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**PLANNING**  **COMMISSION**

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**MEETING MINUTES**

**DATE:** April 17, 2012

**CALLED TO ORDER:** 6:02 P.M.

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

**1. CALL TO ORDER:**

**PRESENT:** Chairman John Gifford and Commissioners Nassar Moghadam,  
Vince Overmyer and Michael Perciful

**ABSENT:** None

**Invocation and Flag Salute:** Chairman John Gifford

**2. INTRODUCTION OF NEW PLANNING COMMISSIONERS**

CDD Elliano introduced the following new Commissioners:

**MICHAEL PERCIFUL**, nominated by Mayor Pro Tem Foreman, a resident of Hemet for almost ten years, currently a real estate broker with his own business and a member of Hemet San Jacinto Chamber of Commerce and Board of Realtors, has previously served as a reserve police officer in the City of Chula Vista and also was a military investigative officer in the Navy. His experience with community-oriented policing and resolution of crime issues is good timing for the Hemet ROCS program.

**NASSER MOGHADAM**, a resident of Hemet for over 25 years, is a licensed architect, practicing since 1975 and has a bachelor's degree in environmental design. He owned the Shell station at Florida and Stanford Street for approximately ten years, so has not only business experience, but design expertise and believes in solving problems and negotiating solutions to get the best projects for the city.

**3. OATH OF OFFICE FOR COMMISSIONERS PERCIFUL AND MOGHADAM**

Minutes Clerk Rebecca Allen administered the oath of office.

1 **4. CERTIFICATE OF RECOGNITION FOR COMMISSIONER SHARON DEUBER**

2  
3 Chairman Gifford recognized the two years of service dedicated by Vice Chair Sharon  
4 Deuber to the Planning Commission and commented on her attention to detail, as well  
5 as her great motivation and enthusiasm.  
6  
7

8 **5. APPROVAL OF MINUTES**

- 9  
10 A. Minutes for the Planning Commission Meeting of March 20, 2012  
11 *(Commissioners Perciful and Moghadam to abstain)*  
12

13 Chairman Gifford ratified the Minutes of March 20, 2012 without a vote of approval,  
14 since the only remaining member of the Commission that had been in place at the time  
15 of that meeting was Commissioner Overmyer, who was not present for the March 20,  
16 2012 meeting.  
17  
18

19  
20 **6. PUBLIC COMMENTS**

21 Diane Norberg, 4092 Via Barcelona, Hemet, commended Ms. Deuber for her  
22 intelligence, fairness and thoroughness while on the Planning Commission and wished  
23 her well with her work with the Valley View Foundation in restoring the historic Hemet  
24 theatre.  
25  
26

27 Gene Hikel, 8405 Singh Court, Hemet, chair of the Four Seasons Community  
28 Awareness Committee, also complimented Ms. Deuber for her efforts within the city,  
29 and expressed the desire to see her continue with her advocacy work for the City of  
30 Hemet.  
31  
32

33 **PUBLIC HEARINGS**

34  
35 **7. EXTENSION OF TIME NO. 11-004 FOR SITE DEVELOPMENT NO. 09-003**  
36 **(MARRIOTT)**  
37

38 **APPLICANT:** Hemet Hospitality Investments  
39 **AGENT:** Navin Makan  
40 **LOCATION:** East side of Myers Street, approximately 600 feet north of West  
41 Florida Avenue  
42 **PLANNER:** Carole Kendrick, Assistant Planner  
43

44 **DESCRIPTION:** A request for a two (2) year extension of time for an approved  
45 Site Development Review application (SDR 09003) to construct and operate an  
46 80,000 square foot, 105-unit, four-story Marriott Towneplace Suites Hotel within  
47 the amended Florida Promenade Specific Plan, and generally located on the east  
48 side of Myers Street, approximately 600 feet north of West Florida Avenue.  
49  
50

Assistant Planner Kendrick presented the project and asked for questions from the  
Commission.

1  
2 Chairman Gifford asked if the extension could be granted for two years, plus the one-  
3 year extension provided in the Municipal Code.  
4

5 City Attorney Jex responded that all three years could be approved at once.  
6

7 Chairman Gifford also inquired about conditions that would need to be changed, to  
8 which Assistant Planner Kendrick responded that only Condition No. 1 would require  
9 modification, as that is the condition that indicates the expiration date. She noted that it  
10 would also indicate that no further extensions were available for the applicant.  
11

12 Commissioner Moghadam wanted to know about regulation requirements, such as  
13 fossil fuel regulations.  
14

15 CDD Elliano clarified that this was simply the planning approval for use, and that when  
16 the project goes through plan check, it would need to be in accordance with all current  
17 codes and ordinances.  
18

19 Chairman Gifford opened the public hearing and asked the applicant's representative to  
20 approach the lectern.  
21

22 Navin Makan, 1260 Alexander Street, Redlands, California approached the lectern as  
23 the project applicant, and indicated that the primary reason for the extension request  
24 was financing. He noted that the project was LEED-certified.  
25

26 Jeff Holbrook, 27201 Puerta Real, Mission Viejo, addressed the Commission as a  
27 representative of the Florida Promenade. He advised that a Family Dollar store was  
28 considering the Promenade as a location and suggested that as business picks up at  
29 Winco, additional attention would be attracted. He noted that they were investigating  
30 any interests and hoped to soon have a restaurant in the front pad. As more traffic is  
31 generated in the center, hopefully it will bring more interest in the project. He hoped that  
32 as they were completing the planning process at the Promenade, it would help Mr.  
33 Makan's efforts.  
34

35 Commissioner Overmyer expressed hope that the plans could progress in two years,  
36 but understood the need for the three year extension. He indicated that this was the  
37 type of project he was excited to have completed in Hemet.  
38

39 Chairman Gifford closed the public hearing and asked if the Commission had further  
40 questions.  
41

42 Commissioner Moghadam voiced questions concerning drainage issues at the site.  
43

44 CDD Elliano explained that they had already done a specific plan for the project, which  
45 included studies such as hydrology and water quality. She added that the Engineering  
46 Division would complete additional hydrology studies upstream and downstream so that  
47 the bigger drainage area was examined, rather than just one project.  
48

49 Chairman Gifford added that the project had been approved previously and that they  
50 are only at this time asking for an extension of time. When that extension is over, the

1 project will be reexamined and the Commission will have a chance to look at specific  
2 plans and issues.

3  
4 CDD Elliano further outlined that this project could go forward any time within the three-  
5 year window, but that the entire drainage area would be reviewed as a whole to make  
6 sure it is consistent with the master drainage plan.

7  
8 Chairman Gifford reiterated that when a conditional use permit is approved, the  
9 applicant has a two-year window before it expires. If at the end of that period, the  
10 applicant has not been able to move on the project, a three-year extension is possible,  
11 so what the Commission is doing at this time is merely affording the applicant additional  
12 time to perform under the conditional use permit.

13  
14 Since there were no other questions or comments of the Commission, Chairman  
15 Gifford solicited a motion.

16  
17 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner Perciful  
18 to **ADOPT** Planning Commission Resolution Bill No. 12-005, as modified to change the  
19 date within the resolution, as well as within Standard Condition No. 1 from December 8,  
20 2013 to December 8, 2014.

21  
22 The **MOTION** was carried by the following vote:

23  
24 **AYES:** Chairman Gifford and Commissioners Moghadam, Overmyer and Perciful  
25 **NOES:** None  
26 **ABSTAIN:** None  
27 **ABSENT:** None  
28

29  
30 *(Adopted Planning Commission Resolution No. 12-005.)*

## 31 32 **WORK STUDY SESSION**

### 33 34 **8. HAND HELD SIGNS AND OTHER TEMPORARY SIGNAGE**

35  
36 **DESCRIPTION:** A Work Study session as requested by the Planning Commission  
37 to provide a review of existing policies and regulations regarding hand held signs,  
38 banners, and other forms of temporary signage in the City.

39  
40 CDD Elliano explained that a work study was a session where Commissioners could  
41 ask questions about a code, provide guidance to staff, ask for further information, or  
42 initiate a change in the code or ordinance that staff could take forward to City Council.  
43 She indicated that, like the Commission, the Hemet ROCS Citizen's Advisory  
44 Committee was also concerned about the proliferation of hand-held signs and the  
45 message the practice was sending.

46  
47 CDD Elliano referred to the sign code which was appended to the staff report for this  
48 item. She explained the difference between hand-held signs or temporary signs and  
49 permanent signs, and advised that unpermitted signs tended to be a problem  
50 throughout the City. She indicated that the content of a commercial sign could not be  
regulated, as long as it was not lewd, which was also the case with free speech. She  
explained that a commercial message is related to a profitable entity; while a

1 noncommercial message is something like "Save the whales," or a political statement,  
2 and is a free speech right. If a sign is obstructing traffic or pedestrians, however, it can  
3 be regulated. The signage that can be regulated are commercial messages. Ordinarily  
4 such things as a mascot dressed as an animal or twirling signs are not permitted.  
5 However, in February of 2009, City Council took action to suspend enforcement due to  
6 the down economy. Other cities in the area that took similar action have now reversed  
7 their moratorium and are enforcing temporary signage regulations once again.  
8

9 From the Code Enforcement and Planning Division perspectives, CDD Elliano  
10 explained, clarity is important, and staff will present some recommended changes, that  
11 would assist in the ease of enforcement.  
12

13 Principal Planner Papp presented examples for the Commission of the variety of signs  
14 appearing in the city.  
15

16 Chairman Gifford suggested that the problem the city has is with enforcement, noting  
17 that while he understands the constraints on the Code Enforcement Division, if the  
18 rules are not enforced, having more regulations is going to be a waste of time. He felt  
19 the best way to keep temporary signage from happening would be to make sure people  
20 know that the rules are being enforced.  
21

22 CDD Elliano clarified that the code prohibits any hand-held or temporary signage. The  
23 City Council suspended the prohibition, which left it wide open. The question at this  
24 point is, does the community want to see the prohibition reinstated or continue the  
25 moratorium.  
26

27 Chairman Gifford stated that if the city wants to have the temporary signage continue,  
28 there should be some restrictions put into place to make business owners comply with  
29 something tasteful for the city.  
30

31 Commissioner Perciful suggested that some regulations be established regarding  
32 where such signage could be displayed, so that traffic isn't endangered. He also  
33 commented on a business owner's statement to him that if the signs were prohibited, it  
34 would put her out of business. Therefore, maybe an ideal solution would be to have  
35 size and location restrictions.  
36

37 Commissioner Overmyer expressed his feeling that the hand-held signs are  
38 counterproductive in attracting more upscale businesses. He suggested that more  
39 information would be prudent, but at face value, he felt a reinstatement of the ordinance  
40 might be of benefit to the City.  
41

42 Commissioner Moghadam inquired regarding the differences between the City of  
43 Hemet and County of Riverside regulations, because there seemed to be a much less  
44 enforcement on the east side of Florida Avenue, which is in the county.  
45

46 CDD Elliano explained that the city ordinances are more stringent than the county as a  
47 whole. She stated that staff could come back to the Commission with more information  
48 about what other communities are doing about signage.  
49  
50

1 Chairman Gifford opened the discussion to public comment, and C.W. Cecci, 2433  
2 Tulip Court, who is a member of the Parking and Traffic Commission, suggested getting  
3 the code in front of the public so that comments could be solicited.  
4

5 CDD Elliano directed him to the city's Web site, and the Hemet Municipal Code,  
6 Chapter 90 – Zoning, and Article 36 – Signage. She also stated that the sign holders  
7 are encroaching further into the right-of-ways, if not sometimes onto the streets.  
8

9 Chairman Gifford suggesting reaching out to the businesses and letting them know that  
10 the topic is under discussion and their input is invited. Then once an ordinance is  
11 adopted, there should be some recourse to the businesses if they are not following the  
12 sign ordinance.  
13

14 Commissioner Overmyer agreed that the Commission needs to hear from the business  
15 owners.  
16

17 CDD Elliano suggested that an additional avenue would be to reach out to the  
18 Chamber of Commerce and ask them to consult their membership to gather some  
19 input. She also stated that this topic would be put on the Planning Commission  
20 agenda from time to time, and they would report on what other cities in the county are  
21 doing.  
22

## 23 DEPARTMENT REPORTS

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### 24 9. PREVIEW OF UPCOMING PROJECTS:

#### 25 A. Applicant-initiated projects

26 Principal Planner Papp reported on upcoming projects within the city that have been  
27 initiated by applicants.  
28

#### 29 B. City-initiated projects

30 CDD Elliano reported that six city-initiated projects, proposed by the Hemet ROCS  
31 Program, as well as the Florida First Program, are moving through the city's approval  
32 process. Two ordinances – the Chronic Nuisance Ordinance and the Drug & Gang  
33 Related Nuisance Ordinance – will be reviewed by the City Council at their next  
34 meeting. Staff will be coming to the Planning Commission on May 1<sup>st</sup>, with a zoning  
35 ordinance amendment regarding boarding houses and group homes.  
36

37 CDD Elliano further reported that the Housing Element was just adopted as part of the  
38 General Plan Update, noting that because it is the only element of the General Plan  
39 that requires a state agency approval, it will not become official until it is certified by the  
40 state. Also, they are working with Riverside County, who has purchased quite a bit of  
41 property on North State Street that is proposed to be mixed-use commercial and  
42 residential, that should revitalize that portion of State Street.  
43

44 Additionally, there is a zoning consistency program underway, which will ensure that  
45 the zoning map is consistent with the General Plan. The project will take approximately  
46 two years because we don't necessarily have all the ordinances in place that are  
47 needed, as envisioned in the General Plan.  
48  
49  
50

1  
2 Staff is also working on streamlining procedures and processes and a number of  
3 different other implementation ordinances for the General Plan, so we will be taking it in  
4 phases and bringing it forward to the Commission under the umbrella of the zoning  
5 consistency.  
6

7 Also being brought forward are a fence and wall ordinance, an upgrade of the  
8 landscape and property maintenance standards, update of the city's local CEQA  
9 Guidelines, and an annual report on the General Plan (what's working or not working)  
10 coming up in December or January.  
11

12 The Highway 79 realignment plan hasn't been released yet by the Riverside County  
13 Transportation Commission, but will be reviewed by staff to protect the city's interests  
14 when it becomes available.  
15

### 16 C. County of Riverside Hemet-Ryan Airport Master Plan 17

18 CDD Elliano reported that the Hemet-Ryan Airport has been in existence since the  
19 1940s and was a training airport for World War II. Now it is primarily a recreational  
20 airport, with a Cal-Fire attack base and a Mercy Air helicopter function. It is owned and  
21 operated by the County of Riverside, which has developed a Draft Master Plan, with the  
22 Draft EIR that the city has commented upon. Although they have come to the  
23 conclusion that the runway is not going to be expanded, they also indicated in their plan  
24 that they might expand it in the future, which creates some uncertainty for the city, as  
25 the General Plan zoning would be affected.  
26

27 Furthermore, the air attack base is moving to the north side of the airport, which is next  
28 to a mobile home park, creating concern with the park residents. She is bringing this to  
29 the Commission's attention as background for future plans and proposals as whatever  
30 is eventually adopted as the runway plan does impact development projects that come  
31 before this Commission.  
32

33 Robin Lowe, 5825 Nectar Avenue, Hemet (speaking out of order after the City  
34 Attorney's Report), indicated she was representing the Hemet West Mobile Home Park,  
35 located 150-200 feet north of the northern side of the airport. She expressed concerns  
36 relative to Whittier Road, noise, lack of notice to park residents, elimination of a Hemet  
37 subcommittee with Deanna Elliano and Ron Running as members, the 24/7 strike team  
38 that would increase traffic, noise, and lighting for the residents of the park.  
39  
40

## 41 **10. CITY ATTORNEY REPORTS** 42

### 43 **A. Discussion of New FPPC Gift Rules** 44

45 City Attorney Jex outlined the changes to the FPPC rules, which set a limit of \$420 per  
46 person per year in gifts that a public official can receive, as follows:  
47

- 48  
49 1. Gifts from a business relationship can now be exempt from the gift-giving rule,  
50 but it has to be very clear that the gift is business related, that it has no  
connection to a Commissioner's position as a public official.

- 1 2. Reciprocal exchanges of gifts: Local officials can treat and be treated by those  
2 with whom they have an ongoing social relationship, such as lunch where you  
3 take turns paying for each other's meal without the need to report it as a gift.  
4 However, it must be a similar exchange.  
5
- 6 3. Tickets to a nonprofit or a political fundraising event are exempt.  
7
- 8 4. A public official can receive a complimentary ticket to an event if the public official  
9 participates in a ceremonial role and that ceremonial role is the focus of the  
10 event or some portion of the event, such as throwing out the first pitch at a  
11 baseball game or presenting a proclamation.  
12
- 13 5. Acts of neighborliness, such as providing ordinary assistance or polite behavior is  
14 now not considered a gift, such as borrowing tools or asking someone to take  
15 care of a pet.  
16

17 City Attorney Jex then passed out a summary of the FPPC Gift rules to the  
18 Commissioners.  
19

## 20 **11. COMMUNITY DEVELOPMENT DIRECTOR REPORTS**

- 21 **A.** Report on City Council actions from the March 17, 2012 and April 10, 2012  
22 meetings.  
23  
24

25 CDD Elliano reported that the two new Planning Commissioners were appointed at the  
26 March 17<sup>th</sup> meeting. The April 10<sup>th</sup> meeting included a work study concerning the  
27 proposed MWD Diamond Valley Lake project, which will be brought to the Planning  
28 Commission to bring them up to date. Also at that meeting, Council approved the  
29 Armed Forces Banner Program and the Tres Cerritos East Specific Plan was approved.  
30

- 31 **B.** Report on the State of the City Address  
32

33 CDD Elliano reported that Chairman Gifford and Commissioner Perciful had attended  
34 the event, which was held in the Historic Hemet Theater. The evening highlighted the  
35 potential of art and culture within the valley and within the theater itself. The Mayor's  
36 address focused on where Hemet has been and where it's going as a city, and  
37 highlighted the Hemet ROCS program.  
38

## 39 **12. HEMET ROCS CITIZEN ADVISORY COMMITTEE REPORT**

40 Chairman Gifford represented the Planning Commission on the Citizen's Advisory  
41 Committee (CAC) for Hemet ROCS (Restoring Our Community Strategy) and explained  
42 that its ordinances and actions are what the city needs to reclaim the streets in some  
43 cases and to certainly make Hemet a more attractive and law-abiding city. The CAC –  
44 Citizens Advisory Committee – is a group of people selected to go through the  
45 ordinances with the Community Development Director, Police Chief, the City Attorney  
46 and other City staff, and offer insight and suggestions from a community standpoint on  
47 the viability or need for change of these ordinances.  
48  
49  
50

1 At the first meeting several weeks ago, the CAC, made up of land owners, rental  
2 property owners, business people, and citizens at large, selected a chair and vice chair,  
3 and had a chance to look at a couple of ordinances which were going to City Council.  
4

5 **13. PLANNING COMMISSIONER REPORTS**  
6

- 7     **A.** Chairman Gifford (Nothing to report)  
8     **B.** Commissioner Overmyer (Nothing to report)  
9     **C.** Commissioner Perciful (Nothing to report)  
10    **D.** Commissioner Moghadam (Nothing to report)  
11

12  
13 **14. FUTURE AGENDA ITEMS:**  
14

15 CDD Elliano noted that the May 1<sup>st</sup> agenda would include the election of Chairman and  
16 Vice Chairman for the Commission, detailing that there were no limits to the number of  
17 terms the positions could serve.  
18

19 The agenda will also include a zone change for the Esplanade Commerce Center, A  
20 General Plan Amendment for the Housing Element and Land Use Map Revisions, and  
21 a Zoning Ordinance Amendment regarding boarding houses and group homes. Other  
22 future items include a report on industrial development opportunities, the status of the  
23 shopping cart retrieval plan and compliance, and Part II of the proposed fence  
24 ordinance.  
25

26  
27 **15. ADJOURNMENT:** It was unanimously agreed to adjourn the meeting at 7:46 p.m.  
28 to the regular meeting of the City of Hemet Planning Commission scheduled for  
29 **May 1, 2012 at 6:00 p.m.** to be held at the City of Hemet Council Chambers  
30 located at 450 E. Latham Avenue, Hemet, California 92543.  
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38 John Gifford, Chairman  
39 Hemet Planning Commission  
40

41 ATTEST:

42   
43 Nancie Shaw, Records Secretary  
44 Hemet Planning Commission  
45  
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