIED OBJECTIVES

In recognition of the constraints discussed herein, the City acknowledges that the potential for housing construction and preservation presented in Tables 11.4 and 11.5 may be difficult to achieve. Realistically, the City anticipates achieving the objectives outlined in Table 11.6 for the plan period January 1, 2006 through June 30, 2014.

**Table 11.6
Quantified Objectives
January 1, 2006 through June 30, 2014**

| Objective | New Construction ¹ | Rehabilitation ² | Conservation ³ |
|-----------------------|-------------------------------|-----------------------------|---------------------------|
| Extremely Low Income | 0 | 1,000 | 0 |
| Very Low Income | 147 | 1,000 | 108 |
| Low Income | 219 | 200 | 72 |
| Moderate income | 772 | 0 | 31 |
| Above Moderate Income | 912 | 0 | |
| Total | 2,050 | 2,200 | 211 |

¹ Sahara Senior (75 units); Oasis Senior (65 units); Habitat for Humanity (7 units); mobile homes (79); Tracts 30158, 31295, 30969, 33075, 30724, 31188, 31280, 29843, 31970, 32183, 32359 (481), Madrid Condominiums (15); Stoney Mountain (96); McSweeney Ranch (427); Four Seasons (321); Willow Walk (192); Montero (68); Countryside (3); Solera (170); Citywide (11); Seven Hills Senior Apartments (40).

² Senior Minor Home Repair Program (2,000 units) and Home Rehabilitation Loan Program (200 units).

³ Hemet Estates Apartments (80 units); Village Meadows (68 units); Neighborhood Stabilization Program (48); and First Time Homebuyer (15).



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GOALS AND POLICIES

HOUSING

This chapter contains Hemet’s housing goals, policies, and programs. Goals were developed in direct response to the observed needs for Hemet, based on housing need assessments conducted during the preparation of this Housing Element.

The goals of the Housing Element aim to provide: 1) equitable access to housing; 2) adequate provision of housing; 3) adequate housing sites; 4) neighborhood preservation, rehabilitation of the existing housing stock, and maintenance of affordable housing costs; and 5) reduced constraints to the provision of housing.

The broad goals of the Housing Element provide a framework for compliance with California Government Code Section 65583, which requires that the Housing Element contain a “statement of the community’s goals, quantified objectives, and policies relative to the maintenance, improvement, and development of housing.”

| | |
|---------------------|---|
| GOAL H-1 | Provide for the attainment of quality housing within a satisfying living environment for households of all socio-economic, age, and ethnic types in Hemet. |
|---------------------|---|

POLICIES

- H-1.1:** Promote fair housing practices throughout the City.
- H-1.2:** Promote a variety of housing types to meet the special needs of persons with disabilities, elderly households, and others who may need assisted living, group home, institutional care, and other alternative residential environments.
- H-1.3:** Ensure that families with children have equal access to housing through enforcement of anti-discrimination policies and by facilitating the construction of housing to meet the needs of such families.

IMPLEMENTATION

| | |
|--------------------------|---|
| Program H-1a: | Implement Fair Housing Laws |
| Program Description: | The City of Hemet actively furthers fair housing in the community. Specifically, the City will continue to contract with an appropriate agency to promote fair housing. The City will continue to refer complaints regarding fair housing and discrimination issues to the appropriate agency. At present, the City contracts with the Fair Housing Council of Riverside County for these services. |



Objective: Continue to support the Fair Housing Council of Riverside County and provide referral services. Advertise fair housing and housing discrimination services in City and public buildings.

Responsible Agency: Housing Authority, RDA, Economic Development Department

Timeframe: Current and ongoing

Funding: RDA housing set-aside funds, CDBG funds

Program H-1b: Emergency Shelters and Homeless Facilities

Deleted: Transitional Housing

Program Description: Per State law, the City will update the Zoning Code to allow emergency and homeless shelters in an overlay zone, unless an agreement is signed with the County of Riverside for provision of regional facilities. This overlay zone will be used in conjunction with underlying zones to allow emergency and homeless shelters without a conditional use permit. This zone will have adequate sites to accommodate emergency and homeless shelters to serve Hemet needs.

Deleted: and transitional

Deleted: homeless

Deleted: transitional

Deleted: and transitional housing

The review process for emergency and homeless shelters will ensure adequate access to utilities and other public services, as well as appropriate site design for the proposed location and public safety. Approval of emergency and homeless shelters will relate to compatibility with the surrounding neighborhood, public safety, and management operations – aspects of the land use, not the clientele. Pursuant to Government Code 65583, emergency and homeless shelters will be allowed in the overlay zone without other discretionary actions.

Deleted: transitional

Deleted: and transitional housing facilities

Objective: Amend the Zoning Code by Spring 2013 to specify emergency and homeless shelters as separate uses, and permit these uses in an overlay zone without other discretionary actions. Rezone sites as necessary to ensure that adequate sites to accommodate emergency and homeless shelters are available. This area will generally be bounded by Esplanade Ave to the north, Menlo Ave to the south, Buena Vista St to the east, and State St to the west.

Deleted: , and transitional housing will be permitted as a residential use that is subject to only those requirements that apply to other residential uses of the same type in the same zone, and therefore would not unduly constrain the development of such facilities

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Deleted: and transitional housing

Responsible Agency: Planning Department

Timeframe: Amend zoning code by Spring 2013

Deleted: December 2012



HOUSING

Funding: Department budget

Program H-1c: **Accessibility for Persons with Disabilities**

Program Description: The City will implement state requirements to include accessibility in housing and public facilities for persons with disabilities. The City will undertake the following actions:

- ❖ Require housing developers to include accessibility for individuals with disabilities in their project designs.
- ❖ Review regulations and procedures for City funded or operated housing programs to ensure that they do not exclude participation by persons with disabilities.
- ❖ Include accessibility considerations in the preparation of the City's capital improvement plan and the allocation of funding for capital improvements to housing and residential neighborhoods.
- ❖ Continue to administer and fund the Handicapped Ramp Program and the Senior and Disabled Home Repair Program as resources are available.
- ❖ Continue to monitor and support the Ability First Apartments – an 18-unit apartment complex for the developmentally and physically disabled. The Hemet Housing Authority participated in the funding of the project.

The City will adopt a written reasonable accommodation ordinance to provide exceptions in zoning and land use policy for housing for persons with disabilities. This procedure will be with minimal or no processing fee, subject to administrative approval based on the following criteria:

Deleted: a ministerial process,

1. The request for reasonable accommodation will be used by an individual with a disability protected under fair housing laws.
2. The requested accommodation is necessary to make housing available to an individual with a disability protected under fair housing laws.
3. The requested accommodation would not impose



an undue financial or administrative burden on the City.

- 4. The requested accommodation would not require a fundamental alteration in the nature of the City's land-use and zoning program.

Objective: Increase accessibility in housing for persons with disabilities through facilitation of development, maintenance, and improvement of new and existing housing.

Responsible Agency: Housing Authority, Planning Department

Timeframe: Current and ongoing implementation of State requirements and housing programs

Reasonable Accommodation ordinance adopted by July 2012.

Deleted: June 2012

Deleted: December

Funding: Department budget; RDA housing set-aside funds; CDBG funds

Program H-1d: Special Housing Needs

Program Description: In implementing affordable housing programs, the City will work with housing providers to provide a range of low-cost housing options for special needs groups, including seniors, large families, female-headed households, single-parent households with children, persons with disabilities, homeless individuals and families. The City will support development of housing for special needs groups through a combination of regulatory incentives, zoning standards, new housing construction programs, housing rehabilitation, homebuyer assistance programs, and supportive services programs described in other implementation programs. In addition, the City will seek funding under state and federal programs designated specifically for special needs groups such as seniors, persons with disabilities, and persons at risk of homelessness.

Objective: Increase the availability of housing for special needs groups while meeting the City's overall goals for the production of housing affordable to low, very low, and moderate income households. The City's goal is develop or acquire 24 units affordable to extremely low income



households.

The City will continue to partner with Riverside County on the North Hemet Revitalization Project, which targets 462 family units for rental at affordable levels, with a range of affordability from very low to low income households.

Responsible Agency: Housing Authority, RDA, Economic Development Department

Timeframe: Current and ongoing. Adoption of North Hemet Specific Plan in 2011-12. Construction of Phase 1 of the North Hemet Revitalization Area to begin by July 2013. First affordable units available for rent in North Hemet Revitalization Area by June 2014.

Funding: RDA housing set-aside funds, HOME funds, County tax allocation bonds

GOAL Assist in provision of affordable housing.
H-2

POLICIES

H-2.1: Encourage the participation and financial commitment of private entities (both non-profit and for-profit) in attaining housing goals.

H-2.2: Encourage the provision and continued availability of a range of housing types throughout the community, including mobile homes and rental housing, for all economic segments of the community.

H-2.3: Continue to plan and facilitate the implementation of low and moderate income housing through all relevant federal, state, and county housing assistance programs, as well as local development standards.

H-2.4: Encourage supportive services for special needs populations through implementation of the City's Consolidated Plan.

IMPLEMENTATION

Program H-2a: Facilitate development of affordable ownership and rental housing through funding and regulatory incentives

Program The City will continue to support development of additional affordable ownership and rental units.



Description: Development of affordable housing requires substantial leverage of public funds, and multiple layers of funding are often required to address the subsidies required. The City will continue to pursue available local, State, and federal funding resources,

Currently, the City offers a number of housing programs, including first-time homebuyer assistance, HOME funds, and mortgage credit certificates. The City will advertise the availability of these programs on the City website and at public counters through brochures.

The City will continue to provide first-time homebuyer assistance through:

- ❖ Financing through low-interest loans and/or mortgage credit certificate financed through Riverside County mortgage revenue bonds.
- ❖ Down payment assistance through deferred second loans in which a percentage of loan is forgiven for each year a participant lives in the dwelling unit financed by the program.

The City will continue to work with Riverside County in issuing mortgage revenue bonds, tax credit, mortgage credit certificates, and using the Low and Moderate Income Housing Fund to finance housing construction and home purchase for low and moderate income households. Specific actions by the City will include:

- ❖ Annual meetings (or more frequent, if needed) with the County to determine the financial feasibility of City participation in new mortgage bond, tax credit, or mortgage credit certificate allocations;
- ❖ Contribution to the cost of applying for an allocation and administering the program based on the City's share or participation in the program; and
- ❖ Distribution of information on the program to developers, lenders, the real estate industry, and homebuyers via the City's website and at public counters.

Objective: Continue to work with housing developers to pursue various funding mechanisms, including but not limited to, multifamily housing bonds, low income housing tax credits, homebuyer assistance programs to be used in conjunction with new construction of ownership housing.



Continue review of the funding programs offered by HCD and HUD, and pursue additional funding sources as appropriate.

Apply for funding sources including the HUD Neighborhood Stabilization Program, HOME Grant funds, and CDBG funds for handicapped ramp construction.

Use the Redevelopment Agency's Low/Moderate Income Housing Funds as a funding source for First-Time Homebuyer programs, Senior and Disabled Home Repair Program, acquisition of rental units for rehabilitation and restriction, and provision of matching funds for affordable new housing construction.

Continue to publish the availability of housing assistance to residents and developers via the City website and brochures at public counters.

Partner with Riverside County to provide mortgage revenue bonds, tax credits, and mortgage credit certificates. Conduct annual meetings, contribute to application costs, and distribute program information to stakeholders.

Responsible Agency: Housing Authority

Timeframe: Current and ongoing

By May 2009: The Housing Authority provided a \$3 million Residual Receipts Loan to Sahure Senior Villa, Inc. for Oasis Senior Villa. This loan leveraged a \$9.6 million HUD 202 grant and a 40-year Section 8 commitment, for 65 units for very low and extremely low income seniors.

By September 2010: The Housing Authority began the acquisition of 16 four-plexes on Mobley Lane. The units will be rehabilitated or replaced with equivalent affordable housing.

Continuous 2009-2013: In April 2009, the City received a \$2.8 million Neighborhood Stabilization Program grant from HUD under the Housing and Economic Recovery Act of 2008. In 2011, the City received a \$1.3 million NSP3 allocation to continue to NSP program. The City will assist applicant in discussions with CalHFA to allow prepayment and creation of a new loan for purchase and rehabilitation of the Village Meadows apartments. In



addition, the City will loan the project \$500,000.

Annually between 2006 and 2014: The City will apply for HOME grant funding and City CDBG funds (CDBG funds for minor home repair and handicapped ramp programs).

Continuous 2006-2014: The Housing Authority will continue to coordinate with the Riverside County Economic Development Agency to offer the Mortgage Credit Certificate Program. As funds are available, the Housing Authority will continue to apply for State HCD Workforce Housing Grants. These grants can be used to provide incentives and extra amenities to affordable housing projects.

Annually between 2011 and 2014: The City will assist developers and apply for funding through sources including HOME, MHP, tax credits, CDLAC bonds, CalHFA, HUD 202. This funding will be used to subsidize affordable projects associated with the North Hemet Revitalization Project. The North Hemet Revitalization Project is anticipated to include 462 units, with a mix of affordability ranging from extremely low to moderate income households.

Funding: RDA housing set-aside funds, CDBG funds, HOME funds, NSP funds, mortgage revenue bonds or tax credit certificates

Program H-2b: Participate in Regional Solutions to Housing Issues

Program Description: Continue to coordinate with the California League of Cities and WRCOG to urge state and federal representatives to advocate for and monitor legislation, work directly with local legislators, propose legislation, and promote State legislation that supports the goals and objectives of the City's Housing Element.

Objective: Support legislation promoting goals and objectives of the City's Housing Element at the State and federal levels.

Responsible Agency: Housing Authority; City Manager

Timeframe: Current and ongoing

Funding: Department budget



HOUSING

Program H-2c: Provide Dedicated Staff for Coordination of the City’s Housing Programs

Program Description: Maintain staff positions as funding sources allow to oversee the development and administration of housing programs and to serve as a liaison with other agencies offering housing programs in Hemet.

Objective: Maintain program oversight and smooth coordination with other City departments and agencies providing housing programs.

Responsible Agency: Housing Authority

Timeframe: Current and ongoing

Funding: RDA housing set-aside funds, CDBG funds

Program H-2d: Development Permit System Review

Program Description: To assure that the City can accommodate its RHNA regional share of new housing construction need and its quantified objectives for the construction, conservation, and rehabilitation of housing, the City will continue to implement a permit process that:

- ❖ Includes concurrent review of multiple permit applications.
- ❖ Provides one-stop permit processing with a case manager for each permit application.
- ❖ Expedites residential development review consistent with the complexity of the project and planning/environmental issues to be resolved.

The City will annually review its development permit system to assure effective implementation.

Objective: Continue expediting the permit process, including concurrent review and one-stop processing.

Responsible Agency: Planning Department; Engineering Department; Building Department

Timeframe: Current and ongoing



| | |
|----------------------|---|
| Funding: | Development permit fees |
| Program H-2e: | Address Flooding Issues |
| Program Description: | Hemet will continue its efforts to resolve Salt Creek flooding problems by utilizing redevelopment funds, collecting development impact fees, and requiring implementation of planned flood control improvements in all affected residential projects. |
| Objective: | Ensure that new residential developments are protected from flooding, and improve flood protection for existing homes. Utilize redevelopment funds and impact fees to implement flood control improvements. |
| Responsible Agency: | Public Works Department, RDA, Economic Development Department |
| Timeframe: | Current and ongoing |
| Funding: | Department budget |
| Program H-2f: | Implement the City's Consolidated Plan |
| Program Description: | <p>The City will implement the goals and programs of its Consolidated Plan, Consolidated Plan goals include:</p> <ul style="list-style-type: none"> ❖ Increase the City's supply of affordable housing. ❖ Rehabilitate the City's housing units. ❖ Provide financial assistance for housing. ❖ Enhance neighborhoods. ❖ Provide fair housing services. ❖ Support assisted housing, services and/or emergency shelters for homeless persons and families. ❖ Provide supportive services for special needs groups, including youth, seniors, individuals with disabilities, and individuals with HIV/AIDS. ❖ Improve infrastructure and accessibility. ❖ Provide economic opportunities for lower income |



residents.

Objective: Improve housing conditions and availability, improve accessibility and services for special needs residents, provide supportive services, maintain a continuum of care for homeless persons and families, and improve fair housing.

Responsible Agency: Housing Authority, RDA, Economic Development Department

Timeframe: Current and ongoing

Funding: Department budget

GOAL H-3 Assure adequate provision of sites for housing.

POLICIES

H-3.1: Locate appropriate residential uses with convenient access to employment centers and services.

H-3.2: Plan for residential land uses that accommodate anticipated growth of new employment opportunities.

H-3.3: Plan for residential land uses to support development of housing affordable to all income levels.

H-3.4: Continue to allow the installation of manufactured housing on permanent foundations in accordance with State law requirements for factory built housing and mobile homes.

H-3.5: Continue to permit second units in single-family residential areas by right in accordance with State law.

H-3.6: Promote the inclusion of a percentage of affordable units in market-rate development projects.

IMPLEMENTATION

Program H-3a: **Regional Housing Needs Allocation**

Program Description: The City shall accommodate development of affordable housing to meet the City's RHNA allocation. This includes providing sites which are adequate to accommodate the City's allocation of 1,242 units affordable to extremely low income households, 1,242 units affordable to very low income households, 1,781 units affordable to low income households, 2,080 units



affordable to moderate income households, and 4,898 units affordable to above moderate income households. The City will rezone parcels identified in the sites inventory (Figure 11-1) as necessary to ensure that the City has an adequate area available for development to accommodate the allocation.

The City shall establish a mixed use zone(s) that includes the following requirements:

- ❖ The very high density range must allow no fewer than 30.1 dwelling units per acre on the Very High Density residential portion of each mixed-use property.
- ❖ The high density range must allow no fewer than 18.1 dwelling units per acre on the High Density residential portion of each mixed-use property.
- ❖ This zone district will be applied the land inventory designated as Mixed Use and shown in Figure 2.1 Land Use Map.
- ❖ The City will establish a process by which multi-family housing in this zone is allowed by-right. By-right, pursuant to Section 65583.2(i) of the Government Code, means the City must not require a conditional use permit, planned unit development, or other discretionary review or approval for the intended use.

The City shall establish a very high-density residential zone to accommodate the General Plan Very High Density Residential designation and rezone vacant parcels within this designation to accommodate the RHNA allocation for extremely low, very low, and low income housing needs.

The City shall establish a high-density residential zone to accommodate the General Plan High Density Residential designation,

Deleted: and rezone vacant parcels within this designation to accommodate the RHNA allocation for low income housing needs

The City shall create residential zones corresponding to the proposed General Plan designations, and shall establish minimum densities for each. The City must rezone sites to permit owner-occupied and rental multi-family uses by-right sufficient to accommodate the remaining need for lower-income households. and allow:

- ❖ A minimum of 30.1 units per site; and
- ❖ At least 50 percent of the lower-income needs to be accommodated on sites designated for residential use only.

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Objective: Accommodate housing to meet the City’s allocation of need. Encourage the development of housing to meet the City’s quantified production objectives.

Responsible Agency: Planning Department, Housing Authority, Housing Division

Timeframe: Modifications to zone district definitions and rezones for sites identified in the sites inventory must be completed by Spring 2013.

Deleted: December

Funding: Department budget, permit fees

Program H-3b: Production of New Housing

Program Description: In addition to ensuring that an adequate inventory of land is available to accommodate the RHNA, the City will encourage the development of units to meet the quantified objective of 1,242 units affordable to extremely low income, 1,242 units affordable to very low income, 1,781 units affordable to low income, 2,080 units affordable to moderate income, and 4,898 units affordable to above moderate income households.

As shown in **Table 11.2**, the City has begun to consider future affordable housing development and six projects are already planned for this period. These projects will accommodate a variety of needs, housing renters, seniors, and families. Many projects have funding but the City is still seeking development partners. While the City cannot anticipate at this time where developer interest for housing may occur, the City and/or the Hemet Housing Authority will participate in the following incentives based on available funding:

- ❖ Land assemblages and write-downs
- ❖ Subsidized on and off-site improvements
- ❖ Subsidy of City development fees
- ❖ Flexibility in development standards, including setback and height requirements and parking.

Objective: Encourage the development of housing to meet the City’s quantified production objectives.

Responsible Agency: Planning Department, Housing Authority, Housing



Agency: Division
 Timeframe: Ongoing
 Funding: Department budget, RDA LMIHF, State and federal funding

Program H-3c: Maintain Inventory of Housing Sites, Including Infill Sites

Program Description: Maintain an inventory of sites suitable for future residential development, particularly for housing affordable to low- and moderate-income households.

The City has prepared an inventory of infill sites with residential development potential that identifies infrastructure and environmental issues to be addressed prior to development as part of the Housing Element update. The City will make this information available to interested nonprofit or for-profit developers.

Objective: Ensure that sites, especially infill sites, are available for the development of affordable housing.

Responsible Agency: Housing Authority, Housing Division, Planning Department

Timeframe: Infill site study available for public distribution by December 2011; other objectives are ongoing

Funding: Department budget

Program H-3d: Capital Improvement Program (CIP) Review

Program Description: The City will annually review the Capital Improvement Program (CIP) and infrastructure provided by developers as conditions of approval to ensure that facilities and infrastructure needed to implement the Housing Element and meet its RHNA allocation are included in the CIP.

Objective: Ensure that infrastructure will meet affordable housing needs.

Responsible Agency: Public Works Department

Timeframe: Current and ongoing



HOUSING

Funding: Department budget, Development Impact Fees, state and federal infrastructure grants

Program H-3e: **Encourage the Use of Density Bonuses**

Program Description: To provide greater affordability in new housing development, the City shall encourage the use of density bonuses in accordance with the State Density Bonus Law. The City will also encourage a mix of housing types be developed to address special needs groups in Hemet.

The City will continue to distribute a brochure to inform developers of density bonus advantages and work closely with builders to ensure a mixture of housing.

Objective: Encourage use of density bonuses for affordable housing to produce 5 additional units annually between 2006 and 2014.

Responsible Agency: Planning Department, Housing Division

Timeframe: Current and ongoing

Funding: Department budget, RDA LMIHF

Program H-3f: **Remove Constraints to the Development of Housing**

Program Description: The City will amend its building code, zoning code and development standards to remove constraints on the production of affordable housing in Hemet by December 2013. Specific changes will include:

- ❖ Modification of the zoning district regulations to remove conditional use permit requirements for apartments in multifamily zones.
- ❖ Establishment of permit procedures for multifamily residential zones that will encourage multifamily residential development, streamline processing, and promote certainty for applicants.
- ❖ The zoning code will be updated to include residential care facilities serving more than six persons in one or more zones, and describe the development standards or approval requirements for these uses.
- ❖ Single Room Occupancy (SRO) units are not



permitted by right in any of the City’s zones. Boarding houses are permitted in the R-P and O-P zones with a conditional use permit. The City will establish development standards for these facilities, and remove the use permit requirement from the appropriate zones.

- ❖ Update the zoning code to consider transitional and supportive housing as residential uses that are only subject to those requirements that apply to other residential uses of the same type in the same zone. Transitional and supportive housing means housing and housing programs developed and assisted pursuant to Sections 50675-50675.14 of the Health and Safety Code.
- ❖ Update the zoning code to include reference to Health and Safety Code Section 17021.5, which specifies that employee housing of 6 or fewer employees is treated as a single-family residence and is only subject to those requirements that apply to other residential uses of the same type in the same zone.
- ❖ Update the zoning code to include reference to Health and Safety Code Section 17021.6, which specifies that farmworker housing of up to 36 beds or 12 family units is included in the definition of agricultural use and may not be restricted by conditional use permit requirements or other zoning clearance.
- ❖ Update the zoning code to remove the age restrictions on the SLR and SR-3 zone district.
- ❖ Update the zoning code to establish minimum densities for each residential zone district consistent with those used in Appendix C.

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Where standard conditions or development standards are developed for specific housing types, these might include adequate access to utilities and other public services and appropriate site design for the proposed location and maintenance of public safety. Approval criteria will relate to compatibility with the surrounding neighborhood, public safety, and management operations – aspects of the land use, and not the clientele. The City will ensure that conditions placed on these facilities would not be different from conditions placed on similar uses in the same zones and therefore would not unduly constrain the development of such facilities.

The City will update its building code to reference the



HOUSING

current building standards in Title 24.

Objective: Ensure that the zoning code and development standards do not constrain production of housing, especially affordable housing and housing for special-needs residents.

Responsible Agency: Planning Department

Timeframe: Amend the zoning code by Spring 2013

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Funding: Department budget, RDA LMHF

GOAL H-4 Preserve existing neighborhoods and rehabilitate the existing housing stock.

POLICIES

H-4.1: Encourage the maintenance and repair of existing owner occupied and rented housing to prevent deterioration within the City.

H-4.2: Encourage the rehabilitation of substandard and deteriorated housing and provide incentives for such rehabilitation.

H-4.3: Promote the removal and replacement of substandard units which cannot be rehabilitated.

H-4.4: Provide and maintain an adequate level of community facilities and municipal services in all community areas.

H-4.5: Improve and upgrade community facilities and services where necessary and feasible.

IMPLEMENTATION

Program H-4a: Provide Rehabilitation Loans and Senior Repair Grants

Program Description: The City will continue to provide grants and loans to assist in housing rehabilitation and home repairs. The City will implement these programs according to guidelines that are reviewed and amended periodically to assure effective implementation. Forms of assistance will include:

- ❖ Loans to low-income homeowners for housing rehabilitation.
- ❖ Home repair grants for very low-income elderly



homeowners (including mobile home owners).

- ❖ Mobile home repair loans.
- ❖ Loans to rental property owners whose rental units are occupied by very low- or low-income homeowners.

These housing improvement activities will be undertaken as part of comprehensive neighborhood improvement and preservation efforts that combine community policing, social and supportive services, infrastructure and other public improvements, and code enforcement activities in targeting neighborhoods with high concentrations of substandard property conditions, crime, and other problems.

Objective: Assist in housing rehabilitation and home repairs as part of a comprehensive neighborhood improvement strategy. The City will support the rehabilitation of approximately 200 homes (25 per year) through loans to low income homeowners and the minor repair of approximately 2,000 homes (250 per year) through grants to extremely low- and very low- income senior homeowners.

Responsible Agency: Housing Authority, Housing Division, Code Enforcement

Timeframe: Current and ongoing

Funding: Housing set-aside funds, CDBG funds, HOME funds, CalHOME funds, other State and federal funds as appropriate. The City also uses the Redevelopment Agency's Housing Fund for the Senior Citizen Minor Home Repair program.

Program H-4b: **Maintain Cooperative Relationships with Other Public and Private Nonprofit Organizations**

Program Description: The City of Hemet will continue to seek cooperative relationships with other public or private nonprofit organizations to more effectively leverage financial resources and staff capabilities in delivering home repair and housing rehabilitation programs. Continue existing agreements with the Riverside County Housing Authority, and identify one or more nonprofit agencies by December 2012 with organizational and financial capacity to operate home repair and/or housing rehabilitation programs in Hemet.



HOUSING

Objective: Deliver home repair and rehabilitation programs through cooperation with other public and private nonprofit organizations.

Responsible Agency: Housing Authority, Housing Division

Timeframe: Current and ongoing

Funding: Housing set-aside funds

Program H-4c: Occupancy Inspections

Program Description: The City will continue to conduct occupancy inspections, upon request, to residential units or apartment structures when sold.

Objective: Conduct 40 occupancy inspections for code requirements between 2006 and 2014. These inspections will be conducted upon request when sold.

Responsible Agency: Planning Department, Building Department, Fire Department

Timeframe: Current and ongoing

Funding: Housing set-aside funds

Program H-4d: Use Tax Exemptions to Encourage Maintenance of Rental Housing

Program Description: The City will work with the Franchise Tax Board to enforce the provisions of the California Revenue and Tax Code Sections 17299 and 24436.5, which prohibit owners of substandard rental housing from claiming depreciation, amortization, mortgage interest, and property tax deductions on State income tax. The City will annually determine whether any properties within the City warrant enforcement of the provisions of the California Revenue and Tax Code Sections 17299 and 24436.5. If warranted, the City will contact the Franchise Tax Board.

Objective: Improve condition of rental housing by preventing owners of rental housing from claiming tax benefits from substandard units.

Responsible Agency: RDA, Housing Authority, Code Enforcement



Agency:

Timeframe: Annual contact and investigation

Funding: Department budget, housing set-aside funds

Program H-4e: Improve Mobile Home Parks

Program Description: The City will continue to survey and inspect mobile home parks to identify conditions, amenities, and issues affecting habitability. Based on these surveys, the City will conduct code enforcement and inspections, and require specific improvements in park conditions based on inspection results. The purpose of the study will be to target mobile home parks with the most serious problems while preventing the deterioration of parks currently in sound condition.

Objective: Conduct mobile home park inspections. Conduct 2 code enforcement inspections per year of parks with "fair" or lower conditions based on the survey. Require specific improvements to address deficiencies identified in inspections to improve park conditions.

Responsible Agency: Redevelopment Agency, Housing Authority, Code Enforcement

Timeframe: Current and ongoing

Funding: Department budget, housing set-aside funds, CDBG, other State funding programs

GOAL H-5 Maintain affordable housing costs.

POLICIES

H-5.1: Preserve the affordability to lower-income households of assisted housing units by utilizing public funds for rehabilitation and/or acquisition and management by entities dedicated to maintaining the affordability of these units.

H-5.2: Enforce energy efficiency standards in new construction and increase energy efficiency in older neighborhoods.

H-5.3: Promote compact, mixed-use development patterns that use land efficiently, reduce pollution and increase energy and resource efficiency.



IMPLEMENTATION

Program H-5a: Improve Residential Energy Efficiency

Program Description: Through the updated General Plan, the City is adopting goals and policies to reduce Greenhouse Gas (GHG) emissions in accordance with AB 32. Many of these GHG emission reduction measures will increase energy efficiency. Specific actions include:

- ❖ Enforcement of state energy conservation standards (Title 24) in new residential construction;
- ❖ Inclusion of energy efficient home improvements and modifications in the City's home repair and housing rehabilitation programs;
- ❖ Coordination with Southern California Edison (SCE) to encourage participation in the Customer Assistance Program for low-income, senior citizens, permanently handicapped, and non-English speaking customers to control their energy use;
- ❖ Distribution of public information on methods of achieving energy conservation in residential design, construction, and rehabilitation via the City's website and brochures at the public counter, and;
- ❖ Development and implementation of General Plan policies and zoning standards for energy conservation in project design, including:
 - Promote mixed-use development in its updated General Plan. Development standards associated with these mixed-use areas seek to facilitate energy-efficient development patterns.
 - Review the zoning code to ensure that provisions encourage and facilitate infill development, especially development of infill sites that might otherwise remain undeveloped or under-used due to economic or physical site constraints. The city will offer owners of such properties more flexible development standards that may be applied at their option.
 - Encourage more energy efficient subdivision design through standards for lot orientation to take advantage of natural solar power, light, and heating and cooling during the preliminary



subdivision design evaluation process.

- Support conversion of asphalt to green space to help reduce urban heat island effects.
- Coordinate the locations of new public facilities, higher density housing, and employment centers with public transit services to encourage alternative transportation use.
- Advertise federal, State, and utility energy conservation incentive and education programs via the City’s website and public counter brochures.

Objective: Increase energy efficiency of new and existing housing

Responsible Agency: Planning Department, Building Department, Public Works Department

Timeframe: Develop goals, policies, and programs related to energy efficiency as part of the General Plan update process by December 2011

Continue ongoing implementation of existing programs

Funding: Department budget, state and federal grant programs

Program H-5b: Preserve Existing Assisted Units

Program Description: The City of Hemet will work with the owner and management of Hemet Estates and the Village Meadows Apartments to ensure preservation of the rental housing units as affordable housing for low-income households. These properties are privately owned, and are at risk of conversion in 2013. However, both owners are working with agencies to extend the affordability of these units, and the risk of conversion is considered low.

Should the affordability requirements for Hemet Estates and/or the Village Meadows Apartments change, the City will attempt to preserve the affordability of the rental housing by identifying another public or private entity (nonprofit or for-profit) that will continue to operate these complexes as affordable housing for low-income seniors. If necessary, the City may use redevelopment housing set-aside funds to assist in maintaining affordability, or apply for HOME or other state or federal funding on behalf of a non-profit housing entity to acquire and maintain the affordability of the dwelling



units. Acquisition of the units would be more cost-effective than the construction of replacement units.

California law requires property owners to provide a 12-month advance notice before opting out of low-income use restrictions. The City will inform the current owners of the Village Meadows Apartments and Hemet Estates of the requirement to notify tenants, affected public agencies, and qualified entities which may wish to purchase the properties within the time period designated in California Government Code Sections 65863.10 and 65863. The City will work with tenants of at-risk units and provide them with information regarding tenant rights and conversion procedures. The City will also provide tenants in at-risk properties information regarding Section 8 rent subsidies through a non-profit housing entity, and other affordable housing options in the city.

Objective: The City will preserve 68 units of housing affordable to lower income households.

Responsible Agency: Housing Authority, Housing Division

Timeframe: Current and ongoing

Funding: RDA housing set-aside funds, department budget, State or federal funds (if acquisition or rehabilitation is necessary)

Program H-5c: Work with Riverside County regarding Housing Choice Vouchers

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Program Description: The City will cooperate with the Riverside County Housing Authority to continue to extend rental subsidies to qualified applicants who are meeting the legal requirements for eligibility in the program. The Riverside County Housing Authority administers the Housing Choice Voucher Program for the City of Hemet. The program extends rental subsidies to very low income households that cannot afford the cost of rental housing without assuming a cost burden. Vouchers pay the difference between the current fair-market rent established by HUD and what a tenant can afford to pay. The City currently accommodates a significantly larger percentage of the County's voucher holders than its corresponding percentage of County population.

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Objective: Continue to contract with the Riverside County Housing Authority to administer the program to existing Hemet residents in need, and support the Housing Authority's efforts in identifying fraudulent use of the funds and



petitioning for increases in the payment standards

Responsible Agency: Housing Authority

Timeframe: Current and ongoing

Funding: RDA housing set-aside funds

Program H-5d: Evaluate Development Impact Fees

Program Description: Pursuant to the requirements of AB 1600, the City will annually evaluate development impact fees to ensure that such fees are the minimum necessary to cover actual costs; update and implement the General Plan; and to ensure protection of the public health, safety, and welfare.

Objective: Ensure that development impact fees are no higher than they must be to cover costs.

Responsible Agency: Planning Department, Building Department, Engineering Department, Finance Department

Timeframe: Annual

Funding: CDBG funds, General Fund

Program H-5e: Continue to Conduct Hearings on Mobile Home Rent Issues

Program Description: Pursuant to Ordinance No. 772 establishing the Rent Review Commission, the City will continue to conduct hearings on mobile home rent issues on an as-needed basis.

Objective: Maintain affordable mobile home rents.

Responsible Agency: Housing Authority, Housing Division

Timeframe: Current and ongoing

Funding: Department budget

Attachment 2

Conditional Certification
Letter from HCD
Dated March 23, 2012

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

1800 Third Street, Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
(916) 323-3177 / FAX (916) 327-2643
www.hcd.ca.gov



March 23, 2012

RECEIVED

MAR 26 2012

PLANNING DEPT

Ms. Deanna Elliano, Director
Community Development Department
City of Hemet
445 East Florida Avenue
Hemet, CA 92543

Dear Ms. Elliano:

RE: Review of the City of Hemet's Adopted Housing Element with Draft Revisions

Thank you for submitting Hemet's housing element received February 27, 2012 and adopted on January 24, 2012 along with draft revisions received on March 13, 2012. The Department is required to review draft and adopted housing elements and report the findings to the locality pursuant to Government Code Section 65585(b) and (h). Communications with Ms. Nancy Gutierrez, contract planner, facilitated the review.

The adopted element with draft revisions addresses the statutory requirements described in the Department's August 29, 2008 review. For example, the element now demonstrates adequate sites to accommodate the regional housing need and commits to rezone over 100 acres at minimum densities of 30 units per acre. The element will comply with State housing element law (Article 10.6 of the Government Code) when the draft revisions are adopted and submitted to the Department, pursuant to Government Code Section 65585(g).

The Department appreciates the effort and cooperation of Ms. Gutierrez. Her dedication and diligence was beneficial throughout the review process. We look forward to receiving Hemet's adopted revisions to the housing element. If you have any additional questions, please contact Paul McDougall, of our staff, at (916) 322-7995.

Sincerely,

A handwritten signature in blue ink that reads "Glen A. Campora".

Glen A. Campora
Assistant Deputy Director

AGENDA #9B



Staff Report

TO: Honorable Chairman and Members of the Planning Commission

FROM: Deanna Elliano, Community Development Director 
Nancy Gutierrez, Contract Planner 

DATE: May 1, 2012

RE: **GENERAL PLAN AMENDMENT NO. 12-001 (General Plan Land Use Map Revisions)** –
A request for Planning Commission review and recommendation to the City Council regarding 2012 Cycle 2 Revisions to the General Plan Land Use Map for five specified sites. (Applicant: City of Hemet Planning Division)

STAFF RECOMMENDATION:

1. That the Planning Commission receive public comment on the changes recommended by GPA12-001 to the Land Use Map of the General Plan, close the public hearing, and consider the proposed changes; and **Adopt Resolution Bill No. 12-011** recommending to the City Council the adoption of the GPA12-001, as part of Cycle 2 of General Plan Amendments for 2012, and entitled as follows:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 12-001 REGARDING 2012 CYCLE 2 REVISIONS TO THE GENERAL PLAN MAP FOR SPECIFIED PROPERTIES”

BACKGROUND

State law allows the General Plan to be amended up to four times per year. Amendments may be made to the land use designation of a particular property or the text and policies of the General Plan document. This staff report (GPA12-001) discusses map amendments to five sites citywide affecting 13 parcels of land. The accompanying staff report (GPA12-002) discusses proposed text and program changes to the Housing Element of the General Plan. Both amendment proposals are part of the second cycle of General Plan amendments for 2012. The first cycle was the Comprehensive Update to the General Plan, which was adopted on January 24, 2012.

As discussed in GPA12-002, the California Department of Housing and Community Development (HCD) is requiring modifications to the City's Housing Element as a condition to granting certification. State law requires every general plan to contain a housing element that makes “adequate provision for the existing and projected housing needs of all economic segments of the community.” Adequate provision is determined through the state required Regional Housing Needs Allocation (RHNA). The RHNA is defined as a distribution of housing development capacity by income category that each jurisdiction must provide for through its General Plan land use designations and zoning in a specified planning period. It is not a construction allocation; a community is not obligated to actually produce the housing units, but “available sites” to accommodate housing must be identified. The RHNA assumes that parcels designated as Very High Density Residential (VHDR 30.1-40 du/ac) could accommodate households of Low-, Very Low-, and Extremely Low- income. HCD concluded that the City did not provide sufficient VHDR parcels to meet its RHNA allocation for lower income households. As explained in the companion staff report (GPA12-002),

City of Hemet - Community Development Department
GENERAL PLAN AMENDMENT NO. 12-001 (General Plan Land Use Map Revisions)
Planning Commission Meeting of May 1, 2012

staff identified three sites that would be appropriate for VHDR designation which are currently designated High Density Residential (HDR 18-30 du/ac) or Community Commercial (CC). With these map changes, the City meets its RHNA allocation for Low-, Very Low-, and Extremely Low-income households.

Considering that the City is limited to four General Plan Amendment cycles per year, staff decided to also include two sites in the 2012 Cycle 2 Amendments that are not related to the Housing Element, but have been identified as inconsistent with the existing uses on the properties. These two sites are designated for residential use, but contain existing professional/medical uses. GPA12-001 proposes to change the land use designation on these sites to Office Professional/Medical.

PROPOSED AMENDMENT:

GPA12-001 proposes to make the General Plan Land Use Map changes outlined in the table below. Each site is discussed separately following the table. Maps showing the location and land use designations of the sites are included in Attachment 1A. It is important to note that there are no development proposals under consideration for Sites 1-3. The proposed amendment for these sites is solely a map change to meet the conditions imposed by HCD for certification of the City's housing element.

| Site | General Location | Approximate Acreage | Current Land Use | Current Designation | Proposed Designation |
|---|--|---------------------|--------------------------|---------------------|----------------------|
| Amendments Associated with GPA12-002 Regarding Housing Element Certification | | | | | |
| 1 | South side of Stetson between Palm and Lyon | 15 acres | Vacant | HDR | VHDR |
| 2 | North side of Acacia, approx. 300 feet east of Yale | 5 acres | Vacant | CC HDR | VHDR |
| 3 | Southeast corner of Johnson and State | 9 acres | Vacant | HDR | VHDR |
| Amendments for Consistency between Land Use Designations and Existing Use | | | | | |
| Site | General Location | Approximate Acreage | Current Land Use | Current Designation | Proposed Designation |
| 4 | Southwest corner of Johnson and Buena Vista | 4 acres | Convalescent hospital | VHDR | OP/M |
| 5 | North side of Devonshire, approx. 100 feet east of San Jacinto | 1.6 acres | Convalescent hospital | LDR | OP/M |
| | South side of Devonshire, approx. 100 feet east of San Jacinto | 0.75 acres | Assisted living facility | LDR | OP/M |

Key to Designations: LDR = Low Density Residential (2.1 – 5 dwelling units per acre)
HDR = High Density Residential (18.1 – 30 dwelling units per acre)
VHDR = Very High Density Residential (30.1 – 40 dwelling units per acre)
CC = Community Commercial
OP/M = Office Professional and Medical Uses

Site 1

Site 1 is comprised of three contiguous vacant parcels of approximately five acres each. The parcels share the same ownership. Two of the parcels are located east of Elk Street; one west. To the west on the southeast corner of Lyon and Stetson is a similarly sized vacant parcel with a Neighborhood Commercial land use designation. To the east on the southwest corner of Palm and Stetson is an apartment complex. To the north on the far side of Stetson Avenue is the Sierra Dawn complex and to the south on both sides of Elk Street is vacant land with a Low Density Residential land use designation. The site is appropriate for the VHDR land use designation primarily because of its location on Stetson Avenue. Stetson is a major thoroughfare which can accommodate the density and which offers opportunities for transit uses such as buses and neighborhood electric vehicles.

Site 2

Site 2 is comprised of two contiguous vacant parcels with the same ownership, but differing land use designations. The site has access from Acacia Avenue and is located to the east of Yale Street, south of Florida Avenue. The larger 4 acre parcel is designated High Density Residential. The smaller parcel, which is designated Community Commercial, abuts a commercial center on the north that fronts Florida Avenue and has a Community Commercial land use designation. To the west and east are single family and multiple family residences with land designated High Density Residential. To the south on the far side of Acacia Avenue is unincorporated Riverside County and single family subdivisions. It is an appropriate site for a VHDR land use designation because it is surrounded by commercial and high density residential uses; it is within walking distance to Florida Avenue, a major thoroughfare that offers shopping opportunities and access to transit services; and there are opportunities for site expansion and development.

Site 3

Site 3 is comprised of three contiguous vacant parcels with the same ownership located on the southeast corner of State Street and Johnson Avenue. All three parcels are currently designated High Density Residential. To the west and the south are commercial uses with Community Commercial land use designations. To the north on the far side of Johnson Avenue are single family residences with Low and Medium Density Residential land use designations. To the south east is vacant land designated VHDR. Directly to the east is Site 4, which is described below. The site is appropriate for a VHDR land use designation because it is located on State Street, a major thoroughfare that offers access to transit services; it is within walking distance of shopping opportunities and Stetson Avenue, another major thoroughfare with transit services; and it is appropriately sized for higher density use.

Site 4

Site 4 is comprised of two contiguous parcels with the same ownership located on the southwest corner of Buena Vista and Johnson Avenues. The site is designated VHDR. However, located on the site is the Meadowbrook Convalescent Hospital. It is staff's recommendation that the site be designated Office Professional/Medical (OP), which better reflects the existing use on the site, and does not result in a potential over-concentration of VHDR uses at one location.

Site 5

Site 5 is comprised of three non-contiguous parcels with the same ownership located on the north and south sides of Devonshire Avenue, approximately 100 feet east of San Jacinto Avenue. The Devonshire Care Center is located on north Devonshire Avenue and Hemet Senior Assisted Living is located on the south side of Devonshire Avenue. All three sites are designated Low Density Residential. It is staff's recommendation that the site be designated Office Professional/Medical (OP), which better reflects the existing uses on the parcels, and the future intended uses for the property.

General Plan Land Use Map Figures

Upon approval of the proposed map changes, the associated figures in the General Plan must be updated. Two figures are affected by GPA12-001: Figure 2.1 Land Use Map and Figure 2.6a Airport Land Use Compatibility Zones. The figures as updated are shown in Attachment 1B.

PUBLIC NOTICE AND COMMENTS:

A 10-day public notice regarding GPA12-001 was mailed to property owners within a 300-foot radius of each of the five sites. Additionally, a public notice announcing the holding of a public hearing was placed in the Press Enterprise newspaper. As of the time of preparation of this staff report, staff had received several phone calls requesting an explanation of the proposed amendment. After discussions with staff to better understand the proposed changes, none of the respondents had objections or comments to be transmitted to the Planning Commission.

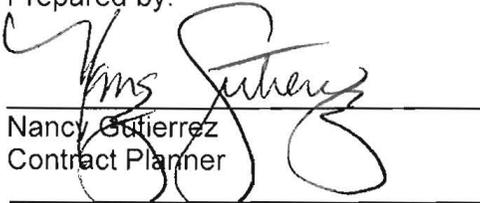
ENVIRONMENTAL DETERMINATION:

On January 24, 2012, the Hemet City Council adopted a Final Environmental Impact Report (EIR) for the Comprehensive General Plan Update. Staff has determined that the proposed land use map changes are consistent with the build-out projections and analysis previously addressed in the EIR, and therefore, the project is exempt from further review pursuant to Section 15162 of the State Guidelines for Implementing CEQA. No further analysis is required.

STAFF ANALYSIS:

As concluded in GPA12-002, it is in the City's best interests to obtain State certification of its Housing Element, which requires the proposed General Plan Land Use Map changes to Sites 1, 2, and 3. The sites are appropriate for a Very High Density Residential (VHDR) land use designation and the amendment does not require further environmental analysis. The proposed map changes to Sites 4 and 5 bring the General Plan land use designation into conformity with the existing use on the site. It is the goal of the Planning Division to have maps that accurately reflect the intention and vision of the General Plan. Therefore, staff recommends that the Planning Commission review the proposed modifications to the General Plan Land Use Map and adopt Resolution Bill No. 12- 011 recommending approval of GPA12-001 to the City Council.

Prepared by:


Nancy Gutierrez
Contract Planner

Approved by:


Deanna Elliano
Community Development Director

ATTACHMENTS:

- 1. Planning Commission Resolution Bill No. 12011** recommending approval of GPA 12-001 to the City Council
 - Exhibit A – Proposed General Plan Map Changes for Sites 1 through 5**
 - Exhibit B – Amended General Plan Figures 2.1 (Land Use) and 2.6a (Airport Land Use Compatibility Zones)**

Attachment 1

Planning Commission
Resolution Bill No. 12-011



**CITY OF HEMET
Hemet, California**

**PLANNING COMMISSION
RESOLUTION BILL NO. 12-011**

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF HEMET, CALIFORNIA RECOMMENDING
THAT THE CITY COUNCIL APPROVE GENERAL PLAN
AMENDMENT NO. 12-001 REGARDING 2012 CYCLE 2
REVISIONS TO THE GENERAL PLAN MAP FOR FIVE
SPECIFIED SITES.**

WHEREAS, on January 24, 2012, the Hemet City Council approved Resolution No. 4476 adopting a comprehensive General Plan Updated 2030; and

WHEREAS, California state law allows General Plans to be amended up to four times per year; and

WHEREAS, the proposed amendments are part of Cycle 2 of 2012 Amendments to the Hemet General Plan; and

WHEREAS, five sites have been identified for a land use designation revision to ensure State certification of the City's Housing Element; and

WHEREAS, two sites have been identified for a land use designation revision to conform to the existing use on the site; and

WHEREAS, the Planning Commission has the authority to review and make recommendations to the City Council on General Plan Amendment No 12-001; and

WHEREAS, in accordance with Government Code Sections 65353, 65355 and 65090, on April 19, 2012 the City properly mailed notices to property owners and placed a notice of public hearing in the Press Enterprise newspaper announcing the holding of a public hearing at which the General Plan Amendment No.12-001 would be considered by the Planning Commission; and

WHEREAS, in accordance with Government Code Section 65353, on May 1, 2012, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, General Plan

**Planning Commission Resolution Bill No. 12-011
GENERAL PLAN AMENDMENT NO. 12-001 (General Plan Land Use Map Revisions)**

1 Amendment No. 12-001, and at which time the Planning Commission considered
2 General Plan Amendment No. 12-001; and
3

4 **WHEREAS**, at this public hearing on May 1, 2012, the Planning Commission
5 considered, heard public comments on, and adopted Resolution 12-011 recommending
6 approval to City Council.
7

8 **NOW, THEREFORE**, the Planning Commission of the City of Hemet does
9 Resolve, Determine, Find and Order as follows:
10

11 **SECTION 1: ENVIRONMENTAL FINDINGS**
12

13 The Planning Commission, in light of the whole record before it, including but not limited
14 to, the City's Local CEQA Guidelines and the recommendation of the Community
15 Development Director as provided in the Staff Report dated May 1, 2012, hereby finds
16 and determines as follows:
17

- 18 1. **CEQA:** The approval of this General Plan Amendment is exempt from CEQA
19 review per Section 15162 of the State Guidelines for Implementing CEQA
20 because the proposed text and land use changes are consistent with the
21 previously adopted Environmental Impact Report for the Comprehensive General
22 Plan Update that was certified by City Council on January 24, 2012.
23

24 **SECTION 2: GENERAL PLAN AMENDMENT**
25

26 The Planning Commission approves General Plan Amendment No. 12-001 on the
27 following grounds:

- 28 1. The proposed General Plan Amendment will not cause any internal
29 inconsistencies in the General Plan and serves to implement the policies and
30 programs contained in the Housing Element. The sites are all infill sites with
31 developed infrastructure surrounding them, and the changes in land use density
32 will not impact the existing circulation or public service and infrastructure
33 networks. Therefore, the proposed General Plan Map revisions are appropriate
34 and consistent with the General Plan 2030.
35

36 **SECTION 3: PLANNING COMMISSION ACTIONS**
37

38 The Planning Commission hereby recommends that the City Council take the following
39 action:
40

- 41 1. **Approve General Plan Amendment No. 12-001**, regarding 2012 Cycle 2
42 Amendments to the General Plan Land Use Map, as shown in Exhibits A and B
43 which are attached hereto and incorporated herein by this reference.
44

1 **PASSED, APPROVED AND ADOPTED** this 1st day of May, 2012, by the
2 following vote:

3
4 AYES:

5 NOES:

6 ABSTAIN:

7 ABSENT:

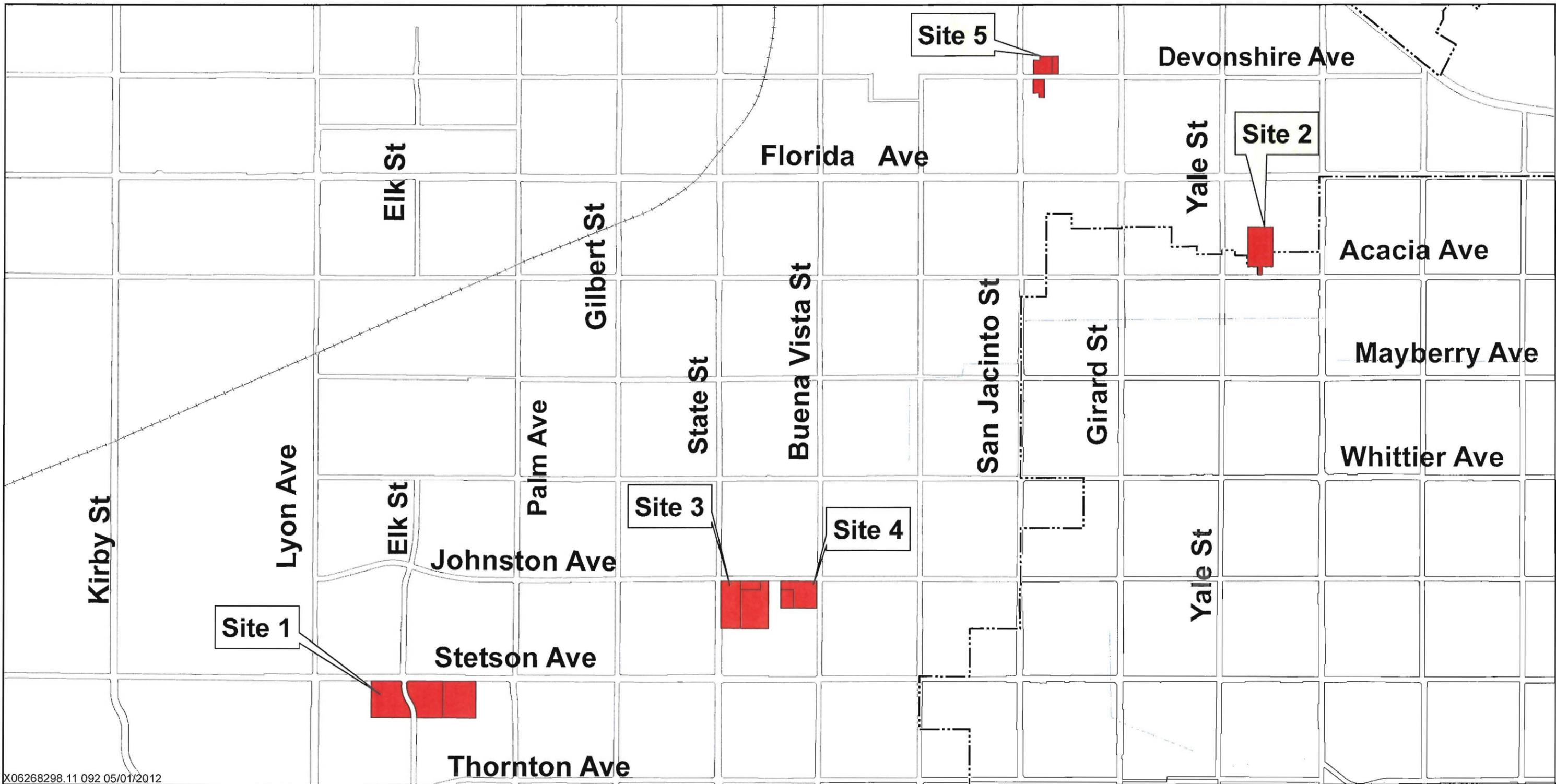
8
9
10
11
12 _____, Chairman
13 Hemet Planning Commission

14 ATTEST:

15
16
17 _____
18 Nancie Shaw, Records Secretary
19 Hemet Planning Commission

Exhibit A

Proposed
General Plan Map
Changes
For Sites 1 through 5



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LEGEND

- Proposed Amendment Sites
- Hemet City Boundary
- Planning Area
- Street
- Railroad
- Creek/Canal
- River/Lake

Sources:
Census Tiger Line Data 2005
ESRI 2010





General Plan Amendment: Proposed Map Changes

GPA Number: GPA12-001 – Site 1

Proposed

Amendment: Change the land use designation of the referenced parcels to Very High Density Residential (30.1 – 45 dwelling units per acre) from High Density Residential (18.1 – 30 dwelling units per acre).

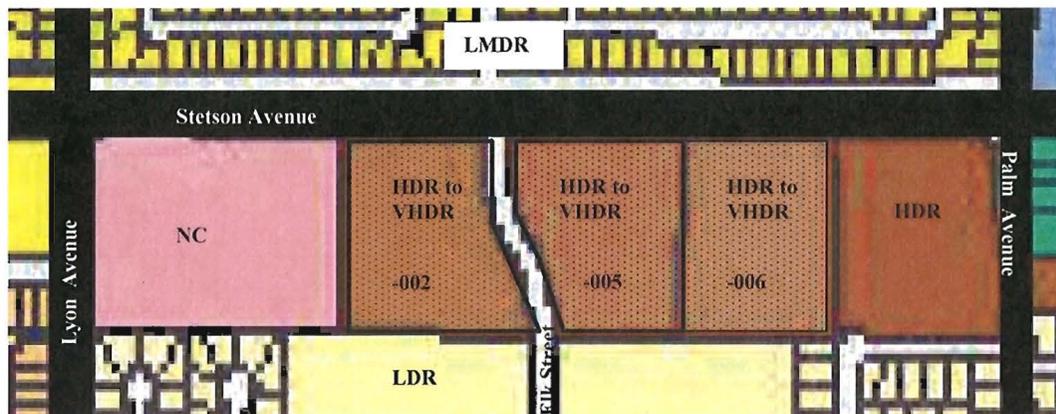
APNs: 464-270-002 (5.32 acres)
464-270-005 (5.09 acres)
464-270-006 (4.98 acres)

Location: South side of Stetson Avenue between Palm Avenue and Lyon Avenue.

Owner: River Oaks Ridge LTD Partnership

Land Use: Vacant

General Plan Land Use Map:





General Plan Amendment: Proposed Map Changes

GPA Number: GPA12-001 – Site 2

Proposed

Amendment: Change the land use designation of the referenced parcels to Very High Density Residential (30.1 – 45 dwelling units per acre.)

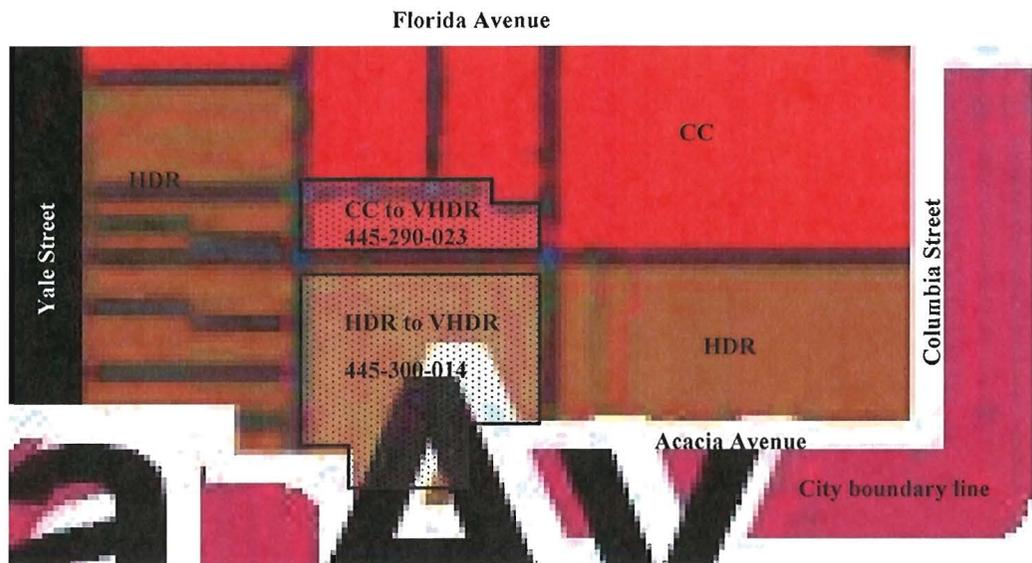
APNs: 445-290-023 (0.64 acres) from Community Commercial to VHDR
445-300-014 (4.09 acres) from High Density Residential to VHDR

Location: North side of Acacia Avenue approximately 300 feet east of Yale Street.

Owner: Chun Investments

Land Use: Vacant

General Plan Land Use Map:





General Plan Amendment: Proposed Map Changes

GPA Number: GPA12-001 – Site 3

Proposed

Amendment: Change the land use designation of the referenced parcels to Very High Density Residential (30.1 – 45 dwelling units per acre).

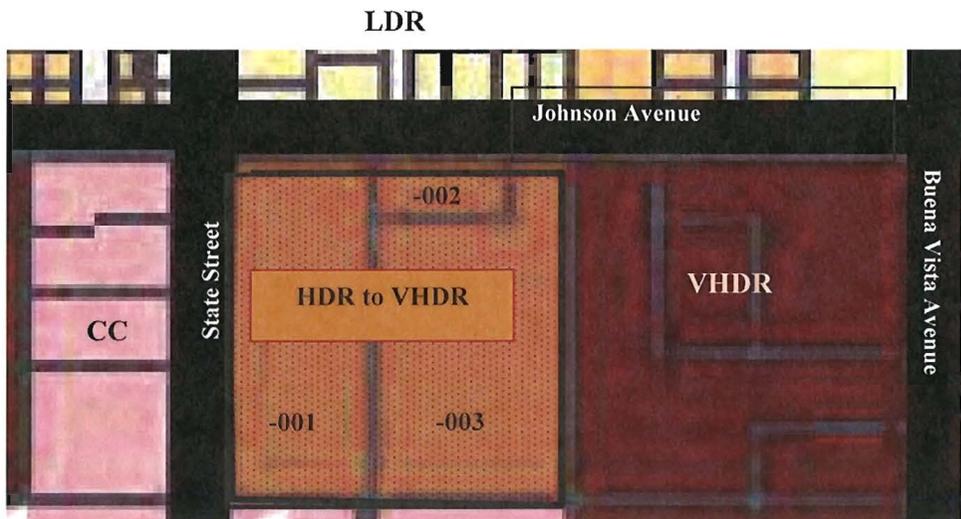
APNs: 446-300-001 (3.82 acres) from High Density Residential to VHDR
446-300-002 (0.70 acres) from High Density Residential to VHDR
446-300-003 (4.51 acres) from High Density Residential to VHDR

Location: Southeast corner of Johnston Avenue and State Street

Owner: Robert Henry Huning

Land Use: Vacant

General Plan Land Use Map:



CC



General Plan Amendment: Proposed Map Changes

GPA Number: GPA12-001 – Site 4

Proposed

Amendment: Change the land use designation of the referenced parcels to Office Professional/Medical (OP).

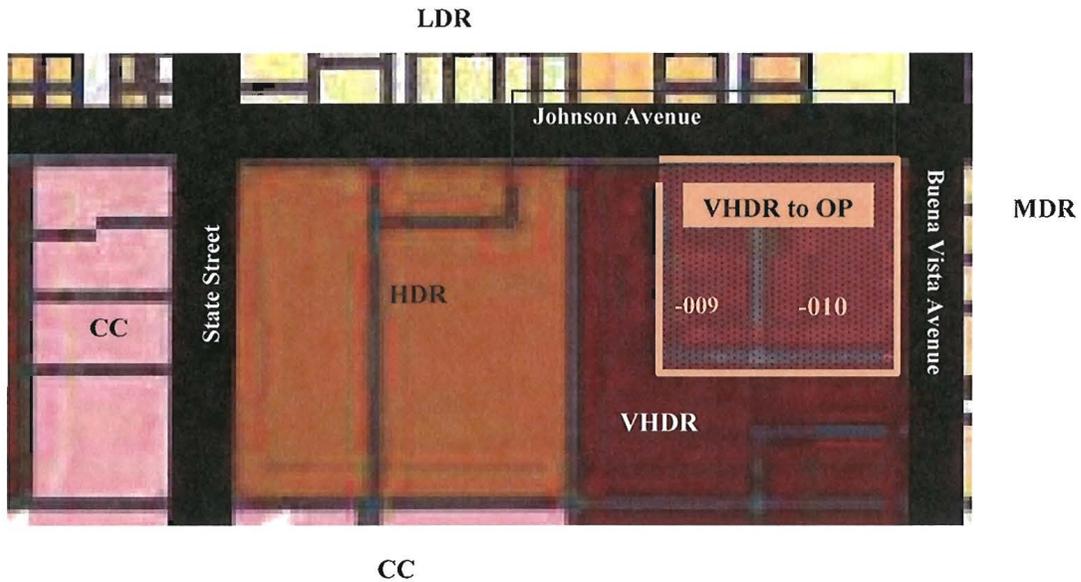
APNs: 446-300-009 (0.97 acres) from Very High Density Residential to OP
446-300-010 (2.89 acres) from Very High Density Residential to OP

Location: Southwest corner of Johnston Avenue and Buena Vista Avenue

Owner: Johnre Management

Current Use: Meadowbrook Convalescent Hospital

General Plan Land Use Map:





General Plan Amendment: Proposed Map Changes

GPA Number: GPA12-001 – Site 5

Proposed

Amendment: Change the land use designation of the referenced parcels to Office Professional/Medical (OP) from Low Density Residential (LDR).

| APN | Acreage | Current Use | Property Owner |
|-------------|------------|--|---------------------------|
| 445-161-007 | 1.20 acres | Devonshire Care Center | SHG Secured Resources |
| 445-161-009 | 0.45 acres | Parking Lot for Devonshire Care Center | Summit Care Calif. Inc. |
| 445-191-010 | 0.74 acres | Hemet Senior Assisted Living | ITE LTD/Summit Health LTD |

Location: North and south sides of Devonshire Avenue, approximately 100 feet east of San Jacinto Avenue

General Plan Land Use Map:

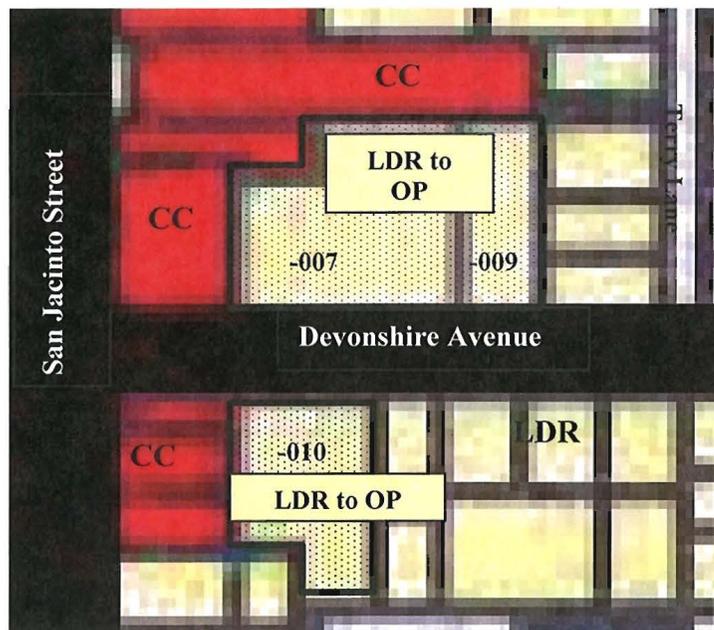
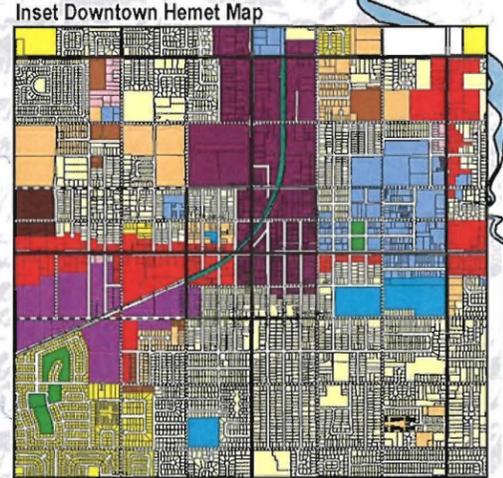
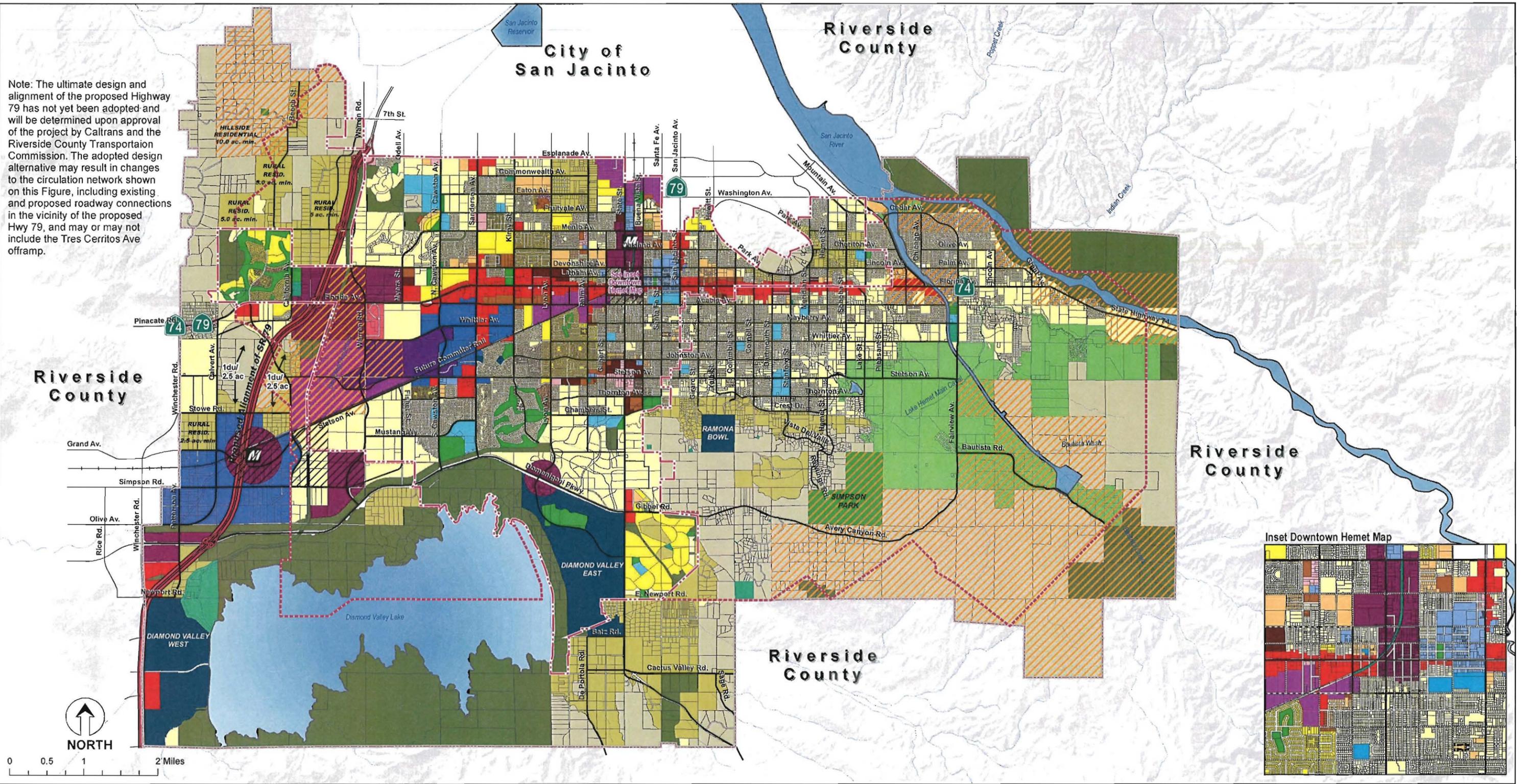


Exhibit B

Amended
General Plan Figures
2.1 (Land Use)
And
2.6a (Airport Land Use
Compatibility Zones)



Note: The ultimate design and alignment of the proposed Highway 79 has not yet been adopted and will be determined upon approval of the project by Caltrans and the Riverside County Transportation Commission. The adopted design alternative may result in changes to the circulation network shown on this Figure, including existing and proposed roadway connections in the vicinity of the proposed Hwy 79, and may or may not include the Tres Cerritos Ave offramp.

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LEGEND

- Hemet City Boundary
- Planning Area
- Sphere of Influence
- River/Lake
- Creek/Canal
- Railroad
- Metrolink (General Location)

Land Use Designations

- RR Rural Residential (0.0 - 2.0 du/ac)
- HR Hillside Residential (0.0 - 0.5 du/ac)
- LDR Low Density Residential (2.1 - 5.0 du/ac)
- LMDR Low Medium Density Residential (5.1 - 8.0 du/ac)
- MDR Medium Density Residential (8.1 - 18.0 du/ac)
- HDR High Density Residential (18.1 - 30.0 du/ac)
- VHDR Very High Density Residential (30.1 - 45.0 du/ac)

- NC Neighborhood Commercial (FAR 0.35)
- CC Community Commercial (FAR 0.40)
- RC Regional Commercial (FAR 0.50)
- MU Mixed Use (Varies)

Environmental Management Area

- Areas subject to MSHCP criteria

- ARPT Airport
- OP Office Professional (FAR 2.0)
- BP Business Park (FAR 0.60)
- Industrial (FAR 0.45)

Interim Airport Overlay Zone

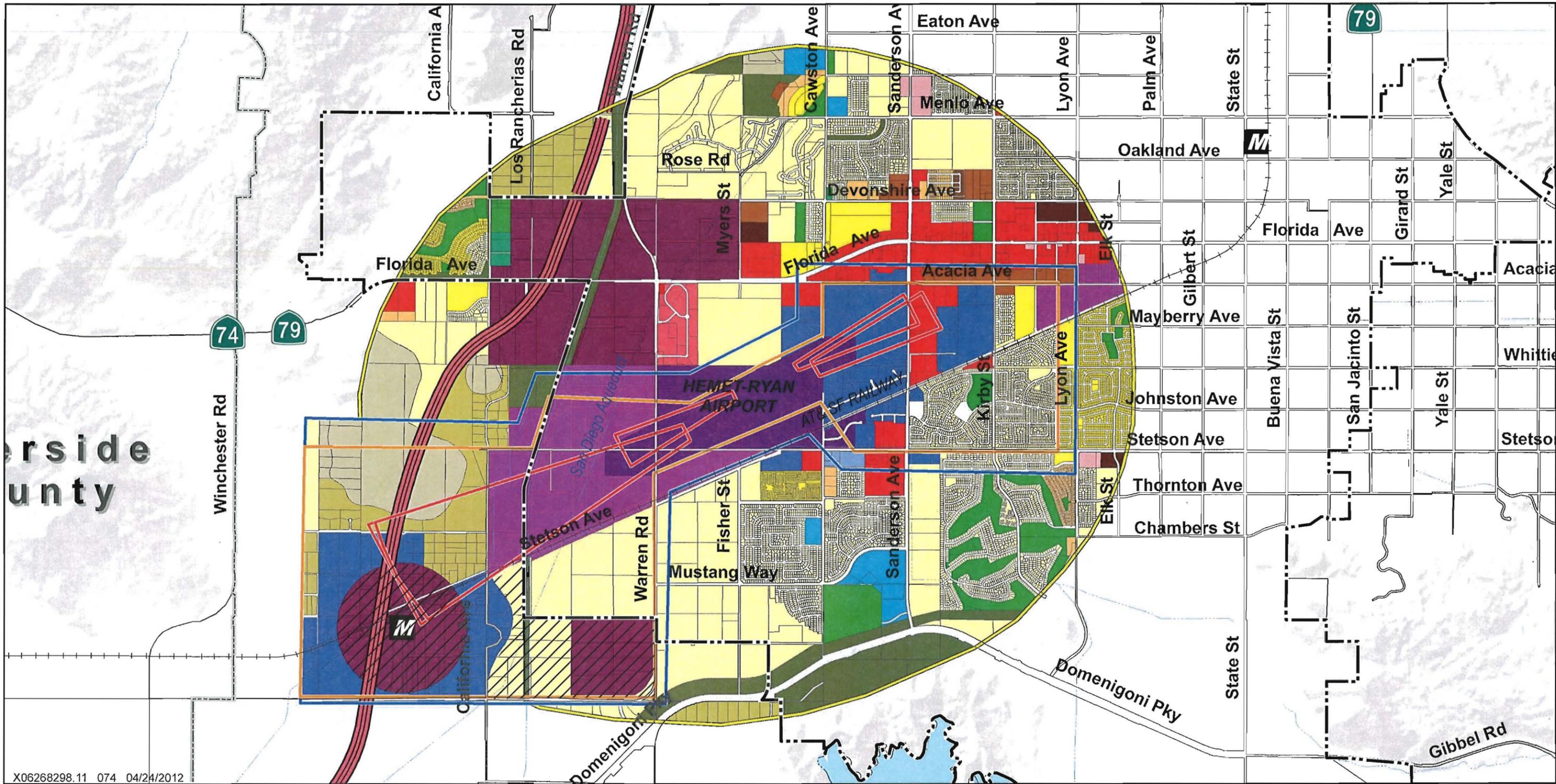
- Interim Airport Overlay Zone

- QP/C Quasi-Public/Cultural
- PF Public Facilities
- SCH School
- P Park/Recreation
- OS Open Space
- A Agriculture

SOURCES: Census Tiger Line Data 2005
Urban Crossroads 2011



Figure 2.1
LAND USE PLAN
Hemet General Plan

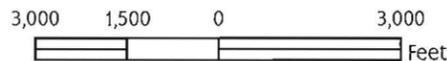


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Note: Zones subject to change based on updates to Hemet - Ryan Airport Master Plan and Riverside County Airport Land Use Plan.

Sources:
 Census Tiger Line Data 2005
 Hemet Ryan Airport Comprehensive Airport Land Use Plan 1992
 ESRI 2010



LEGEND

Airport Land Use Compatibility Zones

- Area I (Extreme Risk)
- Area II (High Risk)
- Transition Area
- Area III (Moderate Risk)
- Interim Airport Overlay Zone

General Plan Land Use Designations

- Hillside Residential
- Rural Residential
- Low Density Residential
- Low Medium Density Residential
- Medium Density Residential
- High Density Residential

- Very High Density Residential
- Regional Commercial
- Neighborhood Commercial
- Community Commercial
- Mixed Use
- Office Professional
- Industrial

- Business Park
- Airport
- Public Facilities
- School
- Park
- Open Space

- Hemet City Boundary
- Street
- Railroad
- Creek/Canal
- Metrolink Station
- SR99 Realignment

Figure 2.6 a
AIRPORT LAND USE
COMPATIBILITY ZONES
 Hemet General Plan



AGENDA #10

Staff Report

TO: Honorable Chairman and Members of the Planning Commission

FROM: Deanna Elliano, Community Development Director 
Thomas D. Jex, Assistant City Attorney

DATE: May 1, 2012

RE: **ZONING ORDINANCE AMENDMENT (ZOA) NO. 12-002 – Boarding Houses, Group Homes and Reasonable Accommodation**
Location: City-wide
Planner: Deanna Elliano, Community Development Director
Description: A city-initiated ordinance of the City of Hemet amending Chapter 90 (Zoning) of the Hemet Municipal Code by repealing and readopting zoning and development regulations for Boarding Houses and Group Homes and adopting new reasonable accommodation procedures. This ordinance is a component of the Hemet ROCS (Restoring Our Community Strategy) Program for the City of Hemet. (**Ordinance Bill No 12-034**)

STAFF RECOMMENDATION:

That the Planning Commission Adopt Planning Commission Resolution Bill No. 12-008, APPROVING Zoning Ordinance Amendment No. 12-002, and entitled as follows:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING ORDINANCE AMENDMENT NO. 12-002, AN ORDINANCE (1) REPEALING ORDINANCE NO. 1798 WHICH ADDED SECTION 90-75 “BOARDING HOUSES AND RESIDENTIAL CARE FACILITIES” TO THE HEMET MUNICIPAL CODE; (2) AMENDING ARTICLE X OF “SPECIAL HOUSING CLASSIFICATIONS” OF CHAPTER 90 OF THE HEMET MUNICIPAL CODE; AND (3) AMENDING VARIOUS OTHER SECTIONS OF CHAPTER 90 OF THE HEMET MUNICIPAL CODE RELATING TO THE MATRIX OF PERMITTED LAND USES FOR RESIDENTIAL AND COMMERCIAL ZONES WITHIN THE HEMET MUNICIPAL CODE.”

BACKGROUND:

It is well-established law in California that “boarding houses” are commercial uses that can be regulated as such by cities. (*City of Santa Barbara v. Adamson* (1980) 27 Cal.3d 123, 133). On the other hand, “group homes” have many of the same characteristics as boarding houses, except that they cater exclusively to individuals with disabilities. A city’s ability to regulate group homes is impacted by state and federal fair housing laws that require local governments to make “Reasonable Accommodations” in their zoning regulations if necessary to provide individuals with a disability equal access to housing. The conditions which constitute a disability are defined in the state and federal Fair Housing Laws. Generally, any person with any mental or physical impairment, disorder or condition, which substantially limits one or more major life activities, including physical, mental and social activities and working, is considered disabled. This classification also includes recovering alcohol and drug addicts. “Disabled” does not include impairments,

disorders or conditions resulting from the current, illegal use of or addiction to a controlled substance, sexual behavior disorders, compulsive gambling, kleptomania, or pyromania.

In addition, state law requires licensed group homes serving six or fewer individuals with a disability to be treated as if they were a residential use of property, and cannot be held to different standards than other residential uses in the zone. Many of the licensed and unlicensed group homes currently operating in the City of Hemet serve the elderly or developmentally disabled population in a small group home setting. However, a growing segment of group homes in many communities throughout Southern California are commonly referred to as "sober living facilities". A sober living facility is a group home for recovering drug and alcohol addicts that is typically not licensed by the State. Since drug and alcohol addiction are considered disabilities under state and federal fair housing laws, legitimate sober living facilities are considered group homes for the disabled.

Prior to 2008, the City permitted boarding houses in the M2 zone and allowed boarding houses in the multi-family zones of R-2, R-3, R-P and the O-P commercial zone with a Conditional Use Permit. However, "boarding house" was defined somewhat narrowly and only encompassed dwellings with up to five guest rooms. In addition, the City's zoning matrices contained a "group home" classification, but "group home" was undefined. On May 27, 2008, the City adopted Ordinance No. 1798 in part to resolve the uncertainty in the City's group home and boarding house zoning regulations and to ensure that the City's zoning of such uses was in conformity with the law, and in part in response to the increased location of boarding houses and group homes within the City.

Ordinance No. 1798 attempted to regulate a wide variety of licensed and unlicensed group homes under the definition of "residential care facilities." This ordinance is currently in effect in the zoning code, and provides for the following:

- Boarding houses are permitted in the R-2, R-3, R-P and O-P zones with a Conditional Use Permit (CUP);
- Small, licensed residential care facilities are permitted by right in any residential zone, as required by state law;
- Small, unlicensed residential care facilities are permitted in single-family residential zones with an Administrative Use Permit (AUP) and are permitted in the R-2, R-3, R-P and O-P zones with a CUP;
- Large residential care facilities are also permitted in the R-2, R-3, R-P and O-P zones with a CUP;
- A Reasonable Accommodation may be provided by allowing a residential care facility in a zone in which it otherwise would not be permitted, either by right or subject to an AUP or CUP, if the applicant applies for and obtains a CUP.

Subsequent to the adoption of Ordinance No. 1798, the City received comments criticizing the effect Ordinance 1798 may have on the operation of a certain type of group home, commonly known as "sober living facilities." In addition, the City received comments criticizing the use of a conditional use permit and the payment of the required fee as the method of providing a reasonable accommodation to persons with a disability. In an effort to be responsive and accommodating to the needs of the disabled members of the community, the City undertook a review of Ordinance No. 1798. In addition, in 2010, the City's contract consultant for Fair Housing Services commented in their report regarding an Analysis of Impediments to Housing (required as part of the Federal Community Development Block Grant program), that the city's Ordinance 1798 created impediments to the provision of housing to the disabled, and that unlicensed

group homes should be allowed by right. While the City and the City Attorney's office do not agree with these conclusions as a matter of law, it was deemed in the best interest of the city to revise and update the ordinance as outlined below.

PROPOSED ORDINANCE DESCRIPTION:

The proposed zoning ordinance amendment is included as Attachment 1A to this staff report and replaces the existing regulations for "Boarding Houses" and "Residential Care Facilities" with new more precise regulations and a new "Reasonable Accommodation" provision in an effort to accommodate legitimate group homes for the disabled. The substantive changes to the city's zoning codes are summarized below:

1. The existing regulations in Section 90-75 of the zoning code are repealed and new provisions are added to a new Article X, entitled "Special Housing Classifications." This makes the boarding house, group home and reasonable accommodation regulations more readily identifiable.
2. The regulations retool the classifications of multiple- person housing described below. The use of the term "Residential Care Facility" in Ordinance No. 1798 created confusion among applicants and City staff. Therefore, the following categories are now proposed:
 - **Boarding Houses.** These are residences where one or more rooms are rented out under separate rental agreements. This ordinance makes no changes to the definition of a boarding house.
 - **Small, Licensed Residential Care Facilities.** A group home with six or fewer residents with disabilities AND that is licensed by the state. Small, licensed residential care facilities are exempt from the regulations contained in the ordinance, and the City is required by state law to treat these facilities as if they are residential uses of property. Therefore, they are permitted by right in all single-family and multi-family residential zones, but prohibited in the Office-Professional (O-P) zone.
 - **Group Homes.** A group home is a boarding house that provides housing exclusively to individuals with a disability recognized under either the federal Fair Housing Act or the California Fair Employment and Housing Act. There are several subcategories of Group Homes:
 - **Small Group Home.** A group home with six or fewer residents AND that is not licensed by the state. Small Group Homes must receive a Small Group Home Permit (SGHP) by submitting an application to the Planning Division which contains information such as client details, term of stay, operations and management plan and names of persons and entities with an ownership interest in the property. The Planning Director must issue the SGHP within thirty days of determining that the application is complete. There are no findings to be made to issue a SGHP. As long as all required information is submitted and none of the information is false, misleading or inaccurate, the Planning Department will issue the SGHP. In addition, the SGH must continue to operate in accordance with the standards identified in Section 90-280 of the proposed ordinance.
 - **Large Group Home.** A group home with seven or more residents. This subcategory encompasses both licensed and unlicensed group homes with seven or more residents.

3. The zones where boarding houses and group homes are permitted under the proposed ordinance in comparison to the existing ordinance is shown in the following table:

| | Single-Family Zones | R-2 | R-3 | R-P | O-P |
|--|---------------------|-----------|-----------|-----------|------------|
| Boarding Houses (new ord): | prohibited | CUP | CUP | CUP | CUP |
| <i>Existing ordinance:</i> | prohibited | CUP | CUP | CUP | CUP |
| Large Group Homes (7-10 res – new ordinance) | prohibited | AUP | AUP | CUP | CUP |
| <i>Existing ordinance:</i> | prohibited | CUP | CUP | CUP | CUP |
| Large Group Homes (11+ residents) | Prohibited | CUP | CUP | CUP | CUP |
| <i>Existing ordinance:</i> | prohibited | CUP | CUP | CUP | CUP |
| Small Group Homes (new) | SGHP | SGHP | SGHP | AUP | CUP |
| <i>Existing ordinance:</i> | AUP | CUP | CUP | CUP | CUP |
| Small Licensed Residential Care Facilities | permitted | permitted | permitted | permitted | prohibited |

4. The proposed zoning ordinance amendment contains detailed findings that must be made to grant a CUP or AUP, but there are no findings to grant a SGHP. The required findings are presented in Section 90-278 of the proposed ordinance (Attachment 1A).
5. More detailed operational standards are provided for all Boarding Houses and unlicensed Group Homes, as presented in Section 90-280 of the proposed ordinance (Attachment 1A). In the event that the standards are not adhered to, the permit can be revoked by action of the original granting authority.
6. **Reasonable Accommodation.** A new division governing requests for reasonable accommodations is added to Article X, and provides procedures for the application for and decision on a request for a reasonable accommodation. Under the current Ordinance No. 1798, an applicant seeking a reasonable accommodation must apply for and obtain a CUP. The proposed ordinance creates two categories of reasonable accommodations – minor and major. A Minor Reasonable Accommodation is a modification to procedural requirements. A Major Reasonable Accommodation is a modification of substantive regulations, such as zoning or development standards. Minor reasonable accommodations will be granted or denied by the Director within thirty (30) days of the filing of the request. Major reasonable accommodations may be heard and decided in accordance with the other discretionary permit required for the use, or as an independent request. The following findings must be made to grant a request for a reasonable accommodation:
- The requested accommodation is requested by or on the behalf of one or more individuals with a disability protected under the fair housing laws.
 - The requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling.

- The requested accommodation will not impose an undue financial or administrative burden on the City as “undue financial or administrative burden” is defined in fair housing laws.
- The requested accommodation will not result in a fundamental alteration in the nature of the City’s zoning program, as “fundamental alteration” is defined in fair housing laws.
- The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

These findings are consistent with the state and federal fair housing laws, and the case law interpreting them, providing for reasonable accommodations. These laws do not require a reasonable accommodation to be granted if it would cause the City undue financial or administrative burden or would fundamentally alter the City’s zoning program. In addition, a reasonable accommodation is only required if it is necessary to provide a person with a disability equal opportunity to housing.

COORDINATION AND PUBLIC REVIEW:

On April 19, 2012, the City published a notice in the Press Enterprise of the holding of a public hearing before the Planning Commission at which the amendment to the City’s zoning ordinances would be considered. Review of the concepts within the draft ordinance was also provided to the City’s Citizen Advisory Committee for Hemet ROCS at their meeting of April 24, 2012. To date, staff has not received any public comments on the draft ordinance. Drafts of the ordinance have also been sent to the City’s Fair Housing consultant and representatives of the Federal Housing and Urban Development Department for their review and comment.

CONSISTENCY WITH ADOPTED GOALS, PLANS, AND PROGRAMS:

The proposed ordinance is in conformance with the adopted 2030 General Plan for the City in that adopting development regulations and reasonable accommodation provisions for Group Homes does not conflict with any allowable uses in the land use element and does not conflict with any policies or programs in any other element of the general plan. This Ordinance is in conformance with a fundamental objective of the City’s General Plan and the Housing Element to provide opportunities for safe and decent housing of all income levels while preserving the quality and character of residential neighborhoods.

The proposed zoning ordinance amendment protects the public health, safety and welfare by recognizing the right of individuals with disabilities to reasonable accommodation and equal access to housing while maintaining the City’s legitimate interest in local land use regulation. The proposed ordinance maintains zoning requirements by preserving the quality and character of residential neighborhoods and also provides zoning provisions in accordance with the Federal Fair Housing Act (42 U.S.C. Section 3601, et seq.), the California Community Care Facilities Act (Health & Safety Code Section 1500, et seq.) and the California Fair Housing and Employment Act (Government Code Section 12900, et seq.), which benefit disabled persons by permitting disabled persons to live in residential care facilities and other Group Homes in such a manner to avoid clustering and over concentration.

CEQA REVIEW AND COMPLIANCE:

The City has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The addition of this section to Chapter 90 only relates to regulations for Boarding Houses and Group Homes. It does not relate to any physical project and will not result in any physical change to the environment. Therefore, it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment, and therefore the adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Respectfully submitted;



Deanna Elliano
Community Development Director

ATTACHMENTS:

1. Planning Commission Resolution Bill No. 12-008
Exhibit A – Proposed City Council Ordinance Bill No. 12- 034

Attachment 1

Planning Commission
Resolution Bill No. 12-008



CITY OF HEMET
Hemet, California

PLANNING COMMISSION
RESOLUTION BILL NO. 12-008

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING ORDINANCE AMENDMENT NO. 12-002, AN ORDINANCE (1) REPEALING ORDINANCE NO. 1798 WHICH ADDED SECTION 90-75 "BOARDING HOUSES AND RESIDENTIAL CARE FACILITIES" TO THE HEMET MUNICIPAL CODE; (2) AMENDING ARTICLE X OF "SPECIAL HOUSING CLASSIFICATIONS" OF CHAPTER 90 OF THE HEMET MUNICIPAL CODE; AND (3) AMENDING VARIOUS OTHER SECTIONS OF CHAPTER 90 OF THE HEMET MUNICIPAL CODE RELATING TO THE MATRIX OF PERMITTED LAND USES FOR RESIDENTIAL AND COMMERCIAL ZONES WITHIN THE HEMET MUNICIPAL CODE

WHEREAS, pursuant to Government Code sections 65854 and 65855, the Planning Commission has the authority to review and make recommendations to the City Council regarding amendments to the City's zoning ordinances; and

WHEREAS, on April 19, 2012, the City gave public notice by publishing notice in the Press Enterprise of the holding of a public hearing at which the amendment to the City's zoning ordinances would be considered; and

WHEREAS, on May 1, 2012 the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the proposed amendment to the City's zoning ordinance and at which time the Planning Commission considered the proposed amendment to the City's zoning ordinance; and

WHEREAS, the City has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect of the environment; and

Planning Commission Resolution Bill No. 12-008
ZONING ORDINANCE AMENDMENT NO. 12-002
BOARDING HOUSES AND SPECIAL HOUSING CLASSIFICATIONS

1 **WHEREAS**, attached as Exhibit "A" is the proposed Ordinance Bill No. 12-034;
2 and

3
4 **NOW, THEREFORE**, the Planning Commission of the City of Hemet does
5 Resolve, Determine, Find and Order as follows:
6

7 **SECTION 1: ENVIRONMENTAL FINDINGS**
8

9 The Planning Commission, in light of the whole record before it, including but not limited
10 to, the City's Local CEQA Guidelines and Thresholds of Significance, the direction of
11 the Planning Commission at its meeting on May 1, 2012 and documents incorporated
12 therein by reference, and any other evidence (within the meaning of Public Resources
13 Code Sections 21080(e) and 21082.2) within the record or provided at the public
14 hearing of this matter, hereby finds and determines as follows:

15 1. **CEQA:** The City has analyzed this proposed project and has determined that it is
16 exempt from the California Environmental Quality Act ("CEQA") under section
17 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects
18 that have the potential for causing a significant effect on the environment. Where, as
19 here, it can be seen with certainty that there is no possibility that the activity in question
20 may have a significant effect on the environment, the activity is not subject to CEQA.
21 The addition of this section to Chapter 90 only relates to regulations for Group Homes.
22 It does not relate to any physical project and will not result in any physical change to the
23 environment. Therefore, it can be seen with certainty that there is no possibility that this
24 Ordinance may have a significant adverse effect on the environment, and therefore the
25 adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the
26 CEQA Guidelines.
27

28 **SECTION 2: ZONING ORDINANCE AMENDMENT FINDINGS**

29 Pursuant to Hemet Municipal Code Section 90-41.5(a), the Planning Commission
30 makes the following findings with respect to this zoning ordinance amendment:

31 1. *The zoning ordinance amendment is in conformance with the latest adopted general*
32 *plan for the City.*

33 The zoning ordinance is in conformance with the latest adopted general plan for the
34 City in that adopting development regulations and reasonable accommodation
35 provisions for Group Homes does not conflict with any allowable uses in the land
36 use element and does not conflict with any policies or programs in any other element
37 of the general plan. This Ordinance is in conformance with a fundamental objective
38 of the City's general plan and residential zoning program to provide opportunities for
39 safe and decent housing of all income levels while preserving the quality and
40 character of residential neighborhoods.
41

Planning Commission Resolution Bill No. 12-008
ZONING ORDINANCE AMENDMENT NO. 12-002
BOARDING HOUSES AND SPECIAL HOUSING CLASSIFICATIONS

1 2. *The zoning ordinance amendment will protect the public health, safety and*
2 *welfare.*

3
4 The Zoning Ordinance Amendment protects the public health, safety and welfare
5 by recognizing the right of individuals with disabilities to reasonable
6 accommodation and equal access to housing while maintaining the City's
7 legitimate interest in local land use regulation. This Zoning Ordinance maintains
8 zoning requirements by preserving the quality and character of residential
9 neighborhoods and also provides zoning provisions in accordance with the
10 Federal Fair Housing Act (42 U.S.C. Section 3601, et seq.), the California
11 Community Care Facilities Act (Health & Safety Code Section 1500, et seq.) and
12 the California Fair Housing and Employment Act (Government Code Section
13 12900, et seq.), which benefit disabled persons by permitting disabled persons to
14 live in residential care facilities and other Group Homes in such a manner to
15 avoid clustering and over concentration.

16
17 **SECTION 3: PLANNING COMMISSION ACTIONS**

18
19 The Planning Commission hereby takes the following actions:

20 1. The Planning Commission approves Resolution Bill No. 12-008 recommending
21 that the City Council adopt the proposed Ordinance which is attached hereto and
22 incorporated herein by reference as Exhibit "A."

23
24
25 **PASSED, APPROVED AND ADOPTED** this 1st day of May, 2012, by the
26 following vote:

27
28 AYES:
29 NOES:
30 ABSTAIN:
31 ABSENT:

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33
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35 _____
36 John Gifford, Chairman
37 Hemet Planning Commission

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42 ATTEST:

43 _____
Nancie Shaw, Records Secretary
Hemet Planning Commission

Planning Commission Resolution Bill No. 12-008
ZONING ORDINANCE AMENDMENT NO. 12-002
BOARDING HOUSES AND SPECIAL HOUSING CLASSIFICATIONS

Exhibit A

Proposed
City Council
Ordinance Bill No. 12-034



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CITY OF HEMET
Hemet, California
ORDINANCE BILL NO. 12-034

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF HEMET, CALIFORNIA:

- (1) REPEALING ORDINANCE NO. 1798, WHICH
ADDED SECTION 90-75 "BOARDING HOUSES
AND RESIDENTIAL CARE FACILITIES" TO THE
HEMET MUNICIPAL CODE;
- (2) AMENDING ARTICLE X "SPECIAL
HOUSING CLASSIFICATIONS" OF CHAPTER
90 OF THE HEMET MUNICIPAL CODE; AND,
- (3) AMENDING VARIOUS OTHER SECTIONS
OF CHAPTER 90 OF THE HEMET MUNICIPAL
CODE RELATING TO THE MATRIX OF
PERMITTED LAND USES FOR RESIDENTIAL
AND COMMERCIAL ZONES IN THE HEMET
MUNICIPAL CODE.

WHEREAS, on May 27, 2008, in the exercise of its police power, the
Hemet City Council adopted Ordinance 1798 prohibiting the operation of
Boarding Houses in Single-Family Residential Zones (RA, R-1-C, R-1, R-1-D,
and R-1-H) but allowing the operation of Boarding Houses in the R-2 and R-3
Multiple-Family Residential Zones and the R-P and O-P commercial zones
subject to approval of a conditional use permit in accordance with Chapter 90
of the Hemet Municipal Code; and,

WHEREAS, subsequent to the adoption of Ordinance 1798, the City
received comments criticizing the effect Ordinance 1798 may have on the
operation of a certain type of Small unlicensed Group Homes, commonly
known as "sober living facilities." The owners, tenants and advocates of
sober living facilities who have commented to the City contend that sober
living facilities do not provide treatment services, such as detoxification, but

City of Hemet Ordinance Bill No. _____

1 instead provide a safe and supportive environment for persons recovering
2 from alcohol or drug addiction to reside while recovering, and that such
3 facilities should be permitted by right in single family residential zones. These
4 persons have requested that the City exempt such facilities from Ordinance
5 1798 and review and revise the reasonable accommodation provisions of the
6 Ordinance; and,

7 **WHEREAS**, although the City maintains the validity of Ordinance
8 1798, in an effort to be responsive and accommodating to members of the
9 community who are disabled, the City undertook a review of Ordinance 1798
10 in light of state and federal fair housing and anti-discrimination laws, relevant
11 interpretative case law, the ordinances and practices of other California cities
12 relative to regulation of Boarding Houses and Group Homes, and materials
13 submitted by disabled housing advocates, including the "Model Ordinance for
14 Providing Reasonable Accommodation Under the Fair Housing Amendments
15 Act" by Mental Health Advocacy Services, Inc., and,

16 **WHEREAS**, while the City maintains its legitimate land use interest in
17 regulating boarding homes and unlicensed Group Homes, the City recognizes
18 the need for expedited review of legitimate unlicensed Group Homes, such as
19 sober living facilities, and for reasonable accommodation provisions that are
20 broader in application and easier to administer.

21 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET**
22 **DOES HEREBY ORDAIN AS FOLLOWS:**

23 **SECTION 1. FINDINGS**

24 The City Council hereby makes the following findings:

25 A. In approving this Ordinance _____, the City is mindful that the
26 federal Fair Housing Act, as amended, (42 U.S.C. § 3601 *et seq.*), the
27 California Community Care Facilities Act (Health & Safety Code § 1500 *et.*

1 seq.), and the California Fair Housing and Employment Act (Government
2 Code § 12900 *et seq.*), together with published judicial decisions interpreting
3 those laws (collectively the "Fair Housing Laws"), provide protections for
4 individuals with disabilities, including the right to an equal opportunity to use
5 and enjoy housing, and require the City to grant a reasonable accommodation
6 in its zoning ordinances and policies where necessary to afford disabled
7 persons such equal opportunity, but such laws do not preempt local zoning
8 laws nor prohibit the City from adopting zoning ordinances to protect the
9 public health, safety and welfare.

10 B. The fundamental objective of the City's General Plan and
11 residential zoning program, as provided in Chapter 90 of the City's Municipal
12 Code, is to provide opportunities for safe and decent housing for all
13 individuals of all income levels while preserving the quality and character of
14 single-family residential neighborhoods by protecting such neighborhoods
15 from the undue intrusion from transitory and institutional residential uses,
16 such as boarding houses, dormitories, hotels, and convalescent homes, and
17 by preserving individual dwelling units for occupancy and use by single house
18 keeping units, including the traditional family.

19 C. The City is aware that in general sober living facilities and
20 similar Small Group Homes provide necessary accommodations for disabled
21 persons, but such homes are not licensed or regulated by the State of
22 California, their residents are transitory in nature, and the specific nature of
23 the facilities and the manner in which they are operated is not known. The
24 California Department of Alcohol and Drug Programs ("ADP") has reported to
25 the California Legislature that it receives on average 125 complaints a year
26 regarding sober living facilities, many indicating that the facilities are offering
27 treatment services without the appropriate State issued license.

1 D. The American Planning Association's Policy Guide on
2 Community Residences recommends that communities should avoid
3 concentrating or clustering Group Homes for the disabled in any single block
4 or any single neighborhood because doing so compromises the ability of such
5 Group Homes to achieve normalization and community integration.

6 E. In a good faith effort to better comply with the Fair Housing
7 Laws and as a means of recognizing the right of individuals with disabilities to
8 reasonable accommodation and equal access to housing, while maintaining
9 the City's legitimate interest in local land use regulation, the City Council has
10 determined that repealing Ordinance 1798 and adopting this Ordinance ____
11 best serves the public's interest and the general health, safety or welfare of
12 the residents of the City.

13 F. By means of this Ordinance _____, the City desires to maintain
14 zoning requirements preserving the quality and character of single-family
15 residential neighborhoods while providing zoning provisions in accordance
16 with the Fair Housing Laws that benefit disabled persons by permitting
17 disabled persons to live in residential care facilities and other Group Homes in
18 residential districts in such a manner as to avoid clustering and
19 overconcentration and to ensure that such uses are in compliance with City,
20 state and federal laws and regulations.

21 G. To achieve these purposes the City will repeal Ordinance 1798
22 and adopt this Ordinance ____ to add standards and procedures for granting
23 a reasonable accommodation to the City's zoning and land use regulations,
24 policies and practices when needed to provide an individual with a disability
25 an equal opportunity to use and enjoy a dwelling, where such accommodation
26 does not cause an undue financial or administrative burden on the City nor
27 result in a fundamental alteration in the nature of the City's zoning
28

1 regulations.

2 H. This Ordinance _____ is not subject to, and is exempt from, the
3 California Environmental Quality Act ("CEQA") because the proposed code
4 amendment: (i) will not result in the direct or reasonably foreseeable indirect
5 physical change in the environment (Section 15060(c))(2) of the CEQA
6 Guidelines); (ii) is covered by the general rule that CEQA applies only to
7 projects that have the potential for causing a significant effect on the
8 environment (Section 15061(b)(3) of the CEQA Guidelines); and (iii) is a
9 minor alteration in land use (Section 15305 of the CEQA Guidelines).

10 **SECTION 2. REPEAL OF ORDINANCE 1798 (SECTION 90-75).**

11 Ordinance 1798, which added Section 90-75 to the Hemet Municipal
12 Code, is hereby repealed.

13 **SECTION 3. AMENDMENT OF ARTICLE X "SPECIAL HOUSING**
14 **CLASSIFICATIONS."**

15 Article X "Special Housing Classifications" of Chapter 90 of the Hemet
16 Municipal Code is hereby amended to add Divisions 1 and 2, which shall read
17 as shown in Exhibit "A," which is attached hereto and incorporated herein by
18 this reference.

19 **SECTION 4. VARIOUS AMENDMENTS TO THE LAND USE**
20 **MATRIX.**

21 (a) Section 90-312 of Article XI of Chapter 90 is hereby amended as
22 set forth in Exhibit "B," which is attached hereto and incorporated herein by
23 this reference.

24 (b) Section 90-382 of Article XIII of Chapter 90 is hereby amended as
25 set forth in Exhibit "C," which is attached hereto and incorporated herein by
26 this reference.

27 (c) Section 90-892 of Article XXVI of Chapter 90 is hereby amended
28

1 as set forth in Exhibit "D," which is attached hereto and incorporated herein by
2 this reference.

3 **SECTION 5. SEVERABILITY**

4 If any section, subsection, subdivision, sentence, clause, phrase, or
5 portion of this Ordinance is, for any reason, held to be invalid or
6 unconstitutional by the decision of any court of competent jurisdiction, such
7 decision shall not affect the validity of the remaining portions of this
8 Ordinance. The City Council hereby declares that it would have adopted this
9 Ordinance, and each section, subsection, subdivision, sentence, clause,
10 phrase, or portion thereof, irrespective of the fact that any one or more
11 sections, subsections, subdivisions, sentences, clauses, phrases, or portions
12 thereof be declared invalid or unconstitutional.

13 **SECTION 6. PUBLICATION**

14 The City Clerk is authorized and directed to cause this Ordinance to be
15 published within fifteen (15) days after its passage in a newspaper of general
16 circulation and circulated within the City in accordance with Government
17 Code § 36933(a) or, to cause this Ordinance to be published in the manner
18 required by law using the alternative summary and posting procedure
19 authorized under Government Code § 39633(c).

20
21 **INTRODUCED** at the regular meeting of Hemet City Council on _____
22 2012.

23 **APPROVED AND ADOPTED** this ___ day of _____ 2012.

24
25
26 _____
27 **Robert Youssef, Mayor**

28
City of Hemet Ordinance Bill No. _____

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ATTEST:

APPROVED AS TO FORM:

Sarah McComas, City Clerk

Eric S. Vail, City Attorney

City of Hemet Ordinance Bill No. _____

1 State of California)
2 County of Riverside)
3 City of Hemet)

4 I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the
5 foregoing Ordinance was introduced and first read on the ___ day of _____ 2012,
6 and had its second reading at the regular meeting of the Hemet City Council on the ___
7 day of _____, 2012, and was passed by the following vote:

8
9 **AYES:**

10
11 **NOES:**

12
13 **ABSTAIN:**

14 **ABSENT:**
15
16
17

18 _____
19 Sarah McComas, City Clerk

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City of Hemet Ordinance Bill No. _____

EXHIBIT A

ARTICLE X. SPECIAL HOUSING CLASSIFICATIONS

DIVISION 1. Boarding Houses and Group Homes

- 90-271 Purpose
- 90-272 Definitions
- 90-273 Applicability
- 90-274 Permitted Locations
- 90-275 Reasonable Accommodations
- 90-276 Application for a Small Group Home Permit
- 90-277 Application for an Administrative Use Permit
- 90-278 Application for a Conditional Use Permit
- 90-279 Findings for Use Permits
- 90-280 Standards
- 90-281 Nonconforming Uses
- 90-282 Compliance
- 90-283 Authority to Inspect
- 90-284-290 Reserved

DIVISION 2. Reasonable Accommodations

- 90-291 Purpose.
- 90-292 Definitions
- 90-293 Review Authority.
- 90-294 Application for Reasonable Accommodation.
- 90-295 Decision.
- 90-296 Expiration, Time Extension, Violation, Discontinuance & Revocation.
- 90-297 Amendments.
- 90-298-310 Reserved.

DIVISION 1. Boarding Houses and Group Homes

Sec. 90-271. Purpose.

This Article X, as part of the City's overall zoning regulations and in the exercise of its police powers to protect the public health safety and welfare, seeks to preserve the quality and character of the community's single-family and multi-family neighborhoods by limiting, and where appropriate prohibiting, the operation of housing that is commercial or institutional in nature, such as Boarding Houses and other Group Homes, to zones within the City that are best suited to accommodate impacts and needs of those housing types. In adopting this Article X, the City is mindful that the Fair Housing Laws provide Individuals With A Disability the right to an equal opportunity to use and enjoy housing, and that the City may need to provide reasonable accommodation in the City's zoning ordinances and policies where necessary to afford Disabled persons such equal opportunity. The City recognizes that Group Homes providing care and services to six or fewer Disabled persons that are required to be and

are licensed by the State of California must be allowed to operate in single-family zones as a matter of right and therefore, such uses are excepted from this Article X as provided herein. The City recognizes that the Fair Housing Laws do not prohibit the City from regulating the location of Large Group Homes (those providing residency to seven or more disabled individuals whether required to be licensed or not) and Small Group Homes (those providing residency to six or fewer disabled individuals that are not required to be licensed by the state) but that the City must make a reasonable accommodation upon request to the residents of such Group Homes where such request does not cause an undue financial or administrative burden on the City or result in a fundamental alteration in the nature of the City's zoning regulations. This Article X establishes regulations to avoid clustering and over concentration of such uses subject to the City's reasonable accommodation provisions.

Sec. 90-272. Definitions.

For the purposes of this Article X, the following definitions shall apply:

- (a) "Boarding House" is defined as provided in Section 90-4 of this Code.
- (b) "Disabled" or "Individual With A Disability" means an individual with a qualifying disability under the Fair Housing Laws. Generally, any person with any mental or physical impairment, disorder or condition, which substantially limits one or more major life activities, including physical, mental and social activities and working. "Disabled" or "Individual With A Disability" does not include impairments, disorders or conditions resulting from the current, illegal use of or addiction to a controlled substance, sexual behavior disorders, compulsive gambling, kleptomania, or pyromania.
- (c) "Fair Housing Laws" means the federal Fair Housing Act (42 U.S.C. § 3601 *et seq.*), the California Community Care Facilities Act (Health & Safety Code § 1500 *et seq.*), the California Fair Housing and Employment Act (Gov't Code § 12900 *et seq.*), and Civil Code § 54, together with published judicial decisions interpreting those laws.
- (d) "Group Home" means any Boarding House that provides temporary, interim, or permanent housing to individuals where every person residing in the dwelling is an Individual With A Disability, and the individuals are not living as a Single Housekeeping Unit.
 - (1) "Large Group Home" means a Group Home in which seven or more individuals reside, whether the Group Home is required to be and is licensed by the State of California, or is not required to be licensed by the State of California. Large Group Homes do not include Small Licensed Residential Care Facilities.
 - (2) "Small Group Home" means a Group Home in which six or fewer

individuals reside and which is not required to be licensed by the State of California. Small Group Homes do not include Small Licensed Residential Care Facilities.

- (e) "Multiple-Family Residential Zones" means those zones intended for multiple-family residential units as described in Section 90-381 and similar sections in Chapter 90.
- (f) "Operator" means any entity(ies) or person(s) who owns, manages, or operates a Group Home or Boarding House.
- (g) "Single-Family Residential Zones" means those zones intended for single-family residential units as described in Section 90-311 and similar sections in Chapter 90.
- (h) "Single Housekeeping Unit" means an interactive group of persons jointly residing in a single dwelling unit exercising joint responsibility for and use of the dwelling's common areas, jointly sharing household expenses, jointly sharing household activities and responsibilities such as meals, chores, and household maintenance. A Boarding House shall not be considered a Single Housekeeping Unit. If a dwelling is leased or rented under a single written or oral lease or rental agreement, the makeup of the group of persons occupying the unit must be determined by the residents of the dwelling, not the landlord or property manager, to be a Single Housekeeping Unit.
- (i) "Small Licensed Residential Care Facility" means a Group Home in which six or fewer Individuals With A Disability or children reside that provides onsite care, treatment or other services to its residents and that is required to be and is licensed by the State of California. Small Licensed Residential Care Facilities are exempt from the provisions of this Division and shall be treated for purposes of applying the requirements of Chapter 90 as a residential use of property occupied by a Single Housekeeping Unit. Small Licensed Residential Care Facilities include without limitation the following, provided the number of residents does not exceed six: Intermediate care facilities for the developmentally disabled (Health & Safety Code § 1267.8(c)); Congregate living health facilities (Health & Safety Code §§ 1267.8(c), 1267.16(a)); Residential community care facilities, including foster family homes, Small family homes, social rehabilitation facilities, community treatment facilities, and transitional shelter care facilities (Health & Safety Code §§ 1502, 1566.3); Residential care facilities for persons with chronic life-threatening illnesses (Health & Safety Code § 1568.0831); Residential care facilities for the elderly (Health & Safety Code § 1569.85); Pediatric day health and respite care facilities (Health & Safety Code § 1761.4).

Sec. 90-273 Applicability.

The provisions of this Division shall apply to all Boarding Houses and Group Homes (except Small Licensed Residential Care Facilities), and to all persons who own, manage, or operate them.

Sec. 90-274 Permitted Locations.

- (a) Boarding Houses are prohibited in all Single-Family Residential Zones. Subject to a Conditional Use Permit, Boarding Houses are permitted in R-2 and R-3 Multiple-Family Residential Zones and R-P and O-P commercial zones.
- (b) Large Group Homes are prohibited in all Single-Family Residential Zones. Subject to an Administrative Use Permit, Large Group Homes of ten or fewer residents are permitted in the Multiple-Family Residential Zones. Subject to a Conditional Use Permit, Large Group Homes of ten or fewer residents are permitted in the R-P and O-P commercial zones. Subject to a Conditional Use Permit, Large Group Homes of eleven or more residents are permitted in the Multiple-Family Residential Zones and in the R-P and O-P commercial zones.
- (c) Small Group Homes are permitted in Single-Family Residential Zones and R-2 and R-3 Multiple Family Residential Zones, subject to the issuance of a Small Group Home Permit as provided in this Division. Small Group Homes are permitted in the R-P commercial zones, subject to the issuance of an Administrative Use Permit. Small Group Homes are permitted in the O-P commercial zone, subject to the issuance of a Conditional Use Permit.
- (d) Small Licensed Residential Care Facilities are permitted in all Single-Family Residential Zones, R-2 and R-3 Multiple Family Residential Zones, and the R-P commercial zone. Small Licensed Residential Care Facilities are prohibited in the O-P commercial zone.

Sec. 90-275 Reasonable Accommodation.

Any Individual With A Disability, or their representative, or a developer or provider of housing for Individuals With A Disability may seek a reasonable accommodation from the provisions of Chapter 90 under Division II of this Article.

Sec. 90-276 Application for a Small Group Home Permit.

(a) Any person or entity seeking to establish a Small Group Home in a Single-Family Residential or Multiple Family Residential (R-2 or R-3) Zone shall first apply to the Director for a Small Group Home Permit. The application for a Small Group Home Permit shall include the following information:

- (1) client profile (the subgroup of the population the facility is intended to serve such as single men, families, elderly, minor children,

- developmentally disabled, etc.);
- (2) the maximum number of occupants and the facility's hours of operation;
 - (3) the term of client stay;
 - (4) the support services to be provided on-site and projected staffing levels;
 - (5) the ownership, permit and license history of the applicant, owner, and Operator, if applicable, in previously owning or operating such a dwelling, including the name and addresses of similar homes in the State of California owned or operated within the past five (5) years;
 - (6) a certification under penalty of perjury that none of the identified homes have been found by state or local authorities to be operating in violation of state or local law; and
 - (7) an Operations and Management plan, as provided in the Uniform Building Code, and house rules (as defined in Section 90-280) of this Code.
 - (8) information demonstrating that the premises are in compliance with, or will prior to occupancy be brought into compliance with, the standards set forth in Section 90-280 of this Division.
 - (9) the applicant must secure the inspection and report of the Fire Marshall and Building Official showing that the premises to be used are suitable under applicable uniform building and related codes to safely house the number of persons identified for residency in the dwelling. The Building Official shall determine the applicable use and occupancy classification for the premises for the purposes of the application of the uniform building and related codes.
 - (10) the names of all persons and entities with an ownership or leasehold interest in the use or home, or who will be an Operator of the use or home, shall be disclosed in writing to the City, and such persons and entities shall not have a demonstrated pattern or practice of operating similar uses or homes in or out of the City in violation of state or local law.
 - (11) the use or home shall provide certification, if available, from a governmental agency or qualified nonprofit organization and such certification is a generally accepted practice or standard among the owners, operators, profession, or industry related to the use or home.
- (b) The Director shall grant the permit within thirty days after determining that the application for a Small Group Home Permit is complete. The Director shall not deny an application for a Small Group Home Permit unless the Director determines that the application is incomplete or, after reasonable investigation,

the Director determines that the applicant has provided information that is materially false, misleading or inaccurate or has made material misstatements on the application.

Sec. 90-277 Application for an Administrative Use Permit.

An application for an Administrative Use Permit shall be filed and processed with the City as provided in Section 90-43 *et seq.*, of this Chapter. The following additional requirements shall apply to an Administrative Use Permit under this Division:

- (a) In addition to the application requirements in Section 90-43 *et seq.*, the application shall also include the application requirements noted in Section 90-276(a)(1) through (11).
- (b) The Director shall grant or deny the permit within ninety days after determining the application for an Administrative Use Permit is complete.

Sec. 90-278 Application for a Conditional Use Permit.

An application for a Conditional Use Permit shall be filed and processed with the City as provided in Section 90-42 *et seq.*, of this Chapter. The following additional requirements shall apply to a Conditional Use Permit under this Division:

- (a) In addition to the application requirements in Section 90-42 *et seq.*, the application shall also include the application requirements noted in Section 90-276(a)(1) through (11).
- (b) In the case of Boarding Houses, the Director shall ascertain whether or not all persons who will have an ownership or leasehold interest in, or will be an Operator of, a Boarding House have been convicted of a felony or any crime involving moral turpitude. The City shall cause fingerprints to be taken of the applicant, owner, and Operator of such dwelling or facility.

Sec. 90-279 Findings for Conditional Use Permits and Administrative Use Permits.

In addition to the findings applicable to Conditional Use Permits under Section 90-42 *et seq.*, and to Administrative Use Permits under Section 90-43 *et seq.*, the decision making body shall make the following supplemental findings before approving or conditionally approving a Conditional Use Permit or Administrative Use Permit granted under this Division:

- (a) The Boarding House or Group Home includes sufficient on-site parking and traffic and transportation impacts have been mitigated to a level of insignificance.
- (b) The Boarding House or Group Home conforms to all applicable development standards.

- (c) The property upon and structure(s) within which a Boarding House or Group Home will be located is physically suited to accommodate the use.
- (d) The Boarding House or Group Home will be compatible with the character of the surrounding neighborhood, and the addition or continued maintenance of the use will not contribute to changing the residential character of the neighborhood, such as creating an overconcentration of Boarding Houses or Group Homes in the vicinity of the proposed use. In making this finding or sustaining this finding, the decision making body shall consider as appropriate the following factors:
 - (1) The proximity of the Boarding House or Group Home to schools, parks, other similar and related uses, including Small Licensed Residential Care Facilities, places where alcoholic beverages are sold or distributed to the public and any other uses which could be affected by, or affect the operation of, the use or the health, safety and welfare of the residents.
 - (2) The existence of substandard physical characteristics of the area in which the Boarding House or Group Home is to be located such as lot widths, setbacks, narrow streets, limited available parking, nonconforming housing types, physical or economic conditions of blight, and other substandard characteristics which are pervasive in certain areas of the City.
 - (3) Whether, in light of the factors applied in subsections (d)(1) and (d)(2) of this section, it would be appropriate to apply the American Planning Association standard of permitting one Boarding House or Group Home per block. For purposes of this paragraph, "block" means an area of land that is bounded on all sides by streets or by streets and a cul-de-sac or by any other form of termination of the street (i.e. dead-end not a cul-de-sac). In applying this factor, the decision making body shall take into consideration circumstances where, because of unusually long block or short block, application of the separation standard in Section 90-280(i) would result in less than one use per block or more than two uses per block.
- (e) For Boarding Houses and Group Homes in or adjacent to residential zones:
 - (1) The operation of buses, vans, and other similar passenger carrying vehicles, to transport residents to and from off-site activities does not generate vehicular traffic substantially greater than that normally generated by residential activities in the surrounding areas.
 - (2) Arrangement for the delivery of goods are made within the hours that are compatible with and will not adversely affect the peace and quiet of neighboring properties.

- (3) Arrangement for commercial trash collection in excess of usual residential collection are made within hours that are compatible with and will not adversely affect the peace and quite of neighboring properties.
- (f) That none of the homes identified by the applicant in its application have been found by state or local authorities to be operating in substantial or persistent violation of state or local law.
- (g) That none of the persons who will have an ownership or leasehold interest in, or will be Operators of, a Boarding House have been convicted of a felony or any crime involving moral turpitude.

90-280 Standards.

The following standards shall apply to Boarding Houses and Group Homes requiring an Administrative or Conditional Use Permit or a Small Group Home Permit. Violation of any of these standards shall constitute grounds for revoking the permit.

- (a) The property shall be used, maintained, occupied, and/or operated in conformity with a Operation and Management Plan approved by the Director and filed with the City. The plan shall ensure compliance with applicable state and local laws, ordinances, and regulations.
- (b) The property shall be used, maintained, occupied and/or operated in such a manner as to not permit public nuisances under Article II of Chapter 30 of this Code, public offenses under Articles I, III and IV of Chapter 46 of this Code, illegal parking under Article IV of Chapter 78 of this Code, and violations of state and federal laws regarding disturbance of the peace, illegal drug activity, public drunkenness, public consumption of alcohol, harassment of passers-by, gambling, solicitation, public urination, theft, assault, battery, vandalism, littering, loitering, solicitation, and lewd conduct.
- (c) The use shall not have any substantial adverse impacts on adjoining properties or land uses and shall be compatible with the character of the surrounding neighborhood.
- (d) The property shall comply with all setback, landscaping and other development standards of the underlying zone.
- (e) Both indoor and outdoor common areas shall be provided on site.
- (f) No care, treatment or other services shall be provided on the property that would require licensure by the State of California. Large Group Homes holding a current and valid license from the State of California are exempt from this standard.
- (g) There shall be no more than two residents per bedroom (except that three minor

children may share a single bedroom), unless the decision making body approved a higher occupancy limit in issuing the permit. The decision making body shall not approve a higher occupancy limit unless it finds, based on substantial evidence in the record, that such limit is appropriate given the characteristics of the dwelling, the availability of parking, and the measures taken to adequately protect the public health, safety, peace, comfort, and welfare (including but not limited to the reasonable sanitary needs of residents).

- (h) The use or home shall maintain certification, if available, from a governmental agency or qualified nonprofit organization and such certification is a generally accepted practice or standard among the owners, operators, profession, or industry related to the use or home.
- (i) Group Homes shall not be located within 300 feet, measured from the property lines, of any other Group Home or Small Licensed Residential Care Facility. All other types of Boarding Houses shall not be located within 1000 feet, measured from the property lines, of any other Boarding House, Group Home, or Small Licensed Residential Care Facility.
- (j) All Group Homes shall (1) maintain and enforce house rules that, at a minimum, shall provide for the protection of occupant safety and require occupants to register weekly schedules with the onsite house manager; and (2) provide for an onsite house manager who shall be responsible for, at a minimum, enforcement of the house rules and supervision of occupant schedules.

90-281 Nonconforming Uses

(a) *Group Homes.*

- (1) Any Small Group Home operating in a Single-Family Residential Zone as of the date of the adoption of Hemet Ordinance 1798 (May 27, 2008) may remain in operation provided that an Administrative Use Permit was obtained by the effective date of Ordinance 1798 and such home was in compliance with the standards set forth in Ordinance 1798 applicable at the time the permit was obtained.
- (2) Any Small Group Home or Large Group Home operating in the R-2 or R-3 Multiple-Family Residential Zones or in the R-P or O-P commercial zones as of the date of the adoption of Ordinance 1798 (May 27, 2008) may remain in operation provided that a Conditional Use Permit was obtained by the effective date of Ordinance 1798 and such home was in compliance with the standards set forth in Ordinance 1798 applicable at the time the permit was obtained, or that such use applies for an obtains the applicable permit provided for under this Division within 180 days of the effective date of Ordinance ____.

- (b) *Boarding Houses.* Any Boarding House operating in the R-2 or R-3 Multiple-Family Residential Zones or the R-P or O-P commercial zones as of the date of adoption of Ordinance 1798 (May 27, 2008) may remain in operation provided that a Conditional Use Permit was obtained by the effective date of Ordinance 1798 and such home was in compliance with the standards set forth in Ordinance 1798 applicable at the time the permit was obtained.

Sec. 90-282 Compliance.

The granting authority may suspend or revoke a permit upon a determination that the Boarding House or Group Home that is the subject of the permit violated any provisions of this Division or any condition of the permit. Prior to such suspension or revocation, the granting authority shall set and conduct a hearing wherein the permit holder shall have the opportunity to be heard and present evidence in his/her defense. After such hearing the granting authority shall notify the permit holder in writing as to the outcome of the hearing. In the event that the permit is suspended or revoked, the permit holder may appeal to the City Council but must do so within 10 days of the date of the notification. The City Council shall hear the appeal within 10 days after the date of receipt of the notice of appeal.

Sec. 90-283 Authority to Inspect.

Any City official or authorized representative charged with enforcement responsibilities under this municipal code, state law or other government authority may enter and inspect the premises or perform any duty imposed by the municipal code or by state law, provided the owner, managers, Operators, or lawful occupant(s) has consented to the inspection. The refusal by an owner, manager, Operator, or occupant to permit such entry and inspection may be considered in any proceeding to suspend or revoke the permit.

90-284-290 Reserved.

DIVISION 2. Reasonable Accommodation

Sec. 90-291 Purpose.

In accordance with the Fair Housing Laws, it is the purpose of this Division to provide reasonable accommodations in the City's zoning and land use regulations (Chapter 90 of this Code), of the City's policies, and practices implementing those regulations when needed to provide an Individual With A Disability an equal opportunity to use and enjoy a dwelling.

Sec. 90-292 Definitions

The definitions provided in Division I of this Article (Section 90-272) shall also apply within this Division. For the purposes of this Division, the following definitions shall also apply:

(a) "Major Reasonable Accommodation" means a request to allow a use in a zone where it is otherwise not permitted or a request for a modification or exception to the substantive land use, zoning and development standards and regulations.

(b) "Minor Reasonable Accommodation" means a modification or exception to the procedural requirements contained in this Chapter, including, but not limited to, fee adjustments or deferrals, modification of application filing requirements, and modification of appeal filing requirements.

Sec. 90-293 Review Authority.

The Planning Commission is designated to approve, conditionally approve, or deny all applications for a Major Reasonable Accommodation, except that the Director is hereby vested with authority to review and approve Major Reasonable Accommodation applications that solely request a modification of development standards for uses requiring a Small Group Home Permit or an Administrative Use Permit. The Director, or his or her designee, is designated to approve, conditionally approve, or deny all applications for a Minor Reasonable Accommodation, provided that the Director may decide to allow the Planning Commission to determine whether to approve, conditionally approve, or deny an application for a Minor Reasonable Accommodation if the Director finds that the Minor Reasonable Accommodation involves significant controversy or extraordinary circumstances.

Sec. 90-294 Application for Reasonable Accommodation.

- (a) *Applicant.* A request for reasonable accommodation may be made by any Individual With A Disability, their representative, or a developer or provider of housing for Individuals With A Disability. A reasonable accommodation may be approved only for the benefit of one or more Individuals With A Disability.
- (b) *Application.* An application for a reasonable accommodation shall be made on a form provided by the Community Development Department. No fee shall be required for an application for reasonable accommodation, but if the project requires another discretionary permit, then the prescribed fee shall be paid for all other discretionary permits.
- (c) *Other Discretionary Permits.* If the project for which the request for reasonable accommodation is made requires another discretionary permit or approval, then the applicant may file the request for reasonable accommodation together with the application for the other discretionary permit or approval, and may elect to have the reasonable accommodation request processed and decided simultaneously with the application for the other discretionary permit. In such cases, the procedures applicable to the other discretionary permit shall govern the processing of the reasonable accommodation request. A Minor Reasonable Accommodation request seeking a modification or exception to procedural requirements shall not be processed simultaneously with any other discretionary

permit.

- (d) *Required Submittals.* In addition to materials required under other applicable provisions of this Code, an application for reasonable accommodation shall include the following:
- (1) Documentation that the applicant is: (i) an Individual With A Disability; (ii) applying on behalf of one or more Individuals With A Disability; or (iii) a developer or provider of housing for one or more Individuals With A Disability;
 - (2) The specific exception or modification to the Zoning Code provision, policy, or practices requested by the applicant;
 - (3) Documentation that the specific exception or modification requested by the applicant is necessary to provide one or more Individuals With A Disability an equal opportunity to use and enjoy the residence;
 - (4) Any other information that the Director reasonably concludes is necessary to determine whether the findings required by Section 90-295(c) can be made, so long as any request for information regarding the Disabled person benefited complies with Fair Housing Law protections and the privacy rights of the individuals affected.
- (e) *Additional Information.* If necessary to reach a decision on a request for a reasonable accommodation, the decision-making body may request further information from the applicant. The deadline for the decision-making body to render a decision on the application for a reasonable accommodation shall be extended by the number of days it takes the applicant to fully respond to the request for additional information.

Sec. 90-295 Decision.

- (a) *Minor Reasonable Accommodations.* The Director shall mail his or her written determination to approve, conditionally approve, or deny a request for a Minor Reasonable Accommodation to the applicant within thirty days of the receipt of a complete application for a Minor Reasonable Accommodation. The mailed notice of decision shall inform the applicant that the decision of the Director may be appealed to the Planning Commission within fourteen days of the mailing of the notice.
- (b) *Major Reasonable Accommodations.*
- (1) A Major Reasonable Accommodation request that is filed concurrently with another application for a discretionary permit shall be heard with, and subject to, the notice, review, approval, and appeal procedures prescribed for the other discretionary permit filed concurrently with the reasonable

accommodation request.

- (2) If a Major Reasonable Accommodation request is not filed concurrently with an application for another discretionary permit, then the notice, review, approval, and appeal procedures for an Administrative Use Permit shall be followed if the proposed use is a Small Group Home or Large Group Home with up to ten residents. If the proposed use is a Large Group Home with eleven or more residents then the notice, review, approval and appeal procedures for a Conditional Use Permit shall be followed. The findings in Section 90-279 and Section 90-295(c) shall be made for a reasonable accommodation to be granted.
 - (3) Notwithstanding the foregoing, the standard of review on appeal of a decision on a Major Reasonable Accommodation shall not be de novo and the appellate body shall determine whether the findings made by the decision-making body are supported by substantial evidence presented during the hearing. The appellate body may sustain, reverse or modify the decision or remand the matter for further consideration, which remand shall include specific issues to be considered or a direction for a de novo hearing.
- (c) *Findings.* The written decision to approve, conditionally approve, or deny a request for a reasonable accommodation shall be based on the following findings, all of which are required for approval:
- (1) The requested accommodation is requested by or on the behalf of one or more Individuals With A Disability protected under the Fair Housing Laws.
 - (2) The requested accommodation is necessary to provide one or more Individuals With A Disability an equal opportunity to use and enjoy a dwelling.
 - (3) The requested accommodation will not impose an undue financial or administrative burden on the City as "undue financial or administrative burden" is defined in Fair Housing Laws.
 - (4) The requested accommodation will not result in a fundamental alteration in the nature of the City's zoning program, as "fundamental alteration" is defined in Fair Housing Laws.
 - (5) The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.
- (d) In making findings the in subdivision (b), the decision maker may approve alternative reasonable accommodations which provide an equivalent level of

benefit to the applicant.

- (e) The City may consider, but is not limited to, the following factors in determining whether the requested accommodation is necessary to provide one or more Individuals With A Disability an equal opportunity to use and enjoy a dwelling:
 - (1) Whether the requested accommodation will affirmatively enhance the quality of life of one or more Individuals With A Disability;
 - (2) Whether the Individual or Individuals With A Disability will be denied an equal opportunity to enjoy the housing type of their choice absent the accommodation;
 - (3) In the case of a Group Home, whether the requested accommodation is necessary to make facilities of a similar nature or operation economically viable in light of the particularities of the relevant market and market participants;
 - (4) In the case of a Group Home, whether the existing supply of facilities of a similar nature and operation in the community is sufficient to provide Individuals With A Disability an equal opportunity to live in a residential setting.

- (f) The City may consider, but is not limited to, the following factors in determining whether the requested accommodation would require a fundamental alteration in the nature of the City's zoning program:
 - (1) Whether the requested accommodation would fundamentally alter the character of the neighborhood;
 - (2) Whether the accommodation would result in a substantial increase in traffic or insufficient parking;
 - (3) Whether granting the requested accommodation would substantially undermine any express purpose of either the City's General Plan or an applicable specific plan;
 - (4) In the case of a Group Home, whether the requested accommodation would create an institutionalized environment due to the number of and distance between facilities that are similar in nature or operation.

- (g) *Rules While Decision is Pending.* While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

- (h) *Effective Date.* No reasonable accommodation shall become effective until the decision to grant such accommodation shall have become final by reason of the

expiration of time to make an appeal. In the event an appeal is filed, the reasonable accommodation shall not become effective unless and until a decision is made on such appeal and becomes final.

Sec. 90-296 Expiration, Time Extension, Violation, Discontinuance and Revocation.

- (a) *Expiration.* Any reasonable accommodation approved in accordance with the terms of this Division shall expire within twenty-four months from the effective date of approval or at an alternative time specified as a condition of approval unless:
 - (1) A building permit has been issued and construction has commenced;
 - (2) A certificate of occupancy has been issued;
 - (3) The use is established; or
 - (4) A time extension has been granted.
- (b) *Time Extension.* The Director may approve a time extension for a reasonable accommodation for good cause for a period or periods not to exceed one year. An application for a time extension shall be made in writing to the Director no less than thirty days or more than ninety days prior to the expiration date.
 - (i) *Notice.* Notice of the Director's decision on a time extension shall be provided as specified in this Chapter. All written decisions shall give notice of the right to appeal and to request reasonable accommodation in the appeals process.
 - (ii) *Appeal of Determination.* A time extension for a reasonable accommodation shall be final unless appealed within fourteen calendar days of the date of mailing of the determination. An appeal shall be made in writing and shall be noticed and heard pursuant to the procedures established in this Chapter.
- (e) *Violation of Terms.* Any reasonable accommodation approved in accordance with the terms of this Code may be revoked if any of the conditions or terms of such reasonable accommodation are violated, or if any law or ordinance is violated in connection therewith.
- (f) *Discontinuance.* A reasonable accommodation shall lapse if the exercise of rights granted by it is discontinued for one hundred eighty consecutive days. If the persons initially occupying a residence vacate, the reasonable accommodation shall remain in effect only if the Director determines that: (1) the modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with the Code, and (2) the accommodation is necessary to

give another Individual With A Disability an equal opportunity to enjoy the dwelling. The Director may request the applicant or his or her successor in interest to the property to provide documentation that subsequent occupants are Individuals With A Disability. Failure to provide such documentation within ten days of the date of a request by the City shall constitute grounds for discontinuance by the City of a previously approved reasonable accommodation.

- (g) *Revocation.* Procedures for revocation shall be as prescribed by Section 90-43 *et seq.*, of this Chapter.

Sec. 90-297 Amendments.

A request for changes in conditions of approval of a reasonable accommodation, or a change to plans that would affect a condition of approval shall be treated as a new application. The Director may waive the requirement for a new application if the changes are minor, do not involve substantial alterations or addition to the plan or the conditions of approval, and are consistent with the intent of the original approval.

Sec. 90-298 – 90-310 Reserved.

EXHIBIT B

Sec. 90-312. Permitted uses.

In the R-A, R-1-D, R-1-H, R-1-6, R-1-7.2, R-1-10, R-1-20, R-1-40 zones, permitted and conditionally permitted uses shall be as listed within the "Land Use Matrix." Whenever a business is conducted, even if it is a home occupation, a city business license is required pursuant to chapter 18.

| SINGLE-FAMILY RESIDENTIAL LAND USE MATRIX | | | | | | | | | |
|---|---|-----|-------|-------|-------|---------|--------|--------|--------|
| <i>X= Not Permitted Use P=Permitted Use C=Conditionally Permitted Use (CUP) A=Administrative Use (AUP)</i> <i>SGHP = Small Group Home Permit (SGHP)</i> | | | | | | | | | |
| ZONE | | R-A | R-1-D | R-1-H | R-1-6 | R-1-7.2 | R-1-10 | R-1-20 | R-1-40 |
| A. | Agricultural Uses | | | | | | | | |
| 1. | Above-ground or underground vehicle fuel storage tanks for use with an on-going agricultural operation. Sale of fuel to the public is prohibited. Tanks shall be considered structures, they shall comply with setback requirements of the zone and shall be setback a minimum 100-feet from a Hemet Circulation Element Map road, and shall be screened from view from public streets. Requirements of the Uniform Fire Code and applicable state and federal laws shall be met. | C | X | X | X | X | X | X | X |
| 2. | All types of horticulture (excluding forestry operations) including, but not limited to apiaries and, aviaries (in accordance with chapter 10), farms, orchards and the like: | | | | | | | | |
| | a. Operated as a business | P | X | X | X | X | X | X | X |
| | b. Operated as part of a residential use | P | X | X | X | X | X | X | X |
| 3. | Bovine and equine animals in accordance with the requirements of section 90-77 | P | X | X | X | X | X | X | X |
| 4. | Chickens (see section 90-312 A.8.) | | X | X | X | X | X | X | X |
| 5. | FFA (Future Farmers of America), 4H (head, hand, heart, health) or similar projects conducted by the occupants of the premises (A no fee temporary use permit is required see section 90-73. For animal keeping requirements see section 90-77). | P | X | P | X | X | P | P | P |

City of Hemet Ordinance Bill No. _____

SINGLE-FAMILY RESIDENTIAL LAND USE MATRIX

X= Not Permitted Use P=Permitted Use C=Conditionally Permitted Use (CUP) A=Administrative Use (AUP)
 SGHP = Small Group Home Permit (SGHP)

| ZONE | | R-A | R-1-D | R-1-H | R-1-6 | R-1-7.2 | R-1-10 | R-1-20 | R-1-40 |
|----------------------------|---|------|-------|-------|-------|---------|--------|--------|--------|
| 6. | Nurseries, greenhouses and gardening | | | | | | | | |
| | a. Wholesale | P | X | X | X | X | X | X | X |
| | b. Retail | C | X | X | X | X | X | X | X |
| 7. | Pigs, pigmy goats, miniature horses and other Small animals | P | X | P* | X | X | X | X | X |
| 8. | Poultry (except turkeys, geese and guinea fowl) chinchillas, hamsters, rabbits and other Small animals, (See section 90-188 for additional requirements). | P | X | P | X | X | X | X | X |
| 9. | Produce stands - Permanent (for temporary produce stands see section 90-73). | C | X | X | X | X | X | X | X |
| B. Residential Uses | | | | | | | | | |
| 1. | Bed and breakfast | C | C | C | C | C | C | C | C |
| 2. | Day care facility | | | | | | | | |
| | a. >six but less than 12 clients | P | P | P | P | P | P | P | P |
| | b. >12 clients | C | C | C | C | C | C | C | C |
| 3. | Group Homes and Small licensed residential care facilities (see Section 90-271 et seq.) | | | | | | | | |
| | a. Small licensed residential care facilities | P | P | P | P | P | P | P | P |
| | b. Large Group Homes | X | X | X | X | X | X | X | X |
| | c. Small Group Homes | SGHP | SGHP | SGHP | SGHP | SGHP | SGHP | SGHP | SGHP |
| 4. | Accessory dwelling unit (including "granny flat" and "second unit") in accordance with Sub-Section 90-315(g) | P | P | P | P | P | P | P | P |
| 5. | Guest house on the same site as an existing single-family home | P | X | P | X | X | P | P | P |
| 6. | Home occupations subject to the requirements of section 90-72 | P | P | P | P | P | P | P | P |
| 7. | Household pets including, but not limited to dogs, pot belly pigs, and cats (see section 90-77) | P | P | P | P | P | P | P | P |
| 8. | Mobile homes as a caretaker residence | P | X | X | X | X | X | X | X |
| 9. | Mobile home park | X | X | X | C | C | X | X | X |

City of Hemet Ordinance Bill No. _____

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 SGHP = Small Group Home Permit (SGHP)

| ZONE | | R-A | R-1-D | R-1-H | R-1-6 | R-1-7.2 | R-1-10 | R-1-20 | R-1-40 |
|--|--|------------|--------------|--------------|--------------|----------------|---------------|---------------|---------------|
| 10. | Recreational vehicle park | C | X | X | X | X | X | X | X |
| 11. | Rented room (a maximum of one room) within an existing single-family dwelling | P | P | P | P | P | P | P | P |
| 12. | Single-family residential dwelling unit including manufactured housing, prefabricated housing, and mobile homes built after 1986 when installed on permanent foundations when in accordance with section 90-315 A. | P | P | P | P | P | P | P | P |
| 13. | Travel trailer park | C | X | X | X | X | X | X | X |
| C. Commercial Uses | | | | | | | | | |
| 1. | Boarding House | X | X | X | X | X | X | X | X |
| 2. | Convalescent hospital | C | X | X | X | X | X | X | X |
| 3. | Environmental cleanup and treatment systems (subject to a temporary use permit see section 90-73) | P | P | P | P | P | P | P | P |
| 4. | Home for the aged | C | C | X | X | X | X | X | X |
| 5. | Home or center for mentally, emotionally or physically handicapped persons | C | X | X | C | C | C | C | C |
| 6. | Nursing home | C | X | X | X | X | X | X | X |
| 7. | Recycling facility - nonpermanent (subject to a temporary use permit see section 90-73) | P | X | X | P | P | P | P | P |
| D. Recreation and Open Space Uses | | | | | | | | | |
| 1. | Cemetery, crematorium, columbariums and related facilities | C | C | X | C | C | C | C | C |
| 2. | Equestrian activities including, but not limited to riding academies, stables and thoroughbred farms | C | X | X | X | X | X | X | X |
| 3. | Game court - lighted (with ten-foot high court fencing) | C | C | C | C | C | C | C | C |
| 4. | Golf course, country club and/or driving range | C | C | C | C | C | C | C | C |
| 5. | Lodge hall for civic, social or fraternal organizations | C | C | C | X | X | X | X | X |
| 6. | Recreation center, park, | P | P | P | P | P | P | P | P |

City of Hemet Ordinance Bill No. _____

SINGLE-FAMILY RESIDENTIAL LAND USE MATRIX

X= Not Permitted Use P=Permitted Use C=Conditionally Permitted Use (CUP) A=Administrative Use (AUP)
 SGHP = Small Group Home Permit (SGHP)

| ZONE | | R-A | R-1-D | R-1-H | R-1-6 | R-1-7.2 | R-1-10 | R-1-20 | R-1-40 |
|------------------------------|--|-----|-------|-------|-------|---------|--------|--------|--------|
| | playground, unlighted game court (with ten-foot high court fencing) racquetball center, swim club | | | | | | | | |
| 7. | Skating rink, outdoor | C | X | X | X | X | X | X | X |
| E. Miscellaneous Uses | | | | | | | | | |
| 1. | Church, temple, synagogue or other religious facility including, but not limited to parish house, convent, parsonage, monastery, religious school | C | C | C | C | C | C | C | C |
| 2. | Flood control facilities including, but not limited to detention and retention basins, flood control channels | P | P | P | P | P | P | P | P |
| 3. | Museum | C | X | C | C | X | X | X | X |
| 4. | School or college including, but not limited to art, business, cosmetology, craft, dance, music, professional, technical and trade | C | C | C | C | X | X | X | X |
| 5. | Public facilities and utilities including but not limited to electrical substations, transmission substations, city facilities, libraries and public offices | C | C | C | C | C | X | X | X |
| F. Accessory Uses | | | | | | | | | |
| 1. | Accessory structures and uses located on the same site as a permitted use | P | P | P | P | P | P | P | P |
| 2. | Accessory structures and uses located on the same site as a conditional use | C | C | C | C | C | C | C | C |
| 3. | Minor wireless telecommunication facilities in accordance with Article XLVI | C | C | C | C | C | C | C | C |
| 4. | Satellite dish antennas identified as exempt from Article XLVI – Wireless Telecommunication Facilities per Section 90-1614 | P | P | P | P | P | P | P | P |

Notes:

* The keeping of pigs, pigmy goats, miniature horses, and other similar Small animals shall be limited to two per acre in areas that are determined to be of biological sensitivity.

City of Hemet Ordinance Bill No. _____

EXHIBIT C

Section 90-382. Permitted uses.

In the R-2 and R-3 zones, permitted and conditionally permitted uses shall be as listed within the "Land Use Matrix." Whenever a business license is required pursuant to chapter 18.

| MULTIPLE-FAMILY RESIDENTIAL LAND USE MATRIX | | | |
|--|--|------------|------------|
| <i>SGHP = Small Group Home Permit (SGHP)</i> | | | |
| <i>X=Not Permitted Use P=Permitted Use C=Conditionally Permitted Use (CUP) A=Administrative Use (AUP)</i> | | | |
| ZONE | | R-2 | R-3 |
| A. | Agricultural Uses | | |
| 1. | Poultry (except turkeys, geese and guinea fowl) chinchillas, hamsters, rabbits and other Small animals (See section 90-188 for additional requirements). | P | P |
| B. | Residential Uses | | |
| 1. | Apartment, condominium or similar residential unit (see section 90-985(n) for additional requirements). | C | C |
| 2. | Bed and breakfast | C | C |
| 3. | Day care facility | | |
| | a. >six but less than 12 clients | P | P |
| | b. >12 clients | C | C |
| 4. | Duplexes and/or two single-family homes on the same lot | C | C |
| 5. | Group Homes and Small licensed residential care facilities (see Section 90-271 et seq.) | | |
| | a. Small licensed residential care facility | P | P |
| | b. Large Group Home (10 or fewer occupants) | A | A |
| | c. Large Group Home (11 or more occupants) | C | C |
| | d. Small Group Home | SGHP | SGHP |
| 6. | Home occupations subject to the requirements of section 90-72 | P | P |
| 7. | Household pets including, but not limited to dogs, pot belly pigs, and cats (see section 90-77) | P | P |
| 8. | Mobile home park | C | C |
| 9. | Single-family residential dwelling unit including manufactured housing, prefabricated housing, and mobile homes built after 1986 when installed on permanent foundations when in accordance with section 90-315 A. | P | P |
| 10. | Rented room (a maximum of one room) within an existing single-family dwelling | P | P |

City of Hemet Ordinance Bill No. _____

MULTIPLE-FAMILY RESIDENTIAL LAND USE MATRIX

SGHP = Small Group Home Permit (SGHP)

X=Not Permitted Use P=Permitted Use C=Conditionally Permitted Use (CUP) A=Administrative Use (AUP)

| ZONE | | R-2 | R-3 |
|-------------|---|------------|------------|
| 11. | Travel trailer park | C | C |
| 12. | Accessory dwelling unit (including "granny flat" and "second unit") in accordance with Sub-Section 90-385(g) | P | P |
| C. | Commercial Uses | | |
| 1. | Boarding House | C | C |
| 2. | Convalescent hospital | C | C |
| 3. | Environmental cleanup and treatment systems (subject to a temporary use permit see section 90-73) | P | P |
| 4. | Home for the aged | C | C |
| 5. | Home or center for mentally, emotionally or physically handicapped persons | C | C |
| 6. | Hotel or motel | X | C |
| 7. | Parking lot | X | C |
| 8. | Nursing home | C | C |
| 9. | Rest home | C | C |
| 10. | Recycling facility – nonpermanent (subject to a temporary use permit see section 90-73) | P | P |
| 11. | Sanitarium | C | C |
| 12. | Plant nurseries, wholesale and/or retail (signing and parking shall comply with articles XXVI and XL. Growing shall be incidental to the retail/wholesale use. Container growing may be permitted but shall not exceed 49 percent of the area devoted to plant display. No field growing is allowed.) | C | C |
| D. | Recreation and Open Space Uses | | |
| 1. | Cemetery, crematorium, columbariums and related facilities | C | C |
| 2. | Game court – lighted (with ten-foot high court fencing) | C | C |
| 3. | Golf course, country club and/or driving range | C | C |
| 4. | Lodge hall for civic, social or fraternal organizations | C | C |
| 5. | Recreation center, park, playground, unlighted game court (with ten-foot high court fencing) racquetball center, swim club | P | P |
| 6. | Skating rink, outdoors | C | C |

City of Hemet Ordinance Bill No. _____

MULTIPLE-FAMILY RESIDENTIAL LAND USE MATRIX

SGHP = Small Group Home Permit (SGHP)

X=Not Permitted Use P=Permitted Use C=Conditionally Permitted Use (CUP) A=Administrative Use (AUP)

| ZONE | | R-2 | R-3 |
|-------------|--|------------|------------|
| E. | Miscellaneous Uses | | |
| 1. | Church, temple synagogue, or other religious facility including, but not limited to parish house, convent, parsonage, monastery, religious school | C | C |
| 2. | Flood control facilities including, but not limited to detention and retention basins, flood control channels | P | P |
| 3. | Museum | C | C |
| 4. | School or college including, but not limited to art, business, cosmetology, craft, dance, music, professional, technical and trade | C | C |
| 5. | Public facilities and utilities including but not limited to electrical substations, transmission substations, city facilities, libraries and public offices | C | C |
| F. | Accessory Uses | | |
| 1. | Accessory structures and uses located on the same site as a permitted use | P | P |
| 2. | Accessory structures and uses located on the same site as a conditional use | C | C |
| 3. | Antennas for microwave, cellular phones, and the like | C | C |
| 4. | Satellite dish antennas | | |
| | a. <39 inches in diameter when ground or roof mounted meeting the requirements of section 90-184 A. | P | P |
| | b. >39 inches but less than eight feet in diameter when ground or roof mounted meeting the requirements of section 90-184 A. | P | P |

EXHIBIT D

Sec. 90-892. Permitted Uses.

In the R-P, O-P, C-1, C-2, C-M and D zones, permitted and conditionally permitted uses shall be as listed within the "Land Use Matrix." Whenever a business is conducted, a city business license is required pursuant to chapter 18.

| COMMERCIAL LAND USE MATRIX | | | | | | | | | | |
|---|---|--|--|--|-----|-----|-----|-----|-----|---|
| <i>P=Permitted Use A=Administrative Use (AUP) C=Conditionally Permitted Use (CUP)</i> | | | | | | | | | | |
| ZONE | | | | | R-P | O-P | C-1 | C-2 | C-M | |
| A. | Agricultural Uses | | | | | | | | | |
| 1. | Kennel for dogs and/or cats, (in accordance with special regulations listed in section 90-78) | | | | | | | | | |
| | a. As an accessory use (indoor) | | | | | X | X | P | P | P |
| | b. As an accessory use (outdoor) | | | | | X | X | A | A | A |
| | c. As a primary use (indoor or outdoor) | | | | | X | X | C | C | C |
| 2. | | | | | | | | | | |
| | a. Wholesale | | | | | C | C | C | C | C |
| | b. Retail | | | | | P | P | P | P | P |
| | c. Retail - Indoor only | | | | | X | X | X | X | X |
| B. | Residential Uses | | | | | | | | | |
| 1. | Bed and breakfast | | | | | A | A | A | A | X |
| 2. | Day care facility serving more than six clients | | | | | P | P | P | P | P |
| 3. | Group Homes and Small licensed residential care facilities (see Section 90-271 et seq.) | | | | | | | | | |
| | a. Small licensed residential care facility | | | | | P | X | X | X | X |
| | b. Large Group Home (10 or fewer residents) | | | | | C | C | X | X | X |
| | d. Large Group Home (11 or more residents) | | | | | C | C | X | X | X |
| | c. Small Group Home | | | | | A | C | X | X | X |
| 4. | Home occupation in an existing single-family home subject to the requirements of section 90-72 | | | | | P | P | P | P | P |
| 5. | Household pets in an existing single-family home including, but not limited to dogs, pot belly pigs, and cats when on the site of an existing residential unit subject to the requirements of section 90-77 | | | | | P | P | P | P | P |
| 6. | Mixed use, an integrated mix of residential and non-residential uses on a | | | | | X | X | C | C | X |

City of Hemet Ordinance Bill No. _____

COMMERCIAL LAND USE MATRIX

P=Permitted Use A=Administrative Use (AUP) C=Conditionally Permitted Use (CUP)

| ZONE | | R-P | O-P | C-1 | C-2 | C-M |
|-----------|--|-----|-----|-----|-----|-----|
| | single site. | | | | | |
| 7. | Mobile home park, recreational vehicle park, or travel trailer park | X | X | X | X | C |
| 8. | Multiple-family residence subject to the requirements of the R-3 zone development standards | C | X | X | X | X |
| 9. | Rented room, a maximum of one room, within an existing single-family dwelling | P | P | P | P | P |
| 10. | Single-family residence (existing only) including manufactured housing, prefabricated housing, and mobile homes built after 1986 when installed on permanent foundations and subject to the requirements of section 90-315(a) | P | P | P | P | P |
| C. | Commercial Uses | | | | | |
| 1. | Adult business as defined in section 90-18 and subject to the requirements of section 90-4-1 | X | X | C | C | C |
| 2. | Arcade, video or internet | X | X | A | A | A |
| 3. | Automotive, motorcycle, and marine vehicle services including but not limited to parts and equipment sales (including tires) with or without installation, engine and transmission maintenance and repair, smog certification, and window tinting installation | X | X | X | C | C |
| 4. | Automotive, motorcycle, and marine vehicle body and/or paint shop | X | X | X | C | C |
| 5. | Automotive, motorcycle, and marine vehicle sales | | | | | |
| | a. Without outdoor display | X | X | X | A | A |
| | b. With outdoor display | X | X | X | C | C |
| 6. | Automotive, motorcycle, and marine vehicle rental | | | | | |
| | a. Without outdoor display | X | X | X | A | A |
| | b. With outdoor display | X | X | X | C | C |
| 7. | Automotive, motorcycle, and marine vehicle wash facility | | | | | |
| | a. Self service | X | X | X | A | A |
| | b. Full service | X | X | X | C | C |
| 8. | Bakery, with or without on-site sales | X | X | P | P | P |
| 9. | Bank, savings and loan, credit unions | P | P | P | P | P |
| 10. | Bar, nightclub, and dance hall | | | | | |
| | a. With on-site sale of alcoholic beverage | X | X | X | A | A |

City of Hemet Ordinance Bill No. _____

COMMERCIAL LAND USE MATRIX

P=Permitted Use A=Administrative Use (AUP) C=Conditionally Permitted Use (CUP)

| ZONE | | R-P | O-P | C-1 | C-2 | C-M |
|------|--|-----|-----|-----|-----|-----|
| | b. With on-site live entertainment or dancing | X | X | X | C | C |
| 11. | Barber and/or beauty shop | P | P | P | P | P |
| 12. | Big box retailer, >80,000sf of gross floor area including outdoor display area | X | X | X | C | C |
| 13. | Boarding House | C | C | X | X | X |
| 14. | Cemetery and/or mortuary | | | | | |
| | a. Cemetery without mortuary or crematorium | C | C | C | C | C |
| | b. Cemetery with mortuary | C | C | C | C | C |
| | c. Cemetery with crematorium | X | X | X | C | C |
| | d. Mortuary without cemetery | X | X | X | C | C |
| | e. Crematorium without cemetery | X | X | X | C | C |
| 15. | Communication services without assembly or manufacturing | X | X | C | C | C |
| 16. | Drive-through or drive-in facility including, but not limited to dry cleaners, fast food restaurants, and pharmacies | X | X | C | C | C |
| 17. | Department store | X | X | P | P | P |
| 18. | Equipment rental including but not limited to moving and construction vehicles and equipment | X | X | X | C | C |
| 19. | Flower or produce stand | | | | | |
| | a. Permanent | X | X | A | A | A |
| | b. Non-permanent as a temporary use subject to section 90-73 | X | X | P | P | P |
| 20. | Fortune telling | X | X | C | C | C |
| 21. | Gasoline station including self service or full service facilities | | | | | |
| | a. As a primary use (offered for sale) on the site subject to the regulations listed in section 90-897(b). All vehicle fuel storage tanks shall be underground. Aboveground propane, natural, and other similar fuel gas tanks may be permitted when setback at least 50-feet from the public right-of-way, installed in accordance with the Uniform Fire Code, applicable state and federal laws, and screened in accordance with subsection 90-895(10) | X | X | C | C | C |
| | b. Gasoline pumps as an accessory use and where fuel is not offered for sale | X | X | A | A | A |
| 22. | Graphics production | P | P | P | P | P |
| 23. | Grocery stores and bulk food outlets, | X | A | A | A | A |
| 24. | Hotel or motel | C | C | C | C | C |

City of Hemet Ordinance Bill No. _____

COMMERCIAL LAND USE MATRIX

P=Permitted Use A=Administrative Use (AUP) C=Conditionally Permitted Use (CUP)

| ZONE | | R-P | O-P | C-1 | C-2 | C-M |
|------|--|-----|-----|-----|-----|-----|
| 25. | Manufactured home sales with and without on-site display of models and inventory | X | X | X | C | C |
| 26. | Medical and/or dental laboratory | A | A | A | A | A |
| 27. | Medical urgent care facilities | | | | | |
| | a. Open within the hours of 7:00am to 9:00pm | P | P | P | P | P |
| | b. Open outside the hours of 7:00am to 9:00pm | X | C | C | C | C |
| 28. | Mobile use including, but not limited to car washing, book and/or video rental, blood bank, MRI | | | | | |
| | a. <15 days in a 90-day period (subject to a temporary use permit see section 90-73) | P | P | P | X | X |
| | b. >15 days in a 90-day period | C | C | C | C | C |
| 29. | Newspaper printing | X | X | X | C | C |
| 30. | Offices | | | | | |
| | a. General including, but not limited to accounting, appraising, architects, consulting, research, insurance, legal, stockbrokerage, real estate | P | P | P | P | P |
| | b. Medical, dental, and optometry | P | P | P | P | P |
| | c. Counseling | X | P | P | P | P |
| 31. | Parking lot - commercial | A | A | A | A | A |
| 32. | Photographic studio | | | | | |
| | a. Excluding film processing, supplies, and retail sales. | P | P | P | P | P |
| | b. With film processing, supplies, and retail sales. | X | X | P | P | P |
| 33. | Radio station, AM and/or FM (without antennae) | X | X | X | C | C |
| 34. | Recording studio | X | C | X | C | C |
| 35. | Recycling facility | | | | | |
| | a. Non-permanent collection center as a temporary use subject to the requirements of section 90-73 | P | P | P | P | P |
| | b. Permanent collection center | C | C | C | C | C |
| | c. Processing center | X | X | X | X | C |
| 36. | Restaurant (not including bars and nightclubs) | | | | | |
| | a. Without b, c, d, or e | X | P | P | P | P |
| | b. With on-site sale of alcoholic beverages | X | C | P | P | P |

City of Hemet Ordinance Bill No. _____

COMMERCIAL LAND USE MATRIX

P=Permitted Use A=Administrative Use (AUP) C=Conditionally Permitted Use (CUP)

| ZONE | | R-P | O-P | C-1 | C-2 | C-M |
|------|---|-----|-----|-----|-----|-----|
| | c. With dancing and/or live entertainment | X | C | C | C | C |
| | d. With drive-through or drive-in | X | X | C | C | C |
| | e. With micro-brewery or winery and limited distribution | X | X | C | C | C |
| 37. | Retail service shop including but not limited to appliance repair and sales, stereo/TV/video repair and sales, catering, health spa, martial arts or dance studios, laundromat, dry cleaners, locksmith, mail receiving service, swimming pool/spa service and supplies, pet grooming, photographic processing, printing, lithography, engraving, copy, plumbing, electrical, heating/air conditioning, shoe repair, tailor, costume rental, dry cleaning without an on-site plant. | | | | | |
| | a. Open within the hours of 7:00am to 9:00pm | X | X | P | P | P |
| | b. Open outside the hours of 7:00am to 9:00pm | X | X | A | A | A |
| 38. | Retail sales shop including but not limited to books, stationery, arts and crafts (with light assembly), hobby, coins and/or stamps, candy, window coverings, gifts, hardware, home furnishings, florist, meat, delicatessen, medical supply, pharmacy, music (with or without instruction), furniture, jewelry, dry good or notions, shoes, pets, liquor, paint, fire arms, sporting goods, glass, clothing, ice cream, and antiques. | | | | | |
| | a. Open within the hours of 7:00am to 9:00pm | X | X | P | P | P |
| | b. Open outside the hours of 7:00am to 9:00pm | X | X | A | A | A |
| 39. | Shelter for the homeless and short-term transitional housing | X | X | X | X | C |
| 40. | Shopping and business center | | | | | |
| | a. Retail uses | X | X | C | C | C |
| | b. Retail and non-retail uses | X | X | C | C | C |
| | c. Non-retail | A | A | A | A | A |
| 41. | Smoke, cigarette, cigar, or tobacco store or hookah lounge | X | X | C | C | X |
| 42. | Tattoo and/or piercing service | X | X | X | X | C |
| 43. | Taxi or fleet dispatch and maintenance facility | X | X | X | X | C |
| 44. | Theater, motion picture and/or live | | | | | |
| | a. Indoor | X | X | A | A | A |
| | b. Outdoor | X | X | C | C | C |
| 45. | Towing and impound service subject to the requirements of section 90-895 (g). | X | X | X | X | C |
| 46. | Transportation service including, but not limited to dial-a-ride, depot, train | X | X | C | C | C |

City of Hemet Ordinance Bill No. _____

COMMERCIAL LAND USE MATRIX

P=Permitted Use A=Administrative Use (AUP) C=Conditionally Permitted Use (CUP)

| ZONE | | R-P | O-P | C-1 | C-2 | C-M |
|-----------|--|-----|-----|-----|-----|-----|
| | station, bus station (no truck terminals) | | | | | |
| 47. | Thrift store | X | X | A | A | X |
| D. | Manufacturing and Assembly | | | | | |
| 1. | Above-ground vehicle fuel storage tank used for an on-going manufacturing business. Sale of fuel to the public is prohibited. Tanks shall be considered structures, they shall comply with setback requirements of the zone and shall be setback a minimum 100-feet from a Hemet Circulation Element Map road, and shall be screened from view from public streets. Requirements of the Uniform Fire Code and applicable state and federal laws shall be met. | X | X | X | X | C |
| 2. | Above-ground bulk vehicle fuel storage tank used for storage, distribution, and wholesale to businesses. Sale of fuel to the general public is prohibited. Tanks shall be considered structures, they shall comply with setback requirements of the zone and shall be setback a minimum 100-feet from a Hemet Circulation Element Map road, and shall be screened from view from public streets. Requirements of Section 90-895(10) of the Hemet Municipal Code, the Uniform Fire Code and applicable state and federal laws shall be met. | X | X | X | X | C |
| 3. | Assembly of Small electrical appliances or equipment including, but not limited to radios, phonographs, TVs, cameras, lighting fixtures, picture frames, fans, toasters, toys, electric motor repair, fiberglass blankets. | X | X | X | X | P |
| 4. | Cabinet manufacturing and assembly | X | X | X | X | P |
| 5. | Ceramic products manufacturing using only previously pulverized clay and kilns fired only by electricity or low pressure gas. | X | X | X | X | P |
| 6. | Cleaning, wholesale laundry and dyeing plant | X | X | X | X | A |
| 7. | Distribution facilities including, but not limited to bottled water, food products, prepackaged goods, machine parts, machinery | X | X | X | C | C |
| 8. | Food lockers, frozen | X | X | X | X | P |
| 9. | Furniture manufacturing | X | X | X | C | P |
| 10. | Furniture upholstery | X | X | X | P | P |
| 11. | Machine shop | X | X | X | X | C |
| 12. | Motion picture studios | X | X | X | C | C |
| 13. | Ornamental iron works | X | X | X | C | P |
| 14. | Transportation maintenance, storage and service yards, excluding truck terminals but including bus charter service subject to the requirements of section 90-895 | X | X | X | C | C |
| 15. | Warehousing and storage, indoor and outdoor in compliance with section 90-895 (storage of fuel or flammable liquids is prohibited) | | | | | |

City of Hemet Ordinance Bill No. _____

COMMERCIAL LAND USE MATRIX

P=Permitted Use A=Administrative Use (AUP) C=Conditionally Permitted Use (CUP)

| ZONE | | R-P | O-P | C-1 | C-2 | C-M |
|-----------|---|-----|-----|-----|-----|-----|
| | a. General storage | X | X | X | X | C |
| | b. Lumber and building materials and equipment storage (not associated with a retail store) | X | X | X | C | C |
| | c. Mini-storage including recreational and marine vehicles | X | X | X | X | C |
| E. | Recreation and Open Space Uses | | | | | |
| | 1. Billiard parlor and/or pool hall | X | X | X | C | C |
| | 2. Bowling alley | X | X | C | C | C |
| | 3. Game court - lighted (with ten-foot high court fencing) | C | C | C | C | C |
| | 4. Golf course, country club and/or driving range | C | C | X | X | X |
| | 5. Lodge hall for civic, social, or fraternal organizations | C | C | C | C | C |
| | 6. Recreation center, slot car racing, miniature golf, batting cages, game court (with ten-foot high court fencing), health club, racquetball, swim facility, and water park - commercial | X | C | C | C | C |
| | 7. Skating center | X | X | C | C | C |
| | 8. Shooting range, indoor only | X | X | X | C | C |
| F. | Miscellaneous Uses | | | | | |
| 1. | Church, temple, synagogue or other religious facility including, but not limited to parish house, convent, parsonage, monastery, religious school | C | C | C | C | X |
| 2. | Conversion of a structure from a residential use to a non-residential use in compliance with Article IX | | | | | |
| | a. For use by a permitted use | A | A | A | A | A |
| | b. For use by a conditionally permitted use | C | C | C | C | C |
| 3. | Library | A | P | P | P | P |
| 4. | Meal and grocery charitable service | | | | | |
| | a. On-site distribution | X | X | X | C | C |
| | b. Off-site distribution | X | X | X | P | P |
| 5. | Museum | A | P | P | P | P |
| 6. | Public facilities and utilities including but not limited to electrical substations, transmission substation, city facilities and public offices | A | P | P | P | P |
| 7. | School or college including, but not limited to art, business, cosmetology, craft, dance, music, professional, technical and trade | X | P | P | P | P |
| 8. | Storm water facilities | | | | | |

City of Hemet Ordinance Bill No. _____

COMMERCIAL LAND USE MATRIX

P=Permitted Use A=Administrative Use (AUP) C=Conditionally Permitted Use (CUP)

| ZONE | | R-P | O-P | C-1 | C-2 | C-M |
|-----------|---|-----|-----|-----|-----|-----|
| | a. Flood control channels | P | P | P | P | P |
| | b. Detention and retention basins | P | P | P | P | P |
| 9. | Swap meet and farmer's market | | | | | |
| | a. Permanent | X | X | X | X | C |
| | b. Non-permanent as a temporary use subject to section 90-73 | X | X | X | P | P |
| G. | Accessory Uses | | | | | |
| 1. | Accessory structures and uses located on the same site as a permitted use | P | P | P | P | P |
| 2. | Accessory structures and uses located on the same site as a conditional use | C | C | C | C | C |
| 3. | Satellite dish antennas | | | | | |
| | a. <39 inches in diameter when ground or roof mounted subject to the requirements of Article XLVI and section 90-894 A. | P | P | P | P | P |
| | b. >39 inches when ground or roof mounted subject to the requirements of Article XLVI and section 90-894 A. | P | P | P | P | P |
| 4. | Outdoor activities within a clearly defined area accessory to a primary use | | | | | |
| | a. Display of merchandise | A | A | A | A | A |
| | b. Outdoor seating | A | A | A | A | A |

City of Hemet Ordinance Bill No. _____