

PLANNING COMMISSION

AGENDA

REGULAR MEETING OF THE HEMET PLANNING COMMISSION
City Council Chambers
450 East Latham Avenue, Hemet CA 92543

December 4, 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, Vice Chairman Vince Overmyer, and Commissioners Nasser Moghadam, Michael Perciful, and Greg Vasquez

Invocation and Flag Salute: Commissioner Perciful

2. APPROVAL OF MINUTES:

A. Minutes of the October 16, 2012 Meeting

3. 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 MEETING ITEMS

The following agenda item does not require a public hearing, but the Planning Commission may accept public testimony in accordance with the normal public hearing procedure.

4. SITE DEVELOPMENT REVIEW NO. 12-006 (Hemet Chrysler Dodge Jeep Ram)

APPLICANT: David Pedder
AGENT: Russell Rumansoff – Herron and Rumansoff
LOCATION: 240 Carriage Circle
PLANNER: Carole Kendrick – (951) 765-2375

DESCRIPTION: A request for Planning Commission review and approval of a Site Development Review (SDR) application for the construction and operation of a 5,995 square-foot automotive service facility and 630 square-foot second floor storage area located within the Hemet Auto Mall Specific Plan (SP 87-28).

Recommended Action:

That the Planning Commission:

1. Adopt Planning Commission Resolution Bill No. 12-022, entitled: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA APPROVING SITE DEVELOPMENT REVIEW NO. 12-006 FOR CONSTRUCTION AND OPERATION OF A 5,995 SQUARE-FOOT AUTOMOTIVE SERVICE FACILITY AND A 630 SQUARE-FOOT SECOND STORY STORAGE AREA LOCATED AT 240 CARRIAGE CIRCLE (APN: 456-010-029)."

PUBLIC HEARING ITEMS

Meeting Procedure for Public Hearing Items:

1. Receive Staff Report Presentation
2. Commissioners report 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

5. SPECIFIC PLAN NO. 11-001 (North Hemet Specific Plan) & DRAFT ENVIRONMENTAL IMPACT REPORT (SCH NO. 2011101031) – Continued from October 16, 2012

APPLICANT: Housing Authority of the County of Riverside
AGENT: Karen Gulley – The Planning Center
LOCATION: Northwest corner of North State Street and Oakland Avenue
PLANNER: Ron Running – (951) 765-2375

DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding the establishment of the proposed

North Hemet Specific Plan for a 28.6± acre site and the proposed Draft Environmental Impact Report establishing a maximum of 525 multi-family residential units (100 units within mixed-use areas), 118,919 square-feet of retail commercial, and 16,335 square feet of office space.

Recommended Action:

That the Planning Commission:

1. *Open the public hearing and take testimony regarding the proposed project and Draft EIR; and,*
2. *Provide any additional Planning Commission comment, or direction to staff and the applicant, regarding the Draft EIR and Draft North Hemet Specific Plan (SP 11-001); and,*
3. *Continue the Public Hearing to the January 15, 2013 meeting for formal action and recommendation to the City Council on the Final EIR and SP 11-001.*

6. ZONING ORDINANCE AMENDMENT NO. 12-005 (Alcoholic Beverage Regulations)

APPLICANT: City-initiated

LOCATION: City-wide

PLANNER: Emery Papp – (951) 765-2375

DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding a Zoning Ordinance Amendment to modify Chapter 90, amending Article III of the Hemet Municipal Code, adding regulations for the sale of alcoholic beverages, with related modifications to the land use matrix for commercial and industrial zones. This ordinance is a component of the Hemet ROCS (Restoring Our Community Strategy) Program for the City of Hemet.

Recommended Action:

That the Planning Commission:

1. *That the Planning Commission Adopt Planning Commission Resolution Bill No. 12-023, recommending APPROVAL of Zoning Ordinance Amendment No. 12-005 (Ordinance Bill No. 13-001) to the City Council.*

WORK STUDY ITEMS

Work Study items are not public hearings and do not require prior notice to the public, although notice may be given to interested persons depending upon the subject matter. The purpose of the Work Study session is to allow the Planning Commission to engage in an open, preliminary review and discussion of issues, ordinances, procedures, or projects prior to the formal public hearing process. The Planning Commission has the option to receive public comment, and may also provide direction to staff at the conclusion of the work study session.

7. **Overview of new State Planning Legislation effective January 1, 2013 and AB 1616- the "California Homemade Food Act"** - *Verbal report by Community Development Director Deanna Elliano*
8. **Report on Industrial Development Opportunities within the City of Hemet** - *Verbal report by Community Development Director Deanna Elliano*

DEPARTMENT REPORTS

9. **CITY ATTORNEY REPORTS:** *Verbal report from Assistant City Attorney Stephen McEwen on items of interest to the Planning Commission.*

10. **COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**
 - A. Verbal Report on City Council actions from the October 23, 2012 and November 13, 2012 meetings
 - B. Proposed Cancellation of December 4, 2012 and January 1, 2013 Planning Commission Meetings

11. **HEMET ROCS CITIZEN ADVISORY COMMITTEE REPORT** – *Chairman John Gifford*

12. **PLANNING COMMISSIONER REPORTS:** *Commissioner reports on meetings attended or other matters of Planning interest*
 - A. Chairman Gifford
 - B. Vice Chair Overmyer
 - C. Commissioner Moghadam
 - D. Commissioner Perciful
 - E. Commissioner Vasquez

13. **FUTURE AGENDA ITEMS:** *Items to be scheduled for upcoming Planning Commission Meetings*
 - A. Phase 1 of the General Plan Consistency Zoning Program
 - B. Zoning Ordinance Amendment regarding Cottage Food Operations (AB 1616)
 - C. Proposed Fence Ordinance – Part II
 - D. Temporary Sign Provisions – Part II

- 14. ADJOURNMENT:** To the meeting of the City of Hemet Planning Commission scheduled for **January 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 #2A

PLANNING *COMMISSION*

MEETING MINUTES

DATE: October 16, 2012

CALLED TO ORDER: 6:00 P.M.

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

1. CALL TO ORDER:

PRESENT: Chairman John Gifford, Vice Chairman Vince Overmyer, and Commissioners Nassar Moghadam, Michael Perciful, and Greg Vasquez

Invocation and Flag Salute: Chairman Gifford

2. APPROVAL OF MINUTES:

A. Minutes of the September 16th, 2012 Meeting

It was **MOVED** by Commissioner Perciful and **SECONDED** by Commissioner Overmyer to approve the minutes of the September 16, 2012 City of Hemet Planning Commission, as presented.

The motion was carried by the following vote:

AYES: Chairman Gifford, Vice Chairman Overmyer, and Commissioners Perciful, Moghadam, and Vasquez

NOES: None

ABSTAIN: None

ABSENT: None

3. PUBLIC COMMENTS:

There were no members of the public who wished to address the Commission regarding items not on the agenda.

PUBLIC HEARING ITEMS

4. CONDITIONAL USE PERMIT NO. 12-006 (WALGREENS SALE OF ALCOHOL)

APPLICANT: Walgreens
AGENT: Michael Shaw, Store Manager
LOCATION: 1311 E. Florida Avenue
PLANNER: Soledad Carrisoza — (951) 765-2375

DESCRIPTION: A request for Planning Commission review of a Conditional Use Permit for the sale of beer, wine and spirits after 9 p.m. and Finding of Public Convenience and Necessity for the Walgreens located on the southeast corner of Florida Avenue and San Jacinto Street.

CDD Elliano commented that after notification was sent out on the public hearing, the Planning Department received communication from Walgreens and their representative requesting that the matter be tabled for six months or until such time that they are ready to bring the matter back for public hearing.

Chairman Gifford responded for the need of a motion and vote to do so. He asked for discussion regarding any objections as to why the Commission should not move this forward, opening the discussion to both the Commission and the public for response.

Commissioner Moghadam inquired regarding the reasons for the postponement of the item.

CDD Elliano responded that staff was recommending denial on the basis of reports from the police department and over-concentration within that area. She noted that the applicant was aware of this, and therefore requested a continuance since Walgreens was also aware that the Commission was working on the alcoholic beverage ordinance.

Commissioner Overmyer asked if they were not selling alcohol beverages currently.

CDD Elliano responded that they were not.

Chairman Gifford opened the public hearing on Item No. 4 and seeing no comments, asked for a motion for a continuance or other recommendation.

It was **MOVED** by Commissioner Overmyer to table Conditional Use Permit No. 12-006 (Walgreens sale of alcohol) for six months, with a request for clarification from the City Attorney.

Assistant City Attorney Steve McEwen suggested that the item be tabled rather than continued, because there is no date of certainty for which to return at this time, and Walgreens would come back to the Planning Commission when ready.

1 The motion was **SECONDED** by Commissioner Perciful, and carried by the following
2 vote:

3
4 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
5 Perciful, Moghadam, and Vasquez

6 **NOES:** None

7 **ABSTAIN:** None

8 **ABSENT:** None

9
10 **5. SPECIFIC PLAN NO. 11-001 & DRAFT ENVIRONMENTAL IMPACT REPORT**
11 **(NORTH HEMET SPECIFIC PLAN)**

12
13 **APPLICANT:** Housing Authority of the County of Riverside

14 **LOCATION:** Northwest corner of North State Street and Oakland Avenue

15 **PLANNER:** Ron Running — (951) 765-2375

16
17
18 **DESCRIPTION:** A request for Planning Commission review and
19 recommendation to the City Council regarding the establishment of a Specific
20 Plan for a 28.6+/- acre site and the proposed Draft Environmental Impact
21 Report establishing a maximum of 525 multi-family residential units (100 units
22 within mixed-use areas), 118,919 square feet of retail commercial, and 16,335
23 square feet of office space.

24
25 The staff report was presented by Project Planner Ron Running, who displayed a
26 PowerPoint presentation and provided various details regarding the proposed project.

27
28 Chairman Gifford thanked Mr. Running and staff for the work done on this item. He
29 noted that the Commission had been presented a work study on this project at an
30 earlier date, adding that the CEQA document has been placed on the City's website for
31 the 45-day comment period.

32
33 Planner Running added that the documents are available on the website, as well as at
34 the library and City Hall.

35
36 Chairman Gifford questioned if whether the assumptions for future project development
37 were dependent on having a future Metrolink station nearby.

38
39 Planner Running responded that at some time in the future the Metrolink would be
40 developed in Hemet, as it is on the RCTC master plan.

41
42 Chairman Gifford suggested that the density might be a problem since there is about a
43 third of the land area proposed as high density. Having a Metrolink in this area makes
44 sense, but if the Metrolink does not come in, this will come back to the Commission for
45 some specific issues that will need to be addressed at that time.

46
47 Planner Running commented that all future developments related to the specific plan
48 would come before the Planning Commission for review on an individual basis.

49
50 Chairman Gifford responded that staff should "put a red line" next to that for
consideration since most of the land area under consideration is open land at this point.

1 He inquired regarding whether the current land owners had been contacted regarding
2 this specific plan.

3
4 Planner Running indicated that notifications were sent to all of the landowners, and
5 advised that the county had been negotiating with the property owners within the
6 project and had held a stakeholder meeting about a year ago as one of the several
7 attempts at community outreach.

8
9 Chairman Gifford noted one property on the corner of Menlo Avenue and State Street
10 that might be replaced with something more attractive and reminded the Commission
11 that staff had been working on this for a number of years. He added a comment that in
12 his review of the EIR report, he was surprised that it didn't address cultural issues. For
13 example, the Hemet Stock Farm was not specified as a cultural resource, and some
14 sort of reference to the Stock Farm should be noted so that any remaining historic
15 buildings are preserved.

16
17 Planner Running explained that this project did not include the Stock Farm within its
18 boundaries.

19
20 Commissioner Moghadam expressed some concerns regarding the density on the
21 northwest side of the site, and the aesthetics and height of the buildings with respect to
22 the single-family homes at that location.

23
24 Planner Running shared that it is hoped that an assisted-living or senior-housing
25 project might be developed at this location, although he noted that the specific plan
26 does allow for conventional multiple-family housing in that area. He added that he
27 would look at the height issue, explaining that three stories, 40 feet high, was the
28 maximum allowed for that area.

29
30 Commissioner Moghadam continued asking about adjacent residences. He wondered
31 if any kind of landscaping or relief would be available or if the plan would be too dense,
32 with people being able to view their neighbor's backyard.

33
34 Planner Running responded that the plan included a ten-foot setback.

35
36 Commissioner Moghadam continued sharing his concern as far as the residential
37 setbacks and the possibility of reducing the heights at that location on the west corner.
38 He wondered about the width of the streets with landscaping and pedestrian areas,
39 along with parking, biking, and car lanes on State Street and Menlo Avenue.

40
41 Planner Running indicated that parking had been removed on State Street to ease this
42 problem.

43
44 Commissioner Moghadam asked if a reduction in the speed limit was considered or if
45 the limits would remain the same.

46
47 Planner Running responded that speed limits were outside the scope of the specific
48 plan document, noting that these types of issues are usually handled through the
49 Engineering Department.

50
Chairman Gifford added that the center divider would promote a slowing of the traffic.

1 Vice Chairman Overmyer commented that for him the important question would be
2 ownership of some of the parcels, and again whether the Metrolink has a specific
3 location designated for development.

4
5 Planner Running responded that there was no specific location planned for the
6 Metrolink, and that staff has only indicated its best guess on the maps.

7
8 Vice Chairman Overmyer agreed with the concerns that had been expressed regarding
9 the high-density issue, although he indicated that if the City is required to have higher
10 density housing this is a good location for it.

11
12 Commissioner Vasquez asked about the time frame for the project.

13
14 Planner Running said that build out of the project could be over a fairly long time frame
15 – probably 15 years. It will largely depend upon market conditions.

16
17 Commissioner Vasquez expressed concern regarding the length of time for project
18 completion, and the impact to the City if the project were not completed. He asked if
19 the time frame might be shortened if a developer were found.

20
21 Planner Running concluded that their hope was to find one major developer, once the
22 market rebounds, and then it would be possible to develop in a much shorter time
23 frame.

24
25 Chairman Gifford commented his belief that the Metrolink would drive this project and
26 wondered when it was anticipated to come in. He further requested a professional
27 opinion regarding when the project was anticipated to begin.

28
29 CDD Elliano responded that there had been approval for the Perris Line connection
30 which is the piece needed before the eastern extension could begin. She shared that
31 as part of the regional documents reviewed earlier this year – called the Regional
32 Transportation Plan or the RTP – as to the prioritizing of the various transportation
33 projects throughout the region, those that are funded have a higher priority. Without
34 funding it could be a 20-year window, but if funding were found, the project would move
35 up as a priority and the window could become as small as perhaps five-years. The
36 majority of the right-of-way that makes the connection from the Perris station is here,
37 and is relatively open land. Although the rail needs upgrading, the RCTC owns all of
38 the right-of-way, which is a huge advantage over some of the other potential
39 connections in the other communities.

40
41 Chairman Gifford concluded that a 15-year window to build this project out is
42 unrealistic, especially if we don't have a time frame from Metrolink, who is the driver of
43 this part of the project. He further suggested that even though State Street is the
44 northern gateway to the City, and the City cares how it will develop, the key to it is the
45 Metrolink, along with the City/County government center and library. If the Metrolink
46 happens, it will be self-sustainable.

47
48 Planner Running reported that the proposed Metrolink from San Bernardino to
49 Redlands has an ever-shortening time frame now to within five years because of
50 creative financing and grant funding from the Federal Transportation Administration.

1 He shared his optimism for the Hemet project and the possibility for the high-speed
2 railway to San Diego as a future project.

3
4 CDD Elliano reminded the Commission of the synergistic relationship between land
5 use planning and the Metrolink's priorities. She continued by listing the issues that
6 needed to be considered, such as ridership and land use planning that links to
7 transportation networks. She noted the importance of the specific plan development,
8 since in the specific plan we have an overall infrastructure plan, and land uses that
9 have been crafted for this site that create a potential demand for the metrolink. She
10 further noted that the Commission has ultimate authority and control over the actual
11 building design and construction of the project. Each project that comes forward will
12 have detailed reviews. She again reminded that this is a zoning document, looking at a
13 broad brush picture for the project.

14
15 Chairman Gifford thanked CDD Elliano for her summary.

16
17 CDD Elliano added that even without the Metrolink, future development of this part of
18 town will be achieved much more in keeping with what the City's vision is if there are
19 detailed design standards rather than simply using conventional zoning for each small
20 parcel at a time.

21
22 Vice Chairman Overmyer wondered if the specific plan could be adopted with the
23 current ownership intact.

24
25 CDD Elliano responded in the affirmative, noting that the City has police power to
26 adopt consistent zoning with the General Plan.

27
28 Vice Chairman Overmyer asked if majority ownership is one of the fundamental
29 determinations behind being able to change the zoning.

30
31 CDD Elliano answered by noting that the City always has the ability to enact zoning,
32 whether we have approval or agreement from the property owner or not. However, as
33 a practical matter, the City would prefer to have property owners' support because of
34 respecting private property rights. She believes it is a benefit that the County has the
35 majority ownership.

36
37 Chairman Gifford opened the public hearing on this item.

38
39 Assistant City Attorney McEwen reminded the Commission that this item remains open
40 as a public hearing until December 4th, so a proper motion would be to continue the
41 public hearing.

42
43 Ms. Elizabeth Pierce, 363 Long Street, approached the lectern and commented
44 regarding crime impact studies, noting that if this project was developed as low to
45 middle income it could bring some possible undesired elements into the City. She also
46 wondered what impact this might have on the police and fire departments as perhaps
47 indicated in the Draft Environment Impact Report. She stated that her concern
48 continues regarding the new properties such as mobile homes, what would be the
49 impact of having, for example, assisted living properties if crime already is seen in
50 these areas now, and what level of income is projected for this multi-family living

1 spaces. On another note, she asked about flooding on State Street and Oakland
2 Avenues, and what was anticipated with regards to this.

3
4 Chairman Gifford thanked Ms. Pierce and commented that the CEQA document is
5 open for public review now and for the next 45 days. Many of these concerns have to
6 be addressed in the CEQA document such as flooding impact, police and fire services,
7 etc. If it is not covered adequately, public comments are invited since we need to know
8 the impact to people that live there and are on the ground, so to speak.

9
10 CDD Elliano added her comments in terms of crime and the impact study. She stated
11 that the impact of police and fire are addressed within the EIR and that one of the
12 mitigation measures on police and fire is done at the time of development. Every
13 development unit and all commercial industrial properties have to pay a development
14 impact fee towards police and fire provisions. In addition, there is a mitigation measure
15 that this property would become a part of a public safety Community Facilities District,
16 which means it has an annual assessment that is applied to new development, this
17 property would fall under that. In terms of the affordability levels, the specific plan
18 document itself is the zoning document that establishes the land use and density, not
19 affordability. If, however, the County and the Housing Department were to negotiate
20 with a particular housing developer, they may have a certain affordability criteria they
21 might consider for a senior housing project. We do not have any details at this time
22 and at this level of the project.

23
24 Chairman Gifford commented for clarification that this is a programmatic document,
25 meaning that it sets the framework while the details – when they come in and actually
26 move to development – must come back to this Commission, and to the public. Details
27 such as who the buyers are and the density must be decided at a later time as we
28 hope this valley will be a destination for young professionals and upper middle class.
29 So with this particular plan, our option is to either do nothing or to do what builds this
30 community so that the face of Hemet to those coming in on State Street, Florida
31 Avenue and Sanderson Avenue is upgraded. We want the Metrolink and a plan that is
32 going to attract people here.

33
34 Chairman Gifford continued sharing his concern for a better Hemet and responded to
35 Ms. Pierce's concern about the length of time it may take for this to be fulfilled and
36 completed.

37
38 CDD Elliano continued the discussion by advising that the Town and Country Mobile
39 Home Park had been part of a redevelopment effort, but when the Redevelopment
40 Agency was dissolved, so was the City's ability to purchase the mobile home park.
41 However, under the proposed plan, it would be designated or zoned for commercial,
42 and the City's anticipation and hope is that because commercial is a higher and better
43 use than what is there now, perhaps someone will see the value at this prime corner
44 for new commercial development.

45
46 Ms. Pierce continued sharing her concern about crime, the challenges of building
47 mansions next to shacks, and current devaluation of existing property.

48
49 Chairman Gifford encouraged the public to take a good look at the CEQA document
50 and the Environmental Impact Report, and then let the Commission know their
thoughts at the December 4th Planning Commission meeting, to which the project is

1 continued.

2
3 Ms. Paula Rangel (no address given) commented on the current state of Hemet and
4 her feelings that this project would not improve the City of Hemet, whose focus should
5 be on current challenges.

6
7 Chairman Gifford agreed with Ms. Rangel's statement regarding the state of the City of
8 Hemet. He added that the State mandates low income housing and the City must
9 comply with the state's policies; however, the plan is that these housing units, should
10 the Metrolink come into existence, will be utilized by young professionals and
11 commuters and that nothing can happen until these projects come back to the
12 Commission for approval.

13
14 Mr. Kelly Estes, 343 Long Street shared a list of his concerns about the current state of
15 Hemet and long-term projections and planning without regard to current conditions.

16
17 Chairman Gifford responded that these individual concerns are in the public record.
18 He again encouraged the public to look at the CEQA document over the next 45 days
19 and come back for the December 4th meeting.

20
21 Ms. Jenny Jones, 366 Socorro Street, shared her concerns about schools, traffic, new
22 construction, lack of school buses, and the state of the economy in Hemet.

23
24 Mr. Mike Pendergast (no address given) identified his issues and suggested trolley
25 service between Hemet and Perris as well as additional manufacturing jobs, and the
26 development of the Stock Farm.

27
28 Chairman Gifford noted his concern and suggested he contact CDD Elliano after the
29 meeting for an update regarding the police department's progress regarding crime in
30 Hemet.

31
32 Mr. Raul Sparz, 115 West Oakland, wanted to know the status of his property, which
33 The County EDA had expressed an interest in purchasing.

34
35 CDD Elliano suggested he contact Planner Running as to information regarding this
36 property.

37
38 An unidentified member of the public wanted to know what would happen to their
39 property since theirs is the only house left in the project area.

40
41 CDD Elliano responded that they would be able to continue to live in their home on
42 their property until such time they should decide to sell that property. At that point it
43 would be incorporated into the surrounding development.

44
45 Chairman Gifford reiterated that this is not subject to eminent domain. There is no
46 requirement that anyone move or sell their property; the City is simply zoning the
47 property.

48
49 City Engineer Biagioni explained that the City has one dog park on Cawston Avenue
50 but it takes funds to maintain one. The City has been spending \$3.7 – \$3.8 million
throughout the city for street improvements and to incorporate new streets for re-

1 paving.

2
3 Chairman Gifford queried if flooding improvements are made with funds from the City
4 or from the developers.

5
6 City Engineer Biagioni replied that the developers would be responsible for
7 construction of the basins.

8
9 Chairman Gifford clarified that the developers would be required to pay the fees to
10 improve the streets, including flooding issues.

11
12 City Engineer Biagioni further explained that it is a combination of money and
13 development impact fees, so the City is not spending money from the General Fund.

14
15 Commissioner Moghadam explained that Hemet is a flood zone and that this site is
16 going to contain itself. It is not going to overflow into what exists. He expressed
17 concern regarding the existing part that is flooding.

18
19 City Engineer Biagioni commented that the City has some money for flood control –
20 approximately \$4 million – in the development impact fee funds, which is quite small for
21 a huge storm project. They are expensive to build and there are many concerns
22 because of environmental conditions. The City is very flat and this is a huge challenge
23 for the issue of drainage. He just released a request for proposal to do a study on the
24 west side of the City, so hopefully that will be on-line and we can incorporate those
25 storm drains or channels in order for the developer to build some of them.

26
27 Commissioner Moghadam asked if the City had any plan concerning the slope, which
28 makes a difference in how fast the water goes.

29
30 City Engineer Biagioni replied that there is a master plan for drainage dated from 1984
31 that has identified all those areas. He reiterated that it is a matter of funding.

32
33 Chairman Gifford asked Planner Running the approximate size of the pocket parks in
34 the plan?

35
36 Planner Running responded that each are under an acre in size.

37
38 Chairman Gifford asked if one of those could be designated as a dog park, and
39 questioned whether an acre was enough space for a dog park.

40
41 Planner Running replied that it was, noting that the City had approved the Tres Cerritos
42 East dog park.

43
44 Kelly Estes referred to the City's vision of Menlo Avenue as a four-lane street, and
45 inquired regarding how far west that was proposed to go.

46
47 Planner Running responded that it would go all the way to the western city limit.

48
49 CDD Elliano explained that it is a master plan street in the General Plan, and to the
50 west it would be four lanes all the way out.

1 Mr. Estes stated that the City is asking the property owners to give up a lot of land for
2 this street.

3
4 CDD Elliano notated that it has been designated as a secondary street for a long time
5 now.

6
7 City Engineer Biagioni further clarified that this particular property is going to improve
8 the four lanes for Menlo Avenue within the project limits. There would be a lot of
9 property acquisition.

10
11 Chairman Gifford stated that the City has designated Menlo Avenue as a secondary
12 collector, which means those rights-of-way have been set for a long time. Therefore,
13 they don't have to be acquired if they are already part of the street plan.

14
15 Ms. Linda Pendergast who has lived in Hemet for twenty-seven and a half years
16 commented about the high percentage of businesses that are closing. She asked how
17 the City was proposing to keep the new project open. She felt it was bad timing.

18
19 Chairman Gifford commented that his own father was born in Hemet in 1930 and that
20 his family has been here for four generations. He posed that there are two indications
21 that must be made: 1) we need to invite people who are troublemakers to leave; 2) we
22 need to invite people into this community who will embrace it and become responsible
23 citizens.

24
25 Ms. Pendergast agreed and stated that it has been only in the last five years that their
26 property has been violated.

27
28 Chairman Gifford suggested that a good thing is that the community as a whole is
29 organizing to change things. He noted that there are a lot of good businesses, and that
30 he wished to attract a better entertainment complex.

31
32 Chairman Gifford next asked for a motion to continue the public hearing to December
33 4, 2012 at 6:00 p.m.

34
35 Shawn Roots, a resident off of Florida Avenue, shared that he liked the idea of the
36 development issue. He has been disappointed about the mall on the west side not
37 being successful, but for this side of town the development is a good idea.

38
39 It was **MOVED** by Commissioner Overmyer, and **SECONDED** by Commissioner
40 Moghadam to continue the public hearing for Specific Plan 11-001 to the meeting of
41 December 4, 2012.

42
43 The motion was carried by the following vote:

44
45 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
46 Perciful, Moghadam, and Vasquez

47
48 **NOES:** None

49 **ABSTAIN:** None

50 **ABSENT:** None

REVIEW AND ACTION ITEMS

6. REQUEST TO INITIATE PRE-ZONING FOR A PORTION OF THE WEST HEMET AREA- *Community Development Director Elliano*

Request for Planning Commission initiation of a pre-zoning application for 940.63 acres of property located east of California Ave. to the city limits, generally south of Stetson Ave., and north of Domenigoni Parkway, and within the City's adopted Sphere of Influence.

The staff report was presented by Project Planner Nancy Gutierrez, who gave a PowerPoint presentation and provided various details regarding the proposal.

Chairman Gifford asked if there was a downside to the Commission not agreeing to mediate the pre-zoning project.

CDD Elliano explained that staff has the ability to continue without the Planning Commission's action, but the question is whether the pre-zoning has merit, and whether staff time and resources should be utilized to process it. The downside is when the individual property owners request this, it will be more time-consuming and costly to do it individually than to do it as a large effort. She stated that she is a believer of local control and since the City spent so much time studying this area in the General Plan, if we don't start down that pathway, eventually, as the market picks up it will develop in the county and we will have lost our opportunity to guide how we think the development should occur. Right now we have willing property owners, a General Plan, a good EIR, and staff willing to do it. In her professional opinion, she thinks this is a good time to move forward.

Commissioner Moghadam stated that this was a good idea and a very good plan to continue on.

Vice Chairman Overmyer asked, with respect to the Airport Land Use Commission, if either of the two partial owners that did not respond were contacted.

Project Planner Gutierrez responded that one of them was within that area and it is their hope that it would be possible to negotiate a fair way for the fee to be shared.

Melissa Donahoe who lives along the South Creek was concerned about odor and pollutants.

CDD Elliano explained that MWD property is located within the area that the City is pre-zoning. There were conceptual ideas that they might want to do some pilot farming techniques out there, but they have not come forward with a proposal yet, and they are still trying to figure out what they are going to do with their different land holdings. The City will keep the Commission informed on that.

1 Chairman Gifford stated that this is a preliminary planning stage. Nothing can be
2 built out there on new development unless it comes through the CEQA and planning
3 processes, which would require review before this Commission.
4

5 Commissioner Moghadam inquired regarding whether they tilled the ground around
6 the property to eliminate a fire hazard.
7

8 Ms. Donahoe stated that she had noticed some tilling and planting, but that it sits as
9 dust and dirt through the hot season.
10

11
12 Commissioner Moghadam responded that there are steps that every contractor has
13 to take to mitigate the dust that's going to kick up.
14

15 It was **MOVED** by Commissioner Moghadam and **SECONDED** by Commissioner
16 Perciful to initiate the pre-zoning for the Southwest Hemet area.
17

18 The motion was carried by the following vote:
19

20 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
21 Perciful, Moghadam, and Vasquez

22 **NOES:** None

23 **ABSTAIN:** None

24 **ABSENT:** None
25

26 **WORK STUDY ITEMS**

27 28 **7. WORK STUDY REGARDING ALCOHOLIC BEVERAGE LAND USE** 29 **REGULATIONS** — *Community Development Director Elliano*

30 Work Study to review existing and proposed zoning code requirements for the
31 sale of alcoholic beverages.
32
33

34 The work study session was introduced by CDD Elliano, who explained that its
35 purpose was to review the City zoning regulations and update the code regarding
36 establishments that sell alcoholic beverages, with the overall intent of improving the
37 public health, safety, and welfare. It is also a component of the Hemet ROCS
38 (Restoring Our Community Strategy) program.
39

40 CDD Elliano went on to advise that the state department of Alcoholic Beverage
41 Control (ABC) is the agency that has exclusive authority to license and regulate the
42 sale, purchase, possession, and transportation of alcoholic beverages within the
43 state. She then embarked on a comprehensive PowerPoint presentation.
44
45

46 Commissioner Moghadam gave a history of his background with alcohol sales and
47 expressed concerns over making decisions that would be difficult to change at a
48 later date.
49

50 Chairman Gifford expressed his feeling that there is already an over-concentration of
places that sell alcohol, and it is prudent to have a bit more control and oversight.

1 The City is adding a CUP process to allow these places to come to the Commission
2 for approval.

3
4 Commissioner Perciful questioned whether there was not already a system in place
5 to deal with over-concentration.
6

7 CDD Elliano responded that there is no formal system to review such issues. There
8 is no one at either the staff or administrative level looking at these in detail and
9 making recommendations to the ABC. She noted that the City does not have any
10 processes, regulations, or standards currently in place, and is trying to get more
11 structure with flexibility so there is something to review. There are code
12 requirements in place that if an establishment that sells alcohol is open after 9 p.m.
13 they must have a CUP, but that seems outdated and in need of change. In addition,
14 she added that this could be streamlined even more at the ABC and staff level than
15 just the CUP.
16

17
18 With regard to the staff recommendation, CDD Elliano added that if the Commission
19 thought there was community benefit and interest in the number of liquor stores,
20 then a review process like the CUP would be imperative.
21

22
23 Commissioner Perciful felt the free market system would control the number of liquor
24 stores or smoke shops in Hemet.
25

26 Chairman Gifford posited the City's need to close loopholes in existing regulations
27 because there is still concern about the location of these facilities, such as near
28 schools.
29

30 Commissioner Moghadam commented on the cost of obtaining a license. He
31 questioned whether the charge of a CUP fee would bring more money to the City.
32

33
34 Commissioner Perciful asked if having a liquor store on the county side of Florida
35 Avenue would result in a loss of income for the City.
36

37 Chairman Gifford agreed that this was an issue to consider.
38

39 Commissioner Vasquez inquired as to why staff had brought this before the
40 Commission and asked what the Hemet ROCS Citizen Advisory Commission felt
41 needed attention.
42

43 Chairman Gifford at this point requested that the Commission take Item No. 10 out
44 of order since CDD Elliano had been present at the Hemet ROCS Citizen Advisory
45 Committee and could answer this question.
46

47
48 CDD Elliano explained that this topic had come up in the ROCS executive
49 committee, which is composed of the City Manager, the Mayor, the Council
50 members, the Police Chief and herself, as one of the things they wanted to look at to
acquire better regulations and control. They specifically requested that staff
investigate what Temecula and surrounding communities do in this regard.

1 Temecula recently prohibited liquor stores entirely. They grandfathered the ones that
2 were already there, but prohibited the establishment of any additional stores. At this
3 point staff is not proposing to take that path. Murrieta has many requirements,
4 including the hours of operation. Also, there were some members of the ROCS
5 Citizens Advisory Committee that work with youth and have concerns about alcohol
6 abuse in the community.
7

8
9 Commissioner Vasquez asked if this was a nuisance problem and therefore seen as
10 necessary for the City to address, or just a blanket statement that liquor stores are
11 bad for the community.
12

13 CDD Elliano stated that the concern was at least to have a process and some
14 regulations in place as opposed to what we now have, which, she suggested, in her
15 opinion is not effective.
16

17 Commissioner Vasquez questioned how much say the City has in whether or not
18 someone is going to be granted a permit as opposed to ABC's authority.
19

20 CDD Elliano explained that the ABC will not issue a license if a CUP is required and
21 the City has not issued one. This is an attempt to address the over-concentration
22 issue.
23

24 Commissioner Perciful stated that if an ordinance does get drafted it must be
25 consistent with the county and City of San Jacinto because they are bordering our
26 city.
27

28
29 CDD Elliano commented that right now both the county and San Jacinto are more
30 restrictive than Hemet.
31

32 Chairman Gifford invited the public to comment.
33

34 Hemet resident, Melissa Donahoe, stated that there are many obviously intoxicated
35 people walking the streets of Hemet, and an excessive amount of drunk driving
36 related accidents. If this ordinance can help, she felt it was something that the City
37 should do for the sake of our children and the residents.
38

39
40 Vice Chairman Overmyer questioned whether additional liquor stores would lead to
41 more alcohol use and abuse, and would the ordinance appreciably change how
42 much liquor is being consumed. On one side the City is trying to bring in new
43 business, and on the other side we are limiting businesses.
44

45 Chairman Gifford suggested that if consensus was the goal, then it may not be
46 achievable, but there might be ideas to share.
47

48
49 CDD Elliano indicated that staff would draft the ordinance to the best of their ability
50 based on the information the Commission had provided, and that it would either go
back to the Commission or to ROCS. She noted that when the overview was given
to the ROCS group, they were in favor of the process and of separation standards.

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DEPARTMENT REPORTS

8. **CITY ATTORNEY REPORTS:** *Verbal reports from Assistant City Attorney Steven McEwen on items of interest to the Planning Commission.*

Assistant City Attorney McEwen had no report to provide.

9. **COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

A. **Verbal Report on City Council actions from the September 25, 2012 and October 9, 2012 meetings**

CDD Elliano reported regarding the September 25th City Council meeting that there had been a lengthy work study presentation which had lasted approximately three hours, in an effort to respond to the community's concerns regarding a number of issues and related questions. Following that, the zoning ordinance regarding tobacco stores and smoking lounges was officially adopted.

At the October 9th City Council meeting there was an update regarding the Hemet ROCS Citizens Advisory Committee, which was originally scheduled to be in place for an estimated six-month period. The Council asked, and the CAC concurred, that they would be willing to continue their efforts for an additional seven months or less, in order to complete their work efforts. The extension was so authorized, and an additional member was added to the CAC – Larry Graves – who will be representing mobile home park communities.

Additionally, action was taken on a reimbursement agreement prepared for the benefit of the Valley Wide Recreation and Park District to build a concession and restroom facility at the Diamond Valley Park site, in the middle of the ball field complex. This will provide permanent restrooms, as well as lockers and storage. Also, the upper story will include a meeting room and outdoor observation deck. The City has directed Development Impact Fees in the amount of \$260,000 to be allocated to the restroom facility. The total construction costs are estimated at \$1.3 million.

B. **Schedule for November and December 2012 Planning Commission Meetings**

CDD Elliano discussed the schedule for Planning Commission meetings through November and December, indicating that staff would bring the ordinance regarding alcoholic beverage regulations to the next meeting, along with any other city-generated projects that might be ready.

Chairman Gifford proposed that the next Commission meeting be scheduled for December, unless pressing issues were to come up.

CDD Elliano noted that the next meeting would be potentially scheduled for December 4th.

1 **C. Inland Empire Quarterly Economic Report**
2

3 It was noted that this report had been received and filed.
4

5 **10. HEMET ROCS CITIZEN ADVISORY COMMITTEE REPORT**- *Chairman John*
6 *Gifford*
7

8
9 CDD Elliano indicated that most of the issues from the latest ROCS meeting were
10 already reported in the previous discussions; however, it would be good to mention
11 that the ROCS implementation teams are moving forward, and the City's website
12 includes a citizens concern form with a checkbox that goes directly to the police
13 department or code enforcement. In addition, there is a volunteer form to see how
14 and where citizens might like to help out in the city. CAC meetings have reverted
15 back to their prior time of 3:30 p.m.
16

17 **11. PLANNING COMMISSIONER REPORTS**: *Commissioner reports on meetings*
18 *attended or other matters of Planning interest*
19

- 20
21 A. Chairman Gifford – Chairman Gifford thanked the Commissioners for
22 coming to the meetings in a prepared and professional manner.
23 B. Vice Chair Overmyer – Nothing to report
24 C. Commissioner Moghadam – Nothing to report
25 D. Commissioner Perciful – Nothing to report
26 E. Commissioner Vasquez – Nothing to report
27

28 **12. FUTURE AGENDA ITEMS**: *Items to be scheduled for upcoming Planning*
29 *Commission Meetings were noted as follows:*
30

- 31 A. Report on Industrial Development Opportunities
32 B. Proposed Fence Ordinance- Part II
33 C. Temporary Sign Provisions- Part II
34

35
36 **13. ADJOURNMENT**: It was unanimously agreed to adjourn the meeting at 9:06
37 p.m. to the regularly scheduled meeting of the City of Hemet Planning Commission
38 scheduled for **December 4, 2012 at 6:00 p.m.** to be held at the City of Hemet
39 Council Chambers located at 450 East Latham Avenue, Hemet, CA 92543.
40

41
42
43
44
45 _____
46 John Gifford, Chairman
47 Hemet Planning Commission

48 ATTEST:
49
50

Nancie Shaw, Records Secretary
Hemet Planning Commission

AGENDA #4



Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director *DE*
Carole L. Kendrick, Assistant Planner

DATE: December 4, 2012

RE: **SITE DEVELOPMENT REVIEW NO. 12-006 (HEMET CHRYSLER DODGE JEEP RAM)** - A request for Planning Commission review and approval of a Site Development Review (SDR) application for the construction and operation of a 5,995 square foot automotive service facility and 630 square foot second floor storage area located within the Hemet Auto Mall Specific Plan (SP 87-28) at 240 Carriage Circle (Hemet Chrysler Dodge).

PROJECT APPLICANT INFORMATION

Owner: Carol Bell
Agent: Russell Rumansoff – Herron and Rumansoff
Project Location: 240 Carriage Circle Drive
APN Information: 456-010-029
Lot Area: 1.94 acres

STAFF RECOMMENDATION

The Planning Department recommends that the Planning Commission:

1. Adopt the attached Planning Commission Resolution Bill No. 12-022 (Attachment No. 1), entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA APPROVING SITE DEVELOPMENT REVIEW NO. 12-006 FOR CONSTRUCTION AND OPERATION OF A 5,995 SQUARE FOOT AUTOMOTIVE SERVICE FACILITY AND A 630 SQUARE FOOT SECOND STORY STORAGE AREA LOCATED AT 240 CARRIAGE CIRCLE (APN: 456-010-029)

City of Hemet - Planning Department
Planning Commission Meeting of December 4, 2012

PROJECT DESCRIPTION AND BACKGROUND

On September 10, 1991, the City Council approved Hemet Auto Mall Specific Plan (SP) No. 87-28 for the development of 80 acres that permitted automotive related commercial uses generally located at the southeast corner of Florida Avenue and Warren Road (Ordinance No. 1425). This Specific Plan was subsequently amended by Specific Plan Amendment No. 03-03 (Ordinance No. 1728) and adopted by City Council on January 11, 2005.

The Hemet Auto Mall Specific Plan (SP) is comprised of four (4) Planning Areas (PA) consisting of commercial uses that are predominantly automotive in nature. The implementation section of the Specific Plan requires that the Planning Commission review and approve site development plans for construction of any building or structure, enlarge or modify existing an existing building or structure, or make any exterior alterations. On October 25, 2012, the Applicant submitted a Site Development Review application in compliance with the adopted Specific Plan. The proposed application will provide a larger service area to supplement the two (2) existing bays that are currently in operation.

The proposed project is a request to construct and operate a 5,995 square foot 10 bay automotive service facility with a 630 square foot second story for parts storage. The proposed building is located on the northwest section of the property due to an existing 160 foot easement for the San Jacinto-San Vicente Aqueduct, as shown on Sheet A-1.0 of Exhibit 1A.

Site Plan. The site is located at the northwestern portion of the Hemet Auto Mall, along the west side of Carriage Circle within the Hemet Auto Mall, which is located on the southeast corner of Warren Road and Florida Avenue. The Hemet Chrysler Dodge Jeep Ram dealership (site) is situated north of Peddar Nissan and south of the Shell gasoline station and carwash.

The existing showroom, offices and service bays are located at the southeastern corner of the project site, with the remaining area utilized as existing vehicle display. The Site Development Review application is proposing a new service facility located at the northwestern corner of the property. The proposed facility will reduce the vehicle display area and require landscaping to be relocated. Landscaping will be relocated to screen the service bays from Carriage Circle.

Architecture. The proposed design utilizes contemporary Spanish style architecture to correspond with the existing building. The proposed architecture includes clay tile roof elements, stucco finishes, tile accents and canvas awnings that are consistent with the Hemet Auto Mall Specific Plan. The varied roofline achieves a sense of a lower building height and reduced massing along Carriage Circle in compliance with the City of Hemet Commercial Design Guidelines.

The maximum building height in the Hemet Auto Mall Specific Plan is 30 feet with exceptions provided that no roof structure above 30 feet be allowed or used for the purpose of providing usable floor space in excess of that reasonable required to maintain the aforesaid structures.

The height of the parapet is 28 feet and the tower element is 32 feet. The additional four (4) feet in the tower structure do not provide usable floor space and meet the requirements of the Hemet Auto Mall Specific Plan, as shown in Sheet A-4.0 and A-4.1 of Exhibit 1A.

The floor plan illustrates the ten (10) new bays, with 6 located on the southern section of the building with three (3) openings and 4 bays located on the eastern building section with two (2) openings. In addition to the new service bays, the applicant is proposing an equipment room, liquids room, electrical room, break room, restroom and a second story parts storage area. (Sheet A-2.0 of Exhibit 1A)

Materials and Colors. Exterior finish treatments are comprised of plaster and neutral earth-tone colors. Exterior accents and trim include ceramic tile accents located on the eastern and southern elevations below the cornice treatments, clay tile roofs, decorative scoring and canvas awnings.

Lighting. The site has existing lighting that is internal to the project and does not exceed more than one foot-candle outside of the project boundary. The proposed project will require the removal and relocation of existing light standards. The light standards that are located along the northern and northwestern boundaries will be removed to accommodate the new service facility. All other light standards that are impacted by the new construction will be relocated and placed so that they do not interfere with the existing or proposed landscaping. Staff has determined that adequate lighting has been provided on site for pedestrians to safely navigate in the evening hours.

Circulation and Parking. The project was designed and constructed with two (2) 26-foot wide primary ingress/egress points off of Carriage Circle located on the north and south ends of the site to facilitate vehicular access.

The automotive dealership currently provides 34 parking spaces. The Hemet Auto Mall requires a minimum of six (6) parking spaces for each dealership that are reserved exclusively for customers purchasing new vehicles. Employee and other customer parking shall be provided at a ratio of one (1) space per 1,000 square feet of building display floor area or parts storage, 400 square feet for buildings used for repair, service, parts, supplies and vehicle storage, and 250 square feet for buildings used for office and administration. The existing site includes a 2,728 square foot showroom, 947 square foot service area and 620 square feet of office space that require a minimum of eight (8) parking spaces in addition to the six (6) customer spaces. The use as proposed is required to provide 6 parking spaces for customers and 26 parking spaces for employees. The proposed parking includes the addition of two (2) additional spaces for a total of 36 parking spaces which exceeds the required parking for the proposed uses.

Landscaping. The project proposes to remove and relocate 533 square feet of planter area to accommodate the new building. The relocated landscaping will be located in areas to contribute to screening the bays from Carriage Circle. A total of 18 square feet of new landscaping is also

proposed in addition to the project being required to upgrade the existing landscaping on the property (see Condition of Approval No. 17).

PROJECT SETTING.

The property(ies) to the west and to the east are currently vacant. A carwash and fueling station are located to the north and Pedder Nissan is located to the south of the project site. The following table indicates land uses immediately surrounding the project site.

| | LAND USE | ZONING | GENERAL PLAN |
|---------------------|----------------------------------|--|--------------------------|
| PROJECT SITE | Automobile Dealership | Hemet Auto Mall Specific Plan (SP 87-28) | RC (Regional Commercial) |
| NORTH | Carwash and Fueling Station | Hemet Auto Mall Specific Plan (SP 87-28) | RC (Regional Commercial) |
| EAST | Vacant and Automobile Dealership | Hemet Auto Mall Specific Plan (SP 87-28) | RC (Regional Commercial) |
| SOUTH | Automobile Dealership | Hemet Auto Mall Specific Plan (SP 87-28) | RC (Regional Commercial) |
| WEST | Vacant | Hemet Marketplace Specific Plan (SP 89-19) | RC (Regional Commercial) |

The project setting is illustrated and described in more detail by the attached items:

- Adjacent Zoning Map (Attachment No. 2)
- Aerial Map (Attachment No. 3)

GENERAL PLAN CONSISTENCY

The proposed project is in conformance with the General Plan for the City of Hemet. The land use designation for the project site is RC (Regional Commercial). The General Plan Concept for regional commercial in the General Plan Land Use Element is for intensive and broadly mixed retail concentrations with a Maximum Land Use Intensity stated as a Floor Area Ratio (FAR) of 0.40. The proposed development would result in a 0.13 floor area ratio, which is consistent with the General Plan.

The proposed development is also consistent with the following General Plan Goals and Policies:

Land Use Element:

- LU-1.2 **“Land Use Mix:”** Encourage a diverse mix of land uses throughout the City and within large master planned communities to provide opportunities for housing, commerce, employment, recreation, education, culture, social, civic and spiritual activity in balance with natural open spaces and adequately supported by public services and infrastructure.”
- LU-4.5. **“Redevelopment of Existing Properties:”** Support the upgrading and maintenance of the City’s housing, commercial and industrial buildings...”
- LU-13.6. **“Business Retention:”** Support the retention and expansion of existing businesses and encourage local employment.”
- LU-13.7. **“Reuse of Underutilized Properties:”** Encourage the reuse of vacant, underutilized, or obsolete commercial and industrial buildings with higher value uses that are consistent with the General Plan goals and policies.”

COMPLIANCE WITH THE HEMET AUTO MALL SPECIFIC PLAN

The subject property’s zoning designation is Specific Plan No. 87-28 (Hemet Auto Mall) Area A. The purpose of the Hemet Auto Mall Specific Plan is to provide appropriate areas for the development of future automobile dealership sites and/or other automotive-related retail and service uses. The proposed automotive service facility is an incidental use that is permitted in the Hemet Auto Mall Specific Plan No. 87-28 Area A designation.

Development within the Hemet Auto Mall Specific Plan No. 87-28 is subject to various development standards in terms of setbacks, building height and parking, as well as other development standards defined in the Hemet Auto Mall Specific Plan No. 87-28 and Hemet Municipal Code Section 90-1121, respectively. The most restrictive regulations shall take precedence as defined in the Hemet Municipal Code Section 90-1121.

Based on the information provided by the applicant, the project meets the minimum development standards of the Hemet Auto Mall Specific Plan No. 87-28. The following table demonstrates the applicant’s compliance with the required development standards for the Hemet Auto Mall Specific Plan No. 87-28 Area A:

| DEVELOPMENT STANDARDS PER SP 87-28 | PLANNING AREA A | PROPOSED SERVICE FACILITY |
|------------------------------------|-----------------|---------------------------|
|------------------------------------|-----------------|---------------------------|

City of Hemet - Planning Department
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| DEVELOPMENT STANDARDS PER SP 87-28 | PLANNING AREA A | PROPOSED SERVICE FACILITY |
|------------------------------------|--|--|
| Front Setback Minimum | 25 feet - landscaped | 69 feet |
| Side Setback Minimum | 0 | 4 feet, 6 inches |
| Rear Setback Minimum | 25 feet - landscaped | 28 feet |
| Building Height | 30 feet with exemptions for non-usable floor space | 28 feet to parapet - 32 feet to clay tile roof |

MULTI-SPECIES HABITAT CONSERVATION PLAN (MSHCP)

Pursuant to Chapter 31, Section 31-16 (3) of the Hemet Municipal Code, development within a project area that is currently or has been previously improved, are exempt from provisions of the MSHCP Fee Ordinance.

AIRPORT LAND USE COMPATIBILITY

The project site is located approximately 2,000 feet north of the Hemet-Ryan Airport and 3,800 feet away from the Airport’s nearest runway and is located in Risk Area III (moderate risk) of the Hemet-Ryan Airport Land Use Plan (ALUP), and is a permitted use that is not subject to Airport Land Use Commission (ALUC) review. Therefore, the project is considered compatible with the ALUP.

HEMET AUTO MALL DESIGN REVIEW COMMITTEE

On October 17, 2012, the Hemet Auto Mall Design Review Committee considered and approved the proposal for the construction and operation of a 5,995 square foot automotive service facility and 630 square foot second floor storage area located at 240 Carriage Circle (see Attachment No. 5).

DEVELOPMENT REVIEW COMMITTEE (DRC) RECOMMENDATION

On November 8, 2012, the project was reviewed for design. Staff from the various City departments provided written conditions that have been incorporated into the proposed conditions of approval (Exhibit Nos. 1B and 2B). Subsequently, the DRC has recommended that

the project, subject to the recommended conditions of approval, be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines.

CEQA REVIEW

The City Council adopted a Mitigated Negative Declaration by Resolution No. 3883 on December 14, 2004 for Specific Plan Amendment No. 03-3 and a Notice of Determination was filed in accordance with CEQA requirements on December 16, 2004. There has been no legal challenge brought against the project or the environmental determination. The Planning Commission and City Council has reviewed the Mitigated Negative Declaration and Mitigation Monitoring Program and Initial Study previously approved for the project in light of the applicant's submittal of Site Development Review No. 12-006. Site Development Review No. 12-006 are a subsidiary and implementing approval or permit contemplated under the larger project and that Site Development Review Nos. 12-006 comply with the City's Zoning Ordinance, Commercial Design Guidelines, and other applicable standards. Site Development Review No. 12-006 will not result in an increase in the density or intensity of the project and will not result in project changes that were not previously analyzed under the approved Mitigated Negative Declaration and Mitigation Monitoring Program. As such, Site Development Review No. 12-006 and any effects it may have on the environment, fall within the scope of, and were analyzed under the previously approved Mitigated Negative Declaration and Mitigation Monitoring Program for the project. Furthermore, based on the Planning Department staff's knowledge of the project and surrounding developments, the Planning Department concludes that there has been no change in circumstances under which the project is being undertaken that would require additional analysis under CEQA. Finally, the Planning Department has not been presented with any information contrary to this conclusion nor any information from which it could be fairly argued that Site Development Review No. 12-006 involves new significant effects on the environment or substantially increases the severity of a previously identified effect.

PUBLIC COMMUNICATIONS RECEIVED

The Hemet Auto Mall Specific Plan does not require that Site Development Review applications provide a public notice or advertisement in the newspaper for Planning Commission review.

REPORT SUMMARY

Site Development Review No. 12-006 pertains to the site review and construction and operation of a 5,995 square foot automotive service facility and 630 square foot second floor storage area within the Hemet Auto Mall Specific Plan (SP No. 87-28).

A Mitigated Negative Declaration (MND) was adopted for the underlying project, Specific Plan No. 03-3. For the reasons stated above, the Planning Department believes that the MND adequately addresses the current project, and thus, a Notice of Determination can be filed for Site Development Review (SDR) No. 12-006.

The design proposed by Site Development Review (SDR) No. 12-006 conforms to and is consistent with development standards provided for the Specific Plan, the Zoning Ordinance and the pertinent City Design Guidelines. For these reasons, and as more fully discussed in the Staff Report and accompanying attachments, the Community Development Department recommends approval of the project. The Planning Commission's actions are final unless appealed to the City Council within ten working days.

Respectfully submitted,

Reviewed By:

Carole L. Kendrick
Assistant Planner

Emery J. Papp
Principal Planner

CK

ATTACHMENTS

- 1) Planning Commission Resolution No. 12-022 for Site Development Review No. 12-006
Exhibit 1A - Development Plan
Exhibit 1B - Conditions of Approval
- 2) Adjacent Zoning Map
- 3) Aerial Map
- 4) Site Photographs
- 5) Hemet Auto Mall Design Review Committee approval dated October 17, 2012

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Subdivision Ordinance
Contents of City of Hemet Planning Department Project File Site Development Review Nos. 12-006, Hemet Auto Mall Specific Plan No. 87-28 and Specific Plan Amendment No. 03-03

**Attachment
No. 1
Resolution No. 12-
022**

**Planning Commission
Public Meeting of
December 4, 2012**



CITY OF HEMET
Hemet, California

PLANNING COMMISSION
RESOLUTION BILL NO. 12-022

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA APPROVING SITE DEVELOPMENT REVIEW NO. 12-006 FOR CONSTRUCTION AND OPERATION OF A 5,995 SQUARE FOOT AUTOMOTIVE SERVICE FACILITY AND A 630 SQUARE FOOT SECOND STORY STORAGE AREA LOCATED AT 240 CARRIAGE CIRCLE (APN: 456-010-029)

WHEREAS, an application for Site Development Review No. 12-006, was duly filed by:

| | |
|-------------------|--|
| Owner: | Carol Bell |
| Agent: | Russell Rumansoff – Herron and Rumansoff |
| Project Location: | 240 Carriage Circle |
| Lot Area: | 1.94 acres |
| APN: | 456-010-029 |

WHEREAS, the Planning Commission is authorized to review and recommend approval, conditional approval, or denial of Site Development Review No. 12-006 pursuant to Hemet Municipal Code Section 90-1455 and the Hemet Auto Mall Specific Plan (SP 87-28); and

WHEREAS, the applicant is requesting approval of Site Development Review No. 12-006 for the construction and operation of a 5,995 square foot automotive service facility and 630 square foot second floor storage area in compliance with Hemet Municipal Code Section 90-1455 and the Hemet Auto Mall Specific Plan (SP 87-28); and

WHEREAS, at the Planning Commission meeting on December 4, 2012, the Planning Commission considered, heard public comments on Site Development Review No. 12-006; and

Planning Commission Resolution Bill No. 12-022
SITE DEVELOPMENT REVIEW NO. 12-006 – HEMET CHRYSLER DODGE RAM JEEP

1 **WHEREAS**, on November 29, 2012 the City gave public notice by posting notice
2 in three locations of the holding of a public meeting at which the project would be
3 considered; and
4

5 **WHEREAS**, the Planning Commission of the City of Hemet has considered oral
6 and written comments, pro and con, as presented by the Planning Department, the
7 applicant, and other interested parties at a public meeting held on December 4, 2012.
8

9 **NOW THEREFORE**, the Planning Commission of the City of Hemet, California,
10 does determine, find, and resolve 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 Planning Director as provided in the Staff Report dated
17 December 4, 2012, and documents incorporated therein by reference, and any other
18 evidence (within the meaning of Public Resources Code Section 21080(e) and Section
19 21082.2) within the record or provided at the public hearing of this matter, hereby finds
20 and determines as follows:
21

- 22 1. CEQA: The City Council adopted a Mitigated Negative Declaration (MND) and
23 Mitigation Monitoring Program (MMP) by Resolution No. 3967 on January 5,
24 2005 for SPA No. 03-03. There has been no legal challenge brought against the
25 project or the environmental determination. The Planning Commission has
26 reviewed the MND for the project in light of the applicant's submittal of SDR No.
27 12-006. The Planning Commission has concluded that SDR No. 12-006 is a
28 subsidiary and implementing approval or permit contemplated under the larger
29 project, and that SDR No. 12-006 complies with the City's Zoning Ordinance, and
30 other applicable standards. The Planning Commission finds that SDR No. 12-
31 006 will not result in an increase in the density or intensity of the project and will
32 not result in project changes that were not previously analyzed under the MND
33 and any effects it may have on the environment, fall within the scope of, and
34 were analyzed under the MND and the Mitigation Monitoring Program for the
35 project. Furthermore, based on the Planning Department's staff's knowledge of
36 the project and surrounding developments, the Planning Commission concludes
37 that there has been no change in circumstances under which the project is being
38 undertaken that would require additional analysis under CEQA. Finally, the
39 Planning Commission has not been presented with any information contrary to
40 this conclusion nor any information from which it could be fairly argued that SDR
41 No. 12-006 involves new significant effects on the environment or substantially
42 increases the severity of a previously identified effect. Based thereon, the
43 Planning Commission makes the following findings in accordance with CEQA
44 Guidelines Section 15162:
45

- 1 A. SDR No. 12-006 does not proposed substantial changes to SP 87-28 that
2 would require major revisions to the MND; and,
3
4 B. No substantial changes have occurred in the circumstances under which
5 SP 87-28 are being undertaken that would require major revisions to the
6 MND and the Mitigation Monitoring Program; and,
7
8 C. No new information has been presented from which it may be fairly argued
9 that SDR No. 12-006 may involve a new significant environmental effect,
10 or a substantial increase in the severity of previously identified significant
11 effects, or demonstrating that a mitigation measure previously found to be
12 infeasible is now feasible.
13
14 D. Based on A through C above, staff has determined that the project is
15 consistent with the previously adopted Mitigated Negative Declaration and
16 Mitigation Monitoring Program for the project and, pursuant to CEQA
17 Guidelines Section 15162, no further analysis is required.
18

- 19 2. **Multiple Species Habitat Conservation Plan (MSHCP):** The project is found to
20 be consistent with the MSHCP. The project is located outside of any MSHCP
21 criteria area and mitigation is provided through payment of the MSHCP Mitigation
22 Fee.
23

24 **SECTION 2: SITE DEVELOPMENT REVIEW FINDINGS**

25
26 In light of the record before it, including the staff report dated December 4, 2012, and all
27 evidence and testimony heard at the public meeting of this item, the Planning
28 Commission hereby finds as follows:
29

- 30 A. The project complies with all provisions of Article XLI 90-1455, Chapter 90 and
31 other relevant city regulations, polices and guidelines. The Planning Commission
32 hereby finds and determines that each of these requirements is satisfied as
33 follows:
34

- 35 1. The project complies with all provisions of Article XLI (Site Development
36 Plan Review) of the Hemet Zoning Code.
37

38 The proposed commercial development is consistent with Article XLI in
39 that the application is being reviewed and approved as required by this
40 section and the Hemet Auto Mall Specific Plan.
41

- 42 2. The following are so arranged that traffic congestion is avoided and
43 pedestrian and vehicular safety and welfare are protected, so that there
44 will be no adverse effect on surrounding property:
45

1 a. Buildings, structures and improvements.

2
3 The proposed service facility complies with required setbacks and
4 development standards provided in the Development Standard
5 provision of the Zoning Ordinance and Hemet Auto Mall Specific
6 Plan. There will be no adverse effect on surrounding property or
7 traffic congestion because the existing development conforms to
8 the development style and street pattern already existing in the
9 area

10
11 b. Vehicular ingress and internal circulation.

12
13 The existing sites provide ingress and egress from two (2) points on
14 Carriage Circle and the drive aisles were designed to meet
15 development standards for two way traffic. Therefore, there will be
16 no adverse traffic and safety effect on surrounding area.

17
18 c. Setbacks.

19
20 The project has been designed to comply with required setbacks
21 provided in the Development Standards provision of the Hemet
22 Auto Mall Specific Plan and the Uniform Building Code. Therefore,
23 there will be no adverse impact on surrounding property.

24
25 d. Height of buildings.

26
27 The maximum building height in the Hemet Auto Mall Specific Plan
28 is 30 feet with exceptions provided that no roof structure above 30
29 feet be allowed or used for the purpose of providing usable floor
30 space in excess of that reasonable required to maintain the
31 aforesaid structures. The height of the parapet is 28 feet and the
32 tower element is 32 feet. The additional four (4) feet in the tower
33 structure do not provide usable floor space and meet the
34 requirements of the Hemet Auto Mall Specific Plan, so there will be
35 no adverse impact on surrounding property.

36
37 e. Service areas.

38
39 The Applicant is proposing a new trash enclosure located adjacent
40 to the easterly edge of the proposed automotive service facility
41 building. Therefore, there will be no reasonable expectation that
42 there will be any adverse impact on the surrounding area.

43
44 f. Walls.

1 The Applicant is not proposing any walls. Therefore, there will not
2 be any adverse impact on surrounding property.

3
4 g. Landscaping.

5
6 The Applicant is proposing to relocate existing landscaping and add
7 a small amount of new landscaping. The existing and proposed
8 landscaping provide a total landscape area of six (6) percent which
9 exceeds the minimum required in the Hemet Auto Mall Specific
10 Plan. Therefore, there will be no adverse impact on surround
11 property.

12
13 3. Underground Utilities.

14
15 All utilities will be underground in compliance with City standards and the
16 Conditions of Approval for SDR No. 12-006.

17
18 4. Proposed lighting is located so as to reflect the light away from adjoining
19 properties.

20
21 Existing lighting is located as to reflect the light away from adjoining
22 properties and will conform to City Standards as a condition of approval.

23
24 5. Proposed signs will not, by size, location, color or lighting, interfere with
25 traffic or limit visibility.

26
27 The project is not proposing any new signage and therefore will not
28 interfere with traffic or limit visibility.

29
30 6. All applicable public easements and rights-of-way have been dedicated or
31 offered for dedication.

32
33 All applicable public easements and rights-of-way have been dedicated
34 with the final map, as reviewed and approved by the City Council and in
35 compliance with City Standards.

36
37
38 **SECTION 3: PLANNING COMMISSION DETERMINATION:**

39
40 The Planning Commission hereby determines:

- 41
42 1. **NOTICE OF EXEMPTION.** In compliance with Public Resources Code §21152
43 and CEQA Guidelines §15075, the Community Development Director shall
44 prepare a Notice of Exemption concerning the findings made in Section 2 of this

1 Resolution, and within five (5) working days of project approval, file a Notice with
2 the Riverside County Clerk for posting.
3

- 4 2. **Approval of Site Development Review No. 12-006.** Site Development Review
5 No. 12-006 for the review of the site development for the construction and
6 operation of a 5,995 square foot automotive service facility and 630 square foot
7 second floor storage area is hereby recommended for approval as shown on
8 Exhibit A, attached hereto and incorporated herein by reference, and subject to
9 the Conditions of Approval attached hereto and incorporated herein by reference
10 as Exhibit B. Any modification to the project shall be in compliance with the City
11 of Hemet Zoning Ordinance, and other applicable state and local ordinances.
12

13
14 **PASSED, APPROVED AND ADOPTED** this 4th day of December, 2012, by the
15 following vote:

16
17 AYES:

18 NOES:

19 ABSTAIN:

20 ABSENT:
21
22

23 _____
24 John Gifford, Chairman
25 Hemet Planning Commission

26 ATTEST:
27
28

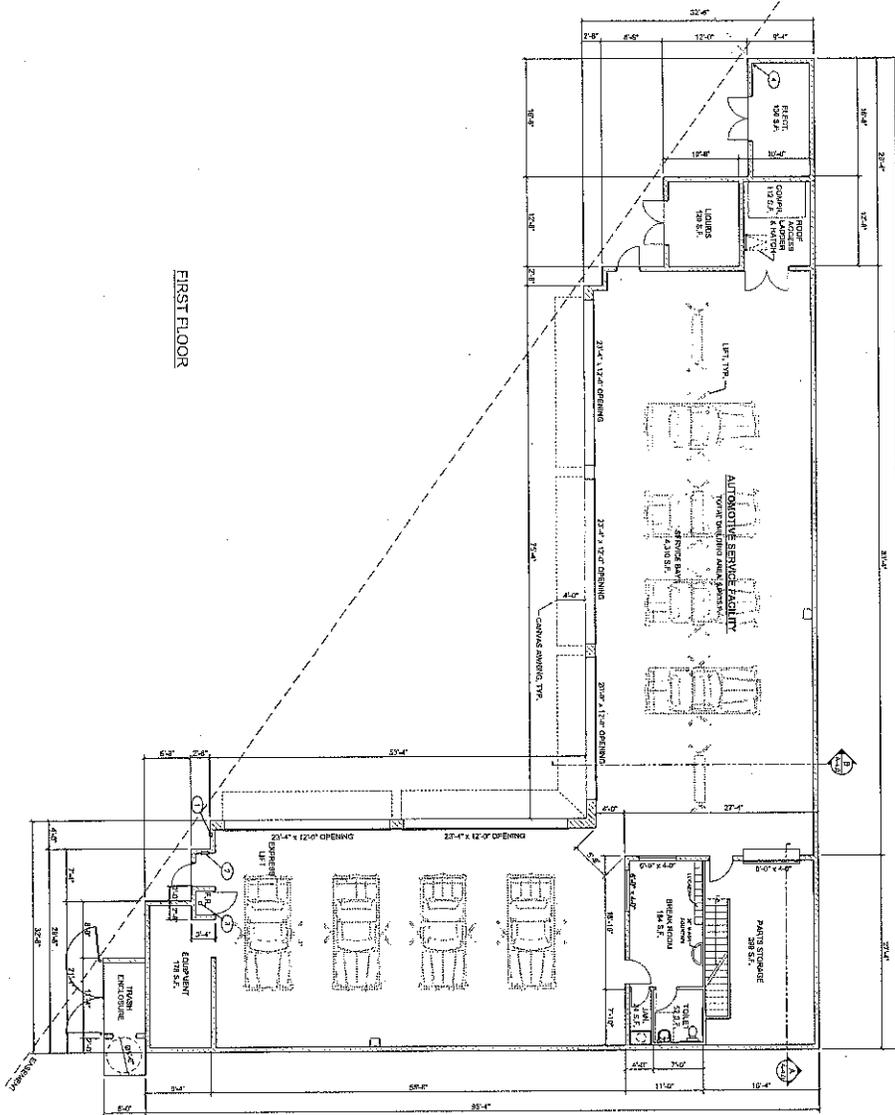
29 _____
30 Nancie Shaw, Minutes Secretary
31 Hemet Planning Commission
32

**Exhibit
No. 1A
Development Plan**

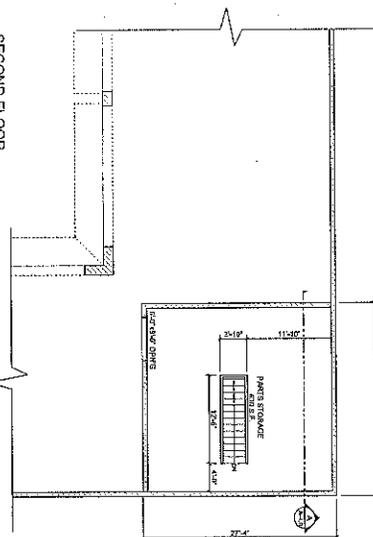
**Planning Commission
Public Meeting of
December 4, 2012**

FLOOR PLANS

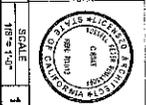
FIRST FLOOR



SECOND FLOOR



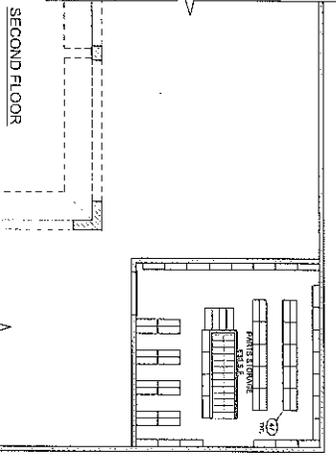
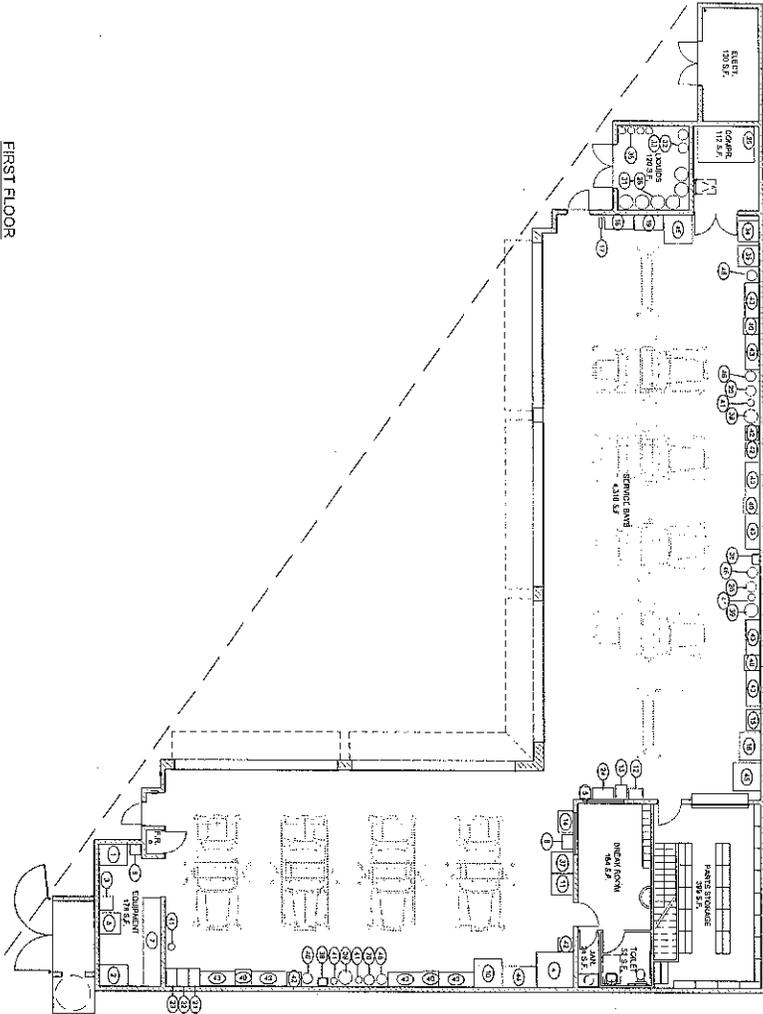
- WALL LEGEND**
- 1" CONCRETE MASONRY UNIT WALL, EXTERIOR - PAINTED FINISH
 - 8" CONCRETE MASONRY UNIT WALL, INTERIOR - PAINTED FINISH
 - 4" CMU WALL, INTERIOR - PAINTED FINISH
 - 2" STUCCO WALL, INTERIOR - PAINTED FINISH
 - 2" STUCCO WALL, EXTERIOR - PAINTED FINISH
 - 2" STUCCO WALL, EXTERIOR - PAINTED FINISH
- FLOORING**
- CONCRETE FLOOR
 - 1" ASPHALT/CONCRETE FLOOR
 - 1" FINE RUBBER
 - 4" 1" CONCRETE - INTERIOR FLOOR
- MECHANICAL**
- MECHANICAL ROOM
 - MECHANICAL ROOM
 - MECHANICAL ROOM
 - MECHANICAL ROOM
- TRASH NORTH**



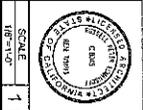
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| | | | | | |
|------------------|---|------------------|---|-----------------------|------------|
| | AUTOMOTIVE SERVICE FACILITY FOR: HEMET CHRYSLER DODGE JEEP RAM 246 CARRIAGE CIRCLE HEMET, CALIFORNIA | | SDR SUBMITTAL 16-25-12 | | |
| | A2.0 | 16-14-12 | FLOOR PLANS | ISSUE PURPOSE | DATE |
| SHEET NO. | JOB NO. | SHI. DESCRIPTION | PROJECT | ARCHITECT'S SIGNATURE | CONSULTANT |
| architects, inc. | | | 530 St. Johns Place Hemet, California 92543 | | |
| | | | 951 852-4431 951 652-0375 Fax | | |

FIRST FLOOR



- LEGEND**
- 1 THE CHASSIS - 4'x2'
 - 2 THE BALANCE - 1'x2'
 - 3 THE SPRINGER - 2'x2'
 - 4 PAINTS WASHER CABINET - 2'x2'
 - 5 JACK STAND 1'x1' 1/2'
 - 6 FULL CANTY TENDER
 - 7 SPECIAL SERVICE TOOLS - 1'x2'x2'
 - 8 PRESS - 2'x2'
 - 9 STRUT COMPRESSION - 1'x1' 1/2'
 - 10 BRAKE LATH BENCH - 1'x2'
 - 11 DRIVE LATH OVERHEAD - 2'x2'
 - 12 SLIDE MACHINE
 - 13 BATTERY TESTER 200 - 2'x1'
 - 14 R134 GAS
 - 15 ENGINE STAND 2000 - 2'x2'
 - 16 FLOOR JACK - 4'x2' 1/2'
 - 17 FRONT HOIST 1'1' 1/2'x2'
 - 18 PALETTE JACK - 2'x2'
 - 19 WATER REEL - 1/2" 1/2'x1'
 - 20 COIL AIR FLOW EXCHANGE - 2'x2' 1/2'
 - 21 ENGINE OIL FLUID EXCHANGE - 2'x2' 1/2'
 - 22 SHOP STORAGE CABINET - 2'x2'
 - 23 COMPRESSION & DRIVER - 1'x1'
 - 24
 - 25
 - 26
 - 27
 - 28
 - 29
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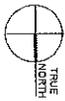
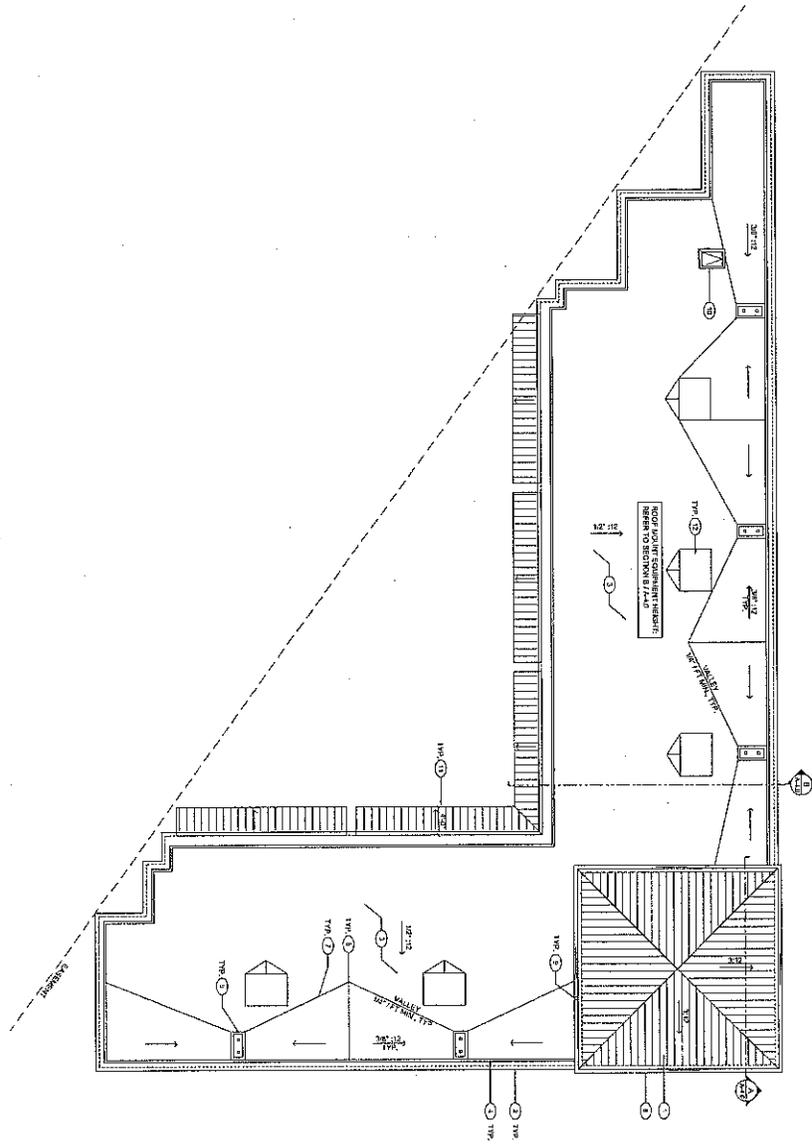
| | | |
|-----------|---------|------------------|
| Sheet no. | job no. | tbl. description |
| A2.1 | 44-1523 | EQUIPMENT PLAN |

heron + rumanoff

**AUTOMOTIVE SERVICE FACILITY FOR:
HEMET CHRYSLER DODGE JEEP RAM**
240 CARRIAGE CIRCLE
HEMET, CALIFORNIA

| | | | |
|---|-----------------------|------------|-----------|
| Project | architect's signature | consultant | revisions |
| 530 St. Johns Place Hemet, California 92543 | | | |

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- REVISIONS**
- 1) CONCRETE TIE ROOF TO EXISTING ROOF ON STRUCTURE BEARING
 - 2) PARAPET WALL CAP
 - 3) CLASS A BUILT UP ROOF
 - 4) CHIMNEY
 - 5) ROOF DRAIN AND DISCHARGE DOWN IN WINDON DIRECT
 - 6) VALLEY WALK SLOPE 1:12
 - 7) METAL DUTCH
 - 8) DOWNPOUT - DOWN TO MAIN STRUCTURE
 - 9) ROOF ACCESS WITH LADDER
 - 10) CHIMNEY AIRING, FINCH IS 18" X 18"
 - 11) ROOF HEAVY COOLING EQUIPMENT

SCALE
1/8" = 1'-0"

1

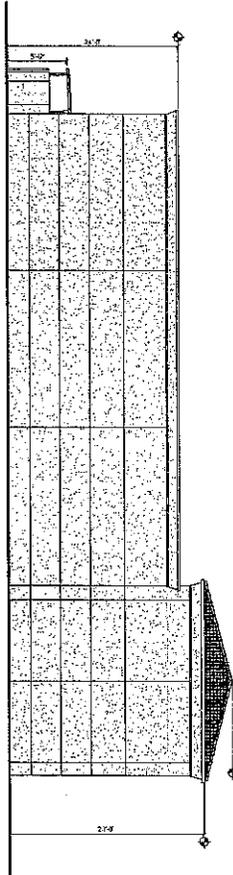
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| | | | | | | | |
|-----------|----------|------------------|------------------|---|-----------------------|------------------------|-----------|
| A-3.0 | REV. NO. | REV. DESCRIPTION | | AUTOMOTIVE SERVICE FACILITY FOR: HEMET CHRYSLER DODGE JEEP RAM 240 CARRIAGE CIRCLE HEMET, CALIFORNIA | | SDX SUBMITTAL 10-25-13 | |
| | | | | project | issue purpose | date | |
| chart no. | job no. | sht. description | architects, inc. | 550 St. Johns Place Hemet, California 92543 | architect's signature | consultant | revisions |

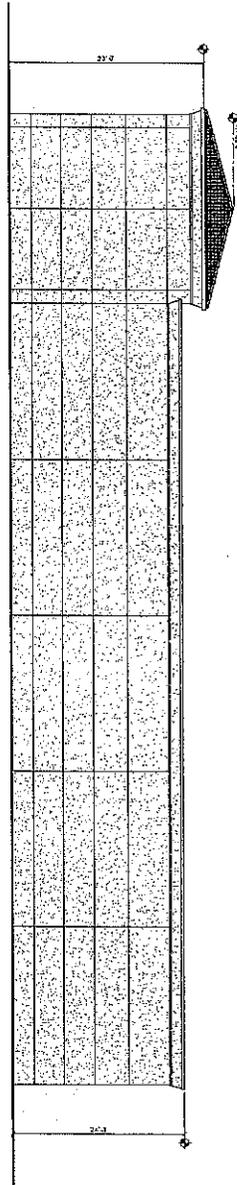
951 652-4431 951 652-0375 Fax

EXTERIOR ELEVATIONS & SECTIONS

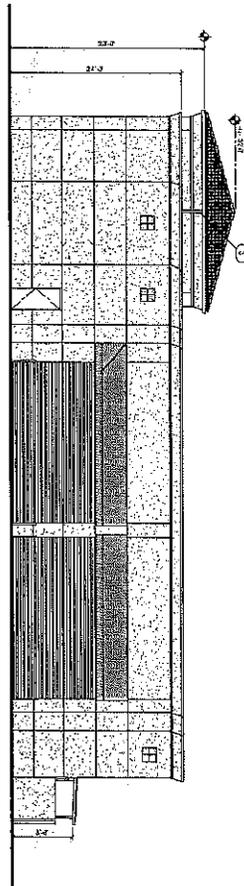
NORTH ELEVATION



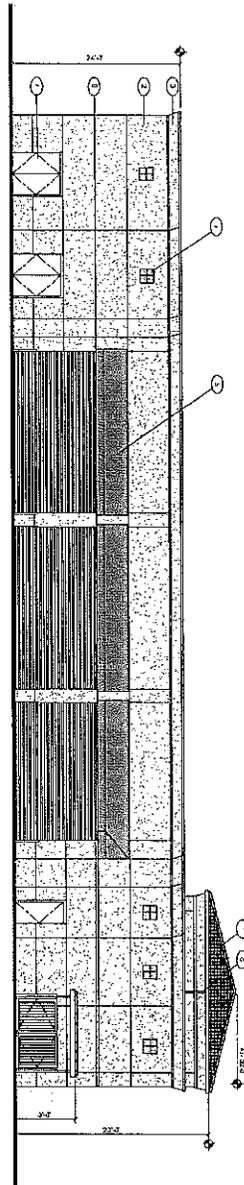
WEST ELEVATION



SOUTH ELEVATION

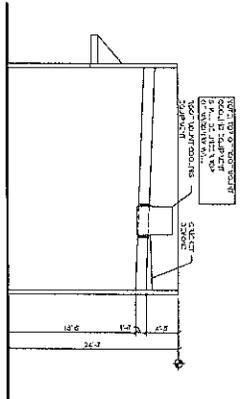


EAST ELEVATION

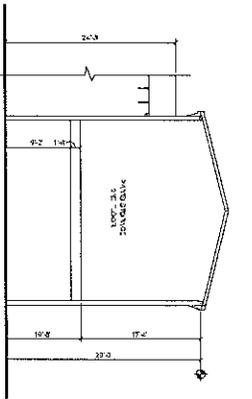


- NOTES:
- 1. USE THE POLYMER BRICKS.
 - 2. BRICKS TO BE LAYED IN COURSE.
 - 3. BRICKS TO BE LAYED IN COURSE.
 - 4. BRICKS TO BE LAYED IN COURSE.
 - 5. BRICKS TO BE LAYED IN COURSE.
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 - 17. BRICKS TO BE LAYED IN COURSE.
 - 18. BRICKS TO BE LAYED IN COURSE.
 - 19. BRICKS TO BE LAYED IN COURSE.
 - 20. BRICKS TO BE LAYED IN COURSE.

B-B SECTION THROUGH BAYS



A-A SECTION THROUGH TOWER



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| | | | | | |
|-----------------|---------|---|------------|--|------------|
| | | AUTOMOTIVE SERVICE FACILITY FOR: HEMET CHRYSLER DODGE JEEP RAM 240 CARRIAGE CIRCLE HEMET, CALIFORNIA | | SUBMITTAL: 1983-84 ISSUE PURPOSE: DATE: | |
| SHEET NO. A-4.0 | JOB NO. | ARCHITECT'S SIGNATURE | CONSULTANT | ARCHITECT'S SIGNATURE | CONSULTANT |

**Exhibit
No. 1B
Conditions of
Approval**

**Planning Commission
Public Meeting of
December 4, 2012**



CITY OF HEMET
DRAFT CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: December 4, 2012

PROJECT NO.: Site Development Review No. 12-006
OWNER: Carol Bell
AGENT: Russell Rumansoff – Herron and Rumansoff
LOCATION: 240 Carriage Circle
DESCRIPTION: Construction and operation of a 5,995 square foot automotive service facility and 630 square foot second floor storage area.
OCCUPANCY: This project has been reviewed as an S-1 Occupancy; any other use will require further review.

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

STANDARD CONDITIONS

The following conditions of approval were approved by the City Council as standard conditions of approval for all projects. Questions regarding compliance with these conditions should be directed to the Planning Department at (951) 765-2375.

General Requirements

1. Site Development Review No. 12-006 shall become null and void on **December 4, 2014** (two calendar years from the date of approval), unless building permits have been issued for the project. A time extension may be granted by the Planning Commission in accordance with Hemet Municipal Code, provided a written request for a time extension is submitted the Planning Department prior to the expiration date. No formal notice of expiration will be given by the City.
2. Approval of Site Development Review No. 12-006 shall become effective on **December 15, 2012** unless appealed to the City Council by December 14, 2012 (10 calendar days after action by the Planning Commission). The appeal shall be in writing and shall be accompanied by the required fee.

3. The conditions of approval of this project shall supersede all conflicting notations, specifications, dimensions, typical sections, and the like, which may be shown on the tentative project plans.
4. This project site shall be developed in accordance with the approved plan(s) and the conditions contained herein.
5. This project shall comply with all sections of the I.C.B.O. California Building Code, California Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24) in effect at that time of the building permit application.
6. Prior to the issuance of building permits, the applicant shall be subject to all applicable development fees at the rate in effect at the time of building permit application.
7. Construction activity shall meet the requirements of Hemet Municipal Code Chapter 30, Article II.
8. Prior to any precise grading or drainage activity, a grading and/or drainage plan shall be prepared and submitted to the City Engineer and Planning Department for review and approval. No grading or drainage work shall occur without a grading permit and/or the permission of the City Engineer.
9. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

PLANNING DEPARTMENT CONDITIONS

The following conditions of approval are project specific and were recommended by the Planning Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Planning Department at (951) 765-2375.

Design Review/Buildings

10. Prior to the issuance of a building permit, this project shall be deemed to be consistent with the Hemet Auto Mall Specific Plan and the City's Commercial Design Guidelines. After approval of the project, the Community Development Director shall have the authority to approve minor adjustments to the design of the building.

Mechanical Equipment:

11. Prior to the issuance of a building permit, the plans shall indicate that all electrical and mechanical equipment, including but not limited to, air-conditioning units, electrical boxes, transformers, backflow preventers, and roof-mounted equipment shall be visually screened from public view. Screening shall be in accordance with city standards, to the satisfaction of the Planning Department and in compliance with the Building Code.

Operational Characteristics:

12. Prior to the issuance of a building permit, the plans shall indicate that parking lot lighting and public common area lighting shall be low pressure sodium and shall be shielded or designed to direct the lighting downward. All lighting shall be adjusted so that all lighting is contained within the boundaries of the site.
13. No permanent outdoor public address or paging systems shall be permitted at any time.

Signage:

14. Signage is not approved as part of this Project. Signage, in accordance with the Zoning Ordinance, shall be approved under a separate permit. Temporary identification signage at the dealership shall be replaced by permanent signage prior to the issuance of a Certificate of Occupancy.
15. Prior to the issuance of a building permit, a formal sign program shall be submitted to the City of Hemet's Planning Department's review and approval. Once the sign program is approved, all signs shall be designed per the standards of the approved sign program.

Landscaping

16. This project shall comply with the landscape design requirements outlined in the City's Commercial Design Guidelines in effect at the time of building plan check. Landscape plans shall be submitted in conjunction with the Building Plan check to the Planning Division for approval.
17. All existing and new landscaped areas shall be restored and maintained in a healthy and thriving condition, free from weeds, trash, disease, vermin, and debris and with approved vegetation, during the term of this Project, including but not limited to the parkway and entry landscaping adjacent to Carriage Circle.

ENGINEERING CONDITIONS

The following conditions of approval are project specific and were recommended by the Engineering Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Public Works - Engineering Department at (951) 765-2360.

Please contact the Public Works-Engineering Department for compliance with the following conditions:

General

18. Prior to the commencement of construction activities, the applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.
19. Where survey monuments exist, such monuments shall be protected or shall be referenced and reset, pursuant to Business and Professions Code, Sections 8700 to 8805 (Land Surveyors Act).
20. Prior to any lane closure or detour, the Applicant shall submit a Construction Traffic Management Plan, for review and approval by the City Engineer. The plan shall include, but not limited to, signing, truck routes, and dirt hauling hours.

Streets

21. Prior to the issuance of a Certificate of Occupancy, any public improvement damaged during construction, including but not limited to curb and gutter, sidewalk, access ramps, paving, trees, and lights, shall be replaced to the satisfaction of the City Engineer.
22. Digitized drawing files of all improvement plans, in a City's compatible CAD system, shall be submitted along with original mylar plans.

23. Existing City roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, to the satisfaction of the City Engineer.
24. Prior to the issuance of a Certificate of Occupancy, provide either a City Engineer approved and signed on-site plan that allowed for the block wall along Warren Ave and the private Catch Basin behind the block wall to be constructed in the City right of way, or provide a solution to the satisfaction of the City Engineer.

Parking

25. Prior to issuance of a Certificate of Occupancy or the finalization of building permit, install a single wide ADA trash enclosure in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards R-500 series. The location(s) shall be approved by the City of Hemet Refuse Supervisor and the City Engineer.
26. Prior to issuance of a building permit, the parking lot shall be designed in accordance with the City of Hemet Parking Lot Design Criteria contained in the City of Hemet Standard Specification for Public Works Construction, Standards P-400 and 401, Uniform Building Code Title 24, and in accordance with Chapter 90, Article XL of the Hemet Municipal Code. The plans shall include the location of parking lot lighting, lighting standard specifications and required parking lot landscaping.
27. Prior to issuance of a Certificate of Occupancy, the new parking lot paving shall be fog sealed.

Drainage

28. Cross-lot drainage and the designated drainage easements shall not be allowed. All pads shall be designed to drain to the streets. Storm water shall be collected in an appropriate storm drain system. All drainage easements are subject to City acceptance for maintenance.
29. Prior to issuance of the Building Permit, the Applicant shall pay the Master Storm Drain Plan fee, at the currently adopted rate.
30. The LOMR (F) 11-09-3085A shows this project to be in Zone X; (areas subject to 100-year flooding with average depths less than one foot).
31. Adequate provisions shall be made to intercept and conduct the drainage flows within and from the site in a manner which will not adversely affect adjacent or downstream properties.

32. Prior to issuance of a Grading Permit, the applicant shall submit to the City for review and approval, a project-specific Water Quality Management Plan (WQMP). This plan shall address Site Design BMPs, incorporate the applicable Source Control BMPs, incorporate Treatment Control BMPs, describe the long-term operation and maintenance requirements for BMPs needing long-term maintenance, and describe the mechanism for funding the long-term operation and maintenance of the BMPs.
33. Prior to issuance of a Grading Permit, the property owner shall record a "Covenant and Agreement" with the County Recorder, or other instrument acceptable to the City, to inform future property owners of the requirement to implement the approved project-specific WQMP.
34. Drainage easement(s), as required by the City Engineer, shall be shown on the improvement plans or grading plans. Easement(s) shall be recorded by deed.

Water

35. Domestic water service will be provided by EMWD.

Sewer

36. Domestic sewer service will be provided by EMWD.

BUILDING CONDITIONS

The following conditions of approval are project specific and were recommended by the Building Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Building Department at (951) 765-2475.

Please contact the Building Division for compliance with the following conditions:

Building Code Requirements

37. As part of the plans for plan check, a detailed structural analysis, in compliance with Chapter 16 of the California Building Code for the building's intended use shall be provided.
38. Prior to issuance of a Certificate of Occupancy, the electrical, plumbing and mechanical systems shall be installed in accordance with the approved plans and applicable adopted codes.

Setbacks and Openings

39. Prior to the issuance of a building permit, the plans shall indicate that due to proximity to property lines, etc., fire resistive construction and parapet walls shall be required per California Building Code, Section 705.11.

Handicap Requirements

40. Prior to the issuance of a building permit, the plans shall indicate that this project is subject to and shall conform to State Handicapped Accessibility Requirements. (California Code of Regulations, Title 24)
41. Prior to the issuance of a building permit, the plans shall indicate that handicapped restrooms shall be installed in accordance with California Code of Regulations, Title 24/California Building Code, Section 1115(b).
42. Prior to the issuance of a building permit, the plans shall indicate that handicapped parking and signage shall be installed in compliance with applicable state and city codes, if off-street parking is provided.
43. Prior to the issuance of a building permit, the plans shall indicate that all entrances and exits shall be handicapped accessible per California Code of Regulations, Title 24.
44. Prior to the issuance of a building permit, the plans shall indicate that a handicapped accessible pedestrian access to the site shall be provided.

Agency Approvals

45. Prior to the issuance of a building permit, Eastern Municipal Water District approval shall be obtained.

FIRE PREVENTION CONDITIONS

The following conditions of approval are project specific and were recommended by the Fire Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Fire Department, FIRE PREVENTION DIVISION at (951) 765-2450.

Unless specifically stated herein, these conditions shall not be construed to permit or allow deviation from any Federal or State laws nor any of the local codes and ordinances adopted by this jurisdiction.

Agency Approvals

46. Facilities and equipment used for the storage and handling of flammable or combustible liquids and other hazardous materials (which meet or exceed reportable quantities) as defined by Federal, State and Local Laws shall be approved by the County of Riverside Environmental Health.

General

47. The final Conditions of Approval for this project shall be included in any site plan or construction plans submitted for permit issuance. Plans will not be approved without reference to these "conditions".
48. This project is subject to review and approval in accordance with the California Code of Regulations, Title 19 for Fire and Life Safety. This project may be subject to an annual inspection and permit from the Hemet Fire Department for this type of occupancy (S-1).
49. Storage of combustible materials shall be in accordance with the 2010 California Fire Code. High-Piled Storage shall be in accordance with CFC, Chapter 23.
50. Provision for the storage or handling of hazardous materials, as defined by Federal, State, and Local Law, shall be in accordance with CFC, Chapter 27.
51. Storage and handling of flammable and combustible liquids shall be in accordance with the 2010 California Fire Code, Chapter 34 and NFPA 30 (2008), Flammable and Combustible Liquids Code.
52. Motor fuel dispensing operations and/or facilities and repair garages shall be in accordance with 2010 CFC, Chapter 22.

Hydrants and Fire Protection Systems

53. Prior to combustible construction install, as required by the City of Hemet Fire Marshal, on-site fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Travel distance along the fire access route shall not exceed 300 ft. between hydrants without approval from the Fire Marshal. CFC Section 507.
54. In accordance with the 2010 CFC Section 507, the water system (mains and hydrants) shall be tested and accepted by the Fire Marshal prior to the commencement of combustible construction. Hydrant markers (Blue Dots) shall be installed pursuant to the City of Hemet Standard Specifications for Public Works.
55. In accordance with the 2010 CFC Section 903, an automatic fire sprinkler system is required throughout all buildings with this occupancy type based on the use(s)

proposed. Systems with 20 heads or more shall be monitored by a UL listed central station alarm system meeting NFPA 72 and City of Hemet requirements.

56. Portable fire extinguishers shall be installed and maintained in accordance with 2010 CFC section 906 and Chapter 3, Title 19 CCR. The type and spacing shall be approved by the City of Hemet Fire Marshal prior to installation.
57. An approved manual, automatic or (manual and automatic) fire alarm/monitoring system shall be installed and tested prior to final inspection in accordance with the 2010 CFC Section 907 and pursuant to NFPA standards. Automatic fire sprinkler systems with 20 heads or more shall be monitored by a UL listed central station meeting the standards of NFPA 72 and City of Hemet requirements.

Fire Department Access

58. Prior to delivery of combustible materials on site, provide and maintain a surfaced all weather access roadway 20-feet wide with a 13-foot 6-inch vertical clearance designed to support the imposed loads of fire apparatus in accordance with the 2010 CFC Section 503.1 (dirt or native soil does not meet the minimum standard). Minimum turning radius for fire apparatus is 52 feet (outside) and 32 feet (inside). Fire access is required to within 150 ft of all portions of every building unless otherwise approved by the Fire Marshal.
59. Fire Department access roads shall have an unobstructed minimum width of 26 feet where fire hydrants are located along the access roadway or as otherwise determined by the Fire Marshal in accordance with 2010 CFC Section 503.2.2. & CFC Section D103.
60. Prior to the issuance of a Certificate of Occupancy, "No Parking - Fire Lane" signs, red curbing, street signs and other required markings shall be provided to the specifications of the City of Hemet Fire Marshal in accordance with the 2010 CFC Section 503.3 and California Vehicle Code Section 22500.1.
61. Prior to final inspection, addresses shall be provided on all new and existing buildings in accordance with the 2010 CFC Section 505.
62. In accordance with the 2010 CFC Section 503, security gates if installed, shall be installed with approved automatic devices and/or key switches to allow Fire and Police Department access and egress pursuant to the City of Hemet Municipal Code and Fire Department Standards.
63. Install Knox key boxes and/or Knox locks for Fire and/or Police Department access in accordance with 2010 CFC Section 506 and the Hemet Municipal Code.

Miscellaneous

64. Interior finish, decorative materials and furnishings shall be in accordance in 2010 CFC Chapter 8. Classification and acceptance criteria of interior finishes shall comply with NFPA standards. Interior wall and ceiling finish shall not have a flame spread index greater than that specified in CFC Table 803.3.
65. An annual permit and a "Hazardous Materials Management Plan" (HMMP) will be required pursuant to 2010 CFC Section 2701. This facility shall be subject to the standards of NFPA 704 or some other means of identifying hazardous materials for emergency responders as approved by the Fire Marshal.
66. Prior to the issuance of a Certificate of Occupancy, an electronic version of the final tract map or site plan shall be submitted for fire suppression use. The scale shall be such that the site plan shall be clearly legible, showing all streets, the building footprints and addresses, fire hydrant locations, Knox box locations (if applicable), and access driveways. The format shall be compatible with the latest version of "AutoCAD" or equivalent.
67. No change in use or occupancy shall be made to any existing building or structure unless the means of egress system is made to comply with the requirements for the new use or occupancy in accordance with 2010 CFC Chapter 10.
68. Fire safety during construction and demolition shall comply with 2010 CFC Chapter 14.
69. Access during construction: Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'-6". Fire department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs. Access shall be provided to within 150 feet of combustible construction pursuant to 2010 CFC Chapter 14.
70. Trash containers with an individual capacity of 1.5 cubic yards or greater shall not be stored in buildings or within 5 feet of combustible walls, openings, eaves, etc. unless protected by an approved means (automatic fire sprinkler system and/or an approved 4-hour fire separation).

POLICE DEPARTMENT CONDITIONS

The following conditions of approval are project specific and were recommended by the Police Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Police Department at (951) 765-2400.

The Police Department has no conditions at this time.

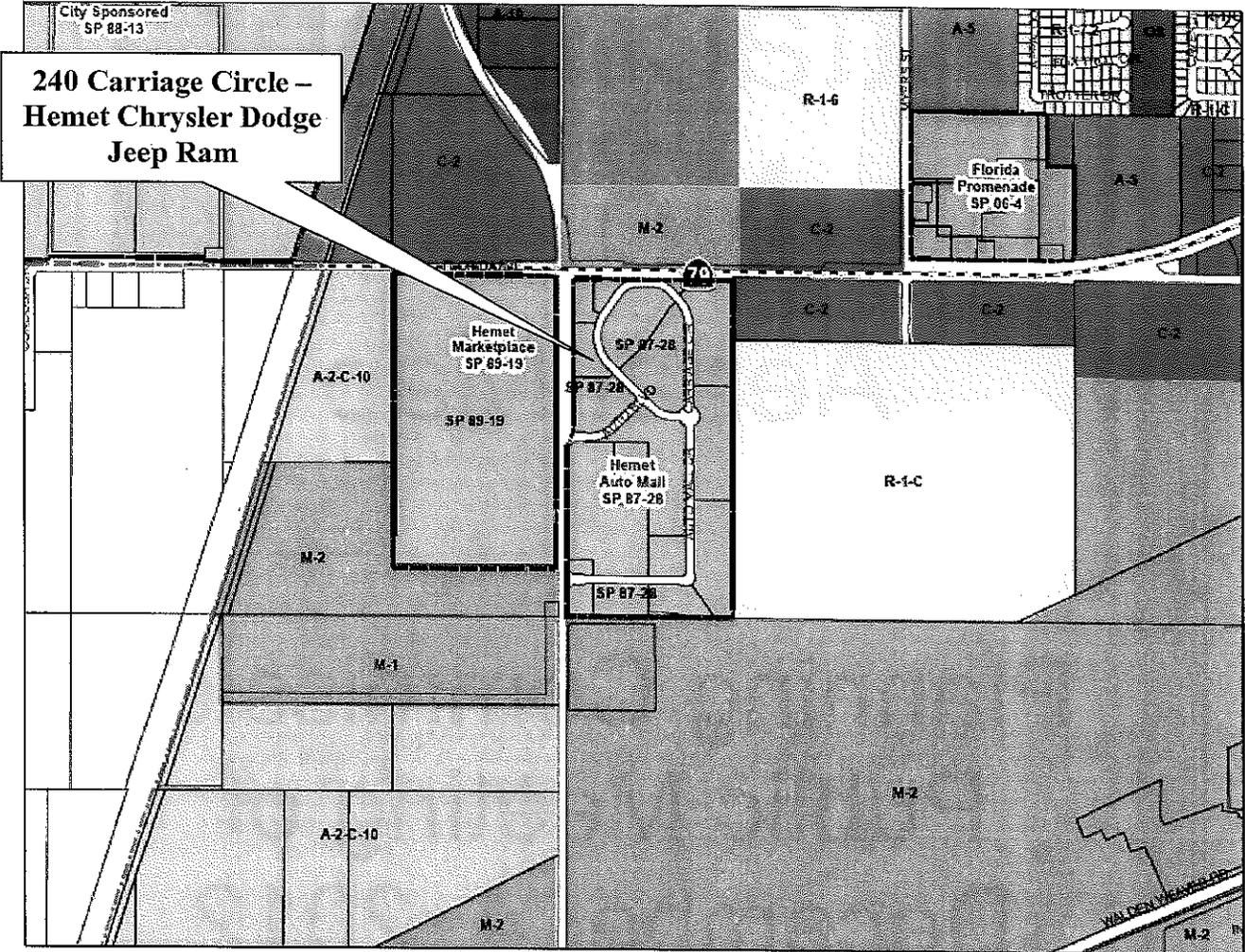
END

**Attachment
No. 2
Adjacent Zoning Map**

**Planning Commission
Public Meeting of
December 4, 2012**

SITE DEVELOPMENT REVIEW NO. 12-006

ZONING MAP



Attachment No. 3 Aerial Map

Planning Commission
Public Meeting of
December 4, 2012

SITE DEVELOPMENT REVIEW NO. 12-006

AERIAL MAP

240 Carriage Circle –
Hemet Chrysler Dodge
Jeep Ram



**Attachment
No. 4
Site Photographs**

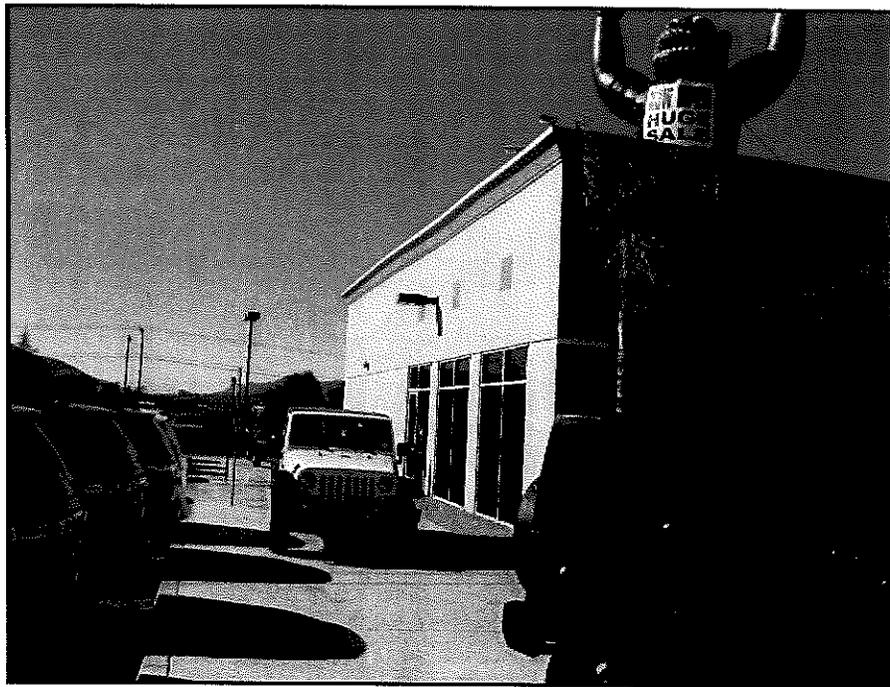
**Planning Commission
Public Meeting of
December 4, 2012**

Site Development No. 12-006

Site Photographs



Looking west from Carriage Circle at the existing showroom



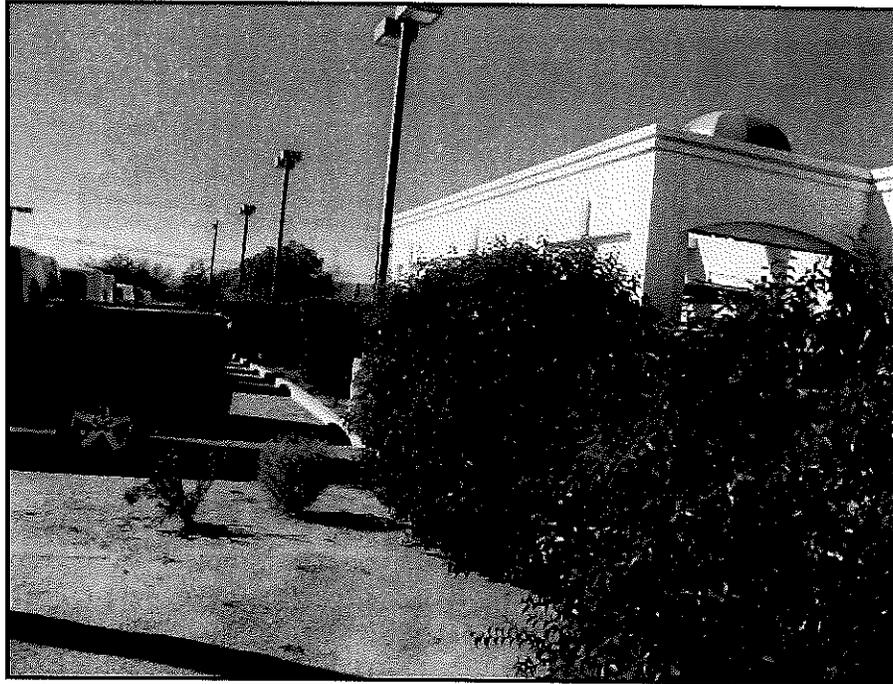
Looking west at the southern elevation of the existing showroom



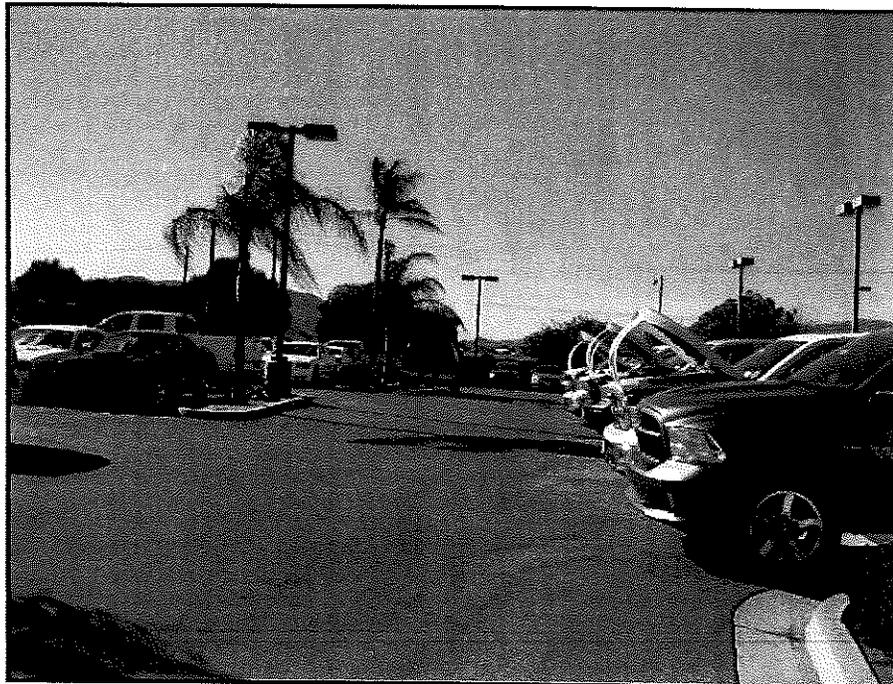
Looking southwest at the northern and eastern elevation



Looking south at the western elevation



Looking west along the northern property boundary



Looking west from northern entry on Carriage Circle



Looking northeast from Warren Road along the western edge of the property.



Looking southeast from Warren Road along the western edge of the property.

Attachment

No. 5

Hemet Auto Mall Design
Review Committee approval

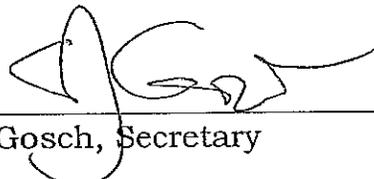
Planning Commission
Public Meeting of
December 4, 2012

**Hemet Auto Dealers Association
Hemet Auto Mall Design Review Committee**

The Design Review Committee was polled on October 16, 2012 by email and in person concerning the Hemet Chrysler service bay construction plans. The plans dated 9/19/12 consisting of site plans and elevations were reviewed by the members. The plans are to construct a 10 bay service building.

The only concern expressed by the committee was the lack of a screening wall in front of the service bays. Since the MWD easement prevents a foundation wall, it was agreed that a planter, with screening plants at least five feet high, would be appropriate. Mr. Perry came back with plans showing an appropriate planter.

After the above review and plan modification, pursuant to the CC&Rs of the Hemet Auto Mall, the Design Review Committee approved the facility plans, with the affirmative votes of Marc Gosch, David Pedder, Carol Bell, Eric Gosch and Flavio Jaen.



Eric Gosch, Secretary

10/22/12
Date

City of Hemet - Planning
RECEIVED

NOV 13 REC'D

SDR12-006

AGENDA #5



Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director 
Ronald Running, Project Planner

DATE: December 4, 2012

RE: **SPECIFIC PLAN NO. 11-001 & ENVIRONMENTAL IMPACT REPORT** - A request for Planning Commission review and recommendation to the City Council regarding the establishment of the proposed North Hemet Specific Plan for a 28.6 ± acre site and the proposed Draft Environmental Impact Report establishing a maximum of 525 multi-family residential units (100 units within mixed-use areas), 118,919 square feet of retail commercial and 16,335 square feet of office space.

PROJECT APPLICANT INFORMATION

Owner: Tom Fan, Housing Authority of the County of Riverside
Authorized Agent: Karen Gulley, The Planning Center
Project Location: Northwest corner of North State Street and Oakland Avenue
APN Information: 439-060-010 et. al.
Lot Area: 28.6± acres

STAFF RECOMMENDATION

The Planning Department recommends that the Planning Commission:

1. Open the continued Public Hearing and take public testimony regarding the proposed project and Draft EIR, and
2. Provide any additional Planning Commission comment, or direction to staff and the applicant, regarding the Draft EIR and Draft North Hemet Specific Plan (SP 11-001), and
3. **Continue the Public Hearing to the January 15, 2013 meeting** for formal action and recommendation to the City Council on the Final EIR and SP 11-001.

BACKGROUND

The Planning Commission conducted its first public hearing on the proposed North Hemet Specific Plan (SP 11-001) and the Draft Environment Impact Report (DEIR) on October 16, 2012. Several members of the public in attendance spoke regarding the proposal. Their comments can be found in the Planning Commission minutes provided in Attachment 4. Generally, the comments were about the density of the proposed development and concern of how that type of housing will impact the area.

The Commission continued the public hearing due to the fact that the comment period for the DEIR ended on November 26, 2012. One agency has requested an extension to the comment period, therefore, there was not adequate time for the environmental consultant to prepare the necessary responses to the Comments on the Draft EIR and distribute them prior to your meeting of December 4, 2012. The comment letters received to date are provided in Attachment 3. The responses to the comment letters will be prepared and provided to the Commission at the continued Planning Commission hearing of January 15, 2013. The comments and responses along with the DEIR will constitute the Final EIR which the Commission may recommend for certification to the City Council.

For the Commission's benefit, the October 16, 2012 staff report is provided as a reference in Attachment 6. The Draft Specific Plan and Draft EIR documents were provided to the Commission previously and are available for public review at City Hall, the Hemet Public Library, and on the City's website.

At the meeting of December 4th, the Commission is requested to review and provide additional comment on the proposed SP 11-001 especially any direction to staff and the applicant regarding the land use plan, number of units, overall density, or product types that should be included in the Plan as part of your recommendation to the City Council. Any changes or recommendations can then be incorporated into the Conditions of Approval for the project, and reflected in the required Planning Commission Resolutions and Draft Ordinance to the City Council that will be prepared by staff for the continued public hearing on January 15, 2013.

ISSUES AND ANALYSIS

At the October 16, 2012 hearing, the Commission and members of the public from the surrounding neighborhood raised several issues concerning the proposed project, as reflected in the draft minutes included as Attachment 4 to this report. There were also questions raised about the development potential and timing of the project. Mr. Tom Fan, representing the Riverside County Housing Authority, (the applicant and majority land owner) will be present at the December 4th meeting to address questions and provide information regarding the County's obligation concerning the types of land uses that are constructed on the property. As noted previously, the project site has historically been within a County of Riverside Redevelopment Area, and properties that have been acquired to date were largely purchased with

Redevelopment Housing Funds. As such, the properties need to support, at least to some extent, affordable housing needs or benefit the surrounding community and eliminate blighted conditions. Mr. Fan will be able to explain these parameters in more detail at the meeting.

The following summarizes the primary issues of concern:

Land Use Plan and Project density – concern was expressed over the density of the proposed project with 11.4 acres of the 28.6 acre site designated for High Density Residential (18-30 d.u./ac.). As shown in the Land Use Plan (Attachment C and pg. 21 of the Specific Plan), the proposed plan is a mix of Medium and High Density Residential and includes the option of mixed-use residential over commercial uses adjacent to State Street. The total number of units allowed would range from a low of 302 units to a maximum of 525 units. Overall density for the entire site would range from 10 to 18.3 dwelling units per acre, depending on the number of units ultimately built. If no mixed-use units were built in Planning Areas 4 and 6 (adjacent to State Street), the residential- only portion of the plan (Planning Areas 1,3,5 and 7), would have an overall density of 15-26.5 du/ac.

Options the Commission could consider to reduce the density include limiting the amount of land area designated for HDR, limiting or deleting the mixed use residential option in PA 4 and 6 (60-100 units), or limiting the overall maximum number of units for the project (currently 525 units).

Other factors to consider in determining an appropriate density include the existing blighted conditions of the site and surrounding area, and the need to have enough future development potential in the property to make it feasible to build the required improvements and amenities, and attract new commercial development along State Street. In addition, the City's adopted Housing Element allocates a portion of the state required housing units (RHNA) to the North Hemet SP area. Of the potential 462 units identified in the Housing Element for this area, those that are not included in the specific plan will need to be accommodated elsewhere in the City as part of the 2013 Housing Element Update.

Product types – the Commission expressed concern with allowing 6-pack or 8-pack housing layouts in the plan. There are six different product types described and illustrated on pages 24-32 in the Plan. The 6-pack and 8-pack would be most similar to the layouts for the "Greencourt Homes" and the "Courtyard Cluster". If the Commission desires, this type of proto-type can be deleted from the Specific Plan. The Product types shown in the Plan are potential layouts, and any actual project would be required to be reviewed and approved by the Planning Commission for the site plan layout and architectural design at the time of development.

Future Metrolink station – several persons expressed concern relative to the viability of the project without the assurance of the future development of a nearby Metrolink station. A future Hemet Metrolink station is shown on the Metrolink masterplan. However, there is no funding set aside for the extension of the system past the Perris station at the present time. Staff has been working with RCTC and RTA to locate a new transit center somewhere in the downtown area. It is hoped that the transit center would be close to a future courthouse building, the library and other

service centers in the area. There is also the potential that rapid bus transport would be developed from the Hemet/San Jacinto area to the future Perris Metrolink station, either as an interim or ultimate transportation network along the existing rail right of way. Consequently, the desirability of living close to the downtown area will be increased with these types of transit options.

Setbacks and Buffers – the Commission pointed out that the existing single family neighborhood to the west of Planning Area 1 might not have an adequate setback or buffer from the potential 3-story units that could be built in this area. Staff has conditioned the applicant to modify the Specific Plan as suggested by the Commission to increase the adjacent setback to 15 feet for two story structures and twenty (20) feet for three (3) story structures in Planning Area 1 so as to provide an appropriate buffer for the existing single family structures to the west. (See Attachment 5). As an alternative, the Commission could also consider limiting the height in Planning Area 1 and 5 to no more than 2 stories (similar to PA 3 and 7).

Project Buildout Timeframe – several members of the public were concerned about a lengthy buildout time frame. Staff had indicated that perhaps it might take 15 years to buildout the project area. This would not mean that actual construction would take 15 years, but that total buildout of all the dwelling units and the commercial area might take that long, especially in a slower economy. The applicant may have additional information as to the anticipated timeframe for development of the property. Staff is concerned, however, regarding the existing boarded-up structures on the site resulting from properties that have been purchased by the County. Many of the structures have been broken into by transients and have become a code enforcement issue. Therefore, a near-term plan will need to be in place to demolish the existing structures and eliminate the blighted conditions.

Future Project Development – several questions were asked concerning what the County's plans are concerning the future development of the project area. Members of the County staff will be present at the December 4th meeting to answer directly. However, County staff has indicated that the County will be assessing the marketability of all of their holdings in the near future. The land acquired will be marketed to developers by the County when it is deemed appropriate and suitable. Lands acquired with RDA Housing funds will have to be developed with some affordable housing. All the proceeds that are collected from the sale of the acquired property will be spent on development within the Project area. Affordability is based upon the countywide median income levels (currently estimated to be \$54,292) and not the Hemet sub-area, which tends to have a lower median income than the county average.

Pocket parks – a suggestion was made that perhaps one of the three pocket parks could be used as a dog park. Further research would have to be done to see if adding a dog park area would increase the size of the park land area. Such a proposal could have water quality issues since the areas will be for joint use as storm water retention areas, but could be considered at the time of development. The parks will be maintained by a master HOA or LLMD for the project.

Flood Control – the project area has some flooding issues in particular at the intersection of

State Street and Menlo Avenue. Future development of the project will provide street improvements and payment of flood control fees which will be used to improve the drainage of the area. The three (3) pocket park areas will be used to temporarily store runoff from a storm event.

Public Services Impacts – a member of the public asked if the DEIR analyzed the impacts to police and fire services. The DEIR analyzed how future development of the project would impact both police and fire services. Future development will be subject to payment of Development Impact Fees (DIF) and annexing into the citywide CFD established for additional police and fire services.

Traffic Impacts – a member of the public asked how future traffic would be handled on the existing City streets. The Specific Plan and Draft EIR outlines the necessary street improvements that will be required for the project. If additional right-of-way is required it will be accomplished with any new development. However, the traffic analysis outlines several off-site improvements as mitigation measures that will be required in conjunction with future development of the site.

CEQA REVIEW

A DEIR has been prepared and circulated for a 45-day comment period for the proposed specific plan starting on October 10, 2012 and ending on November 26, 2012. The DEIR addresses several primary issues including aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, public service, traffic and utilities. Mitigation measures are proposed for many of the impacts are provided in the Mitigation Measure Monitoring Plan (MMMP) found in Chapter 1 (Executive Summary) of the DEIR. A representative from the consulting firm that prepared the DEIR, The Planning Center\DC&E, will be present at the meeting to explain the findings of the DEIR and answer questions related to the environmental impacts of the project.

The DEIR has found that there will be significant impacts to the environment concerning air quality, greenhouse gas emissions, traffic, and noise. The air quality and noise impacts are typical to those found with projects of this magnitude. They are typically associated with temporary short-term impacts associated with construction activity. In all likelihood the North Hemet Specific Plan will be developed over a long period of time and in small increments.

The Greenhouse Gas emissions are considered significant until the City develops thresholds in a future Climate Action Plan (CAP) which is presently under development with the Western Riverside County Council of Governments (WRCOG).

The City will need to adopt a Statement of Overriding Considerations on these impacts that cannot be completely mitigated in order to certify the EIR. Responses to the public comments on the DEIR will be prepared by the environmental consultant prior to the Commission's next review of the project and DEIR. The responses to comments and DEIR will then be reviewed in

sum by the Planning Commission after the 45-day public comment period has ended and a final recommendation will be made to the City Council. Staff is recommending that the project be continued to your meeting of January 15, 2013 to prepare the necessary documents.

The comment letters received as of the date of this staff report are included in Attachment 3. Comments were received from the following entities:

- Soboba Band of Luiseno Indians
- Native American Heritage Commission
- San Jacinto Unified School District
- Eastern Municipal Water District

Project Alternatives

The DEIR analyzed the proposed project as well as alternatives to the project as required by CEQA. A detailed discussion of the project alternatives is provided in Chapter 7 of the DEIR.

The "No Project" Alternative is required to be considered and would basically be leaving the project area as it is. No development would be proposed and the existing zoning would stay as it is presently with C-2 (General Commercial) in the southern portion of the project area, and C-1 (Neighborhood Commercial) and R-3 (Multiple Family) residential on the northern portion of the project with a sliver of R-1 (Single Family Residential) on the western edge of Planning Area 1.

The DEIR analyzed a "Mid-to-Low Density Residential" Alternative which had reduced residential units to a maximum of 281 and severely reduced commercial and office land uses. While this alternative reduced some of the environmental impacts there still are the significant and unavoidable impacts associated with traffic, air, construction noise and GHG emissions. This alternative would not be effective in achieving the land use and planning objectives of the project.

A "Reduced Mixed-Use Intensity" Alternative was determined to be the "environmentally superior alternative". The Planning Areas would be essentially the same, but total dwelling units were reduced to 420 units, with 95,135 sq. ft. of commercial and 12,068 sq.ft. of office use. Operational air quality impacts would be reduced to below a level of significance.

POLICIES, REQUIREMENTS AND GUIDELINES REVIEW

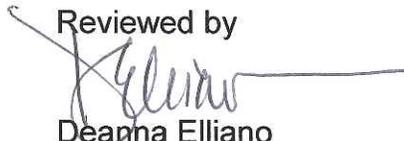
The proposed Specific Plan was reviewed by the Design Review Committee (DRC) for consistency with the City's applicable policies, requirements and guidelines. Subsequently, the DRC has recommended that the project be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines. The complete analysis of this project for consistency with the City's policies, requirements and guidelines can be found in Appendix A of the Specific Plan document.

PUBLIC COMMUNICATIONS RECEIVED

Several owners or residents of properties in the project area attended and spoke at the October 16, 2012 Commission meeting, as noted in the attached minutes (Attachment 4). Those within a 500 foot radius were notified by mailed notice of the Planning Commission hearing and the public comment period for the DEIR. The general public was notified on October 5, 2012 with a legal advertisement in the Press Enterprise. As of the date of this report, the Planning Division has not received any letters of comment from the public.

Respectfully submitted,

Ronald Running
Project Planner

Reviewed by

Deanna Elliano
Community Development Director

RR/ns

ATTACHMENTS

- A) Locational Exhibit/Zoning Map
- B) Aerial Photo of the Project site
- C) Proposed Land Use Plan for SP-11-001
- 1) Proposed North Hemet Specific Plan (SP 11-001) text (**Distributed previously to the Planning Commission– also available at the City’s website at www.cityofhemet.org**).
- 2) Draft Environmental Impact Report (DEIR), and Mitigation and Monitoring and Reporting Program (**Distributed previously to the Planning Commission– also available at the City’s website at www.cityofhemet.org**).
- 3) Comment Letters on the Draft Environmental Impact Report (DEIR)
- 4) Draft Minutes of the October 16, 2012 Planning Commission Meeting.
- 5) Draft Conditions of Approval
- 6) Planning Commission Staff Report dated October 16, 2012

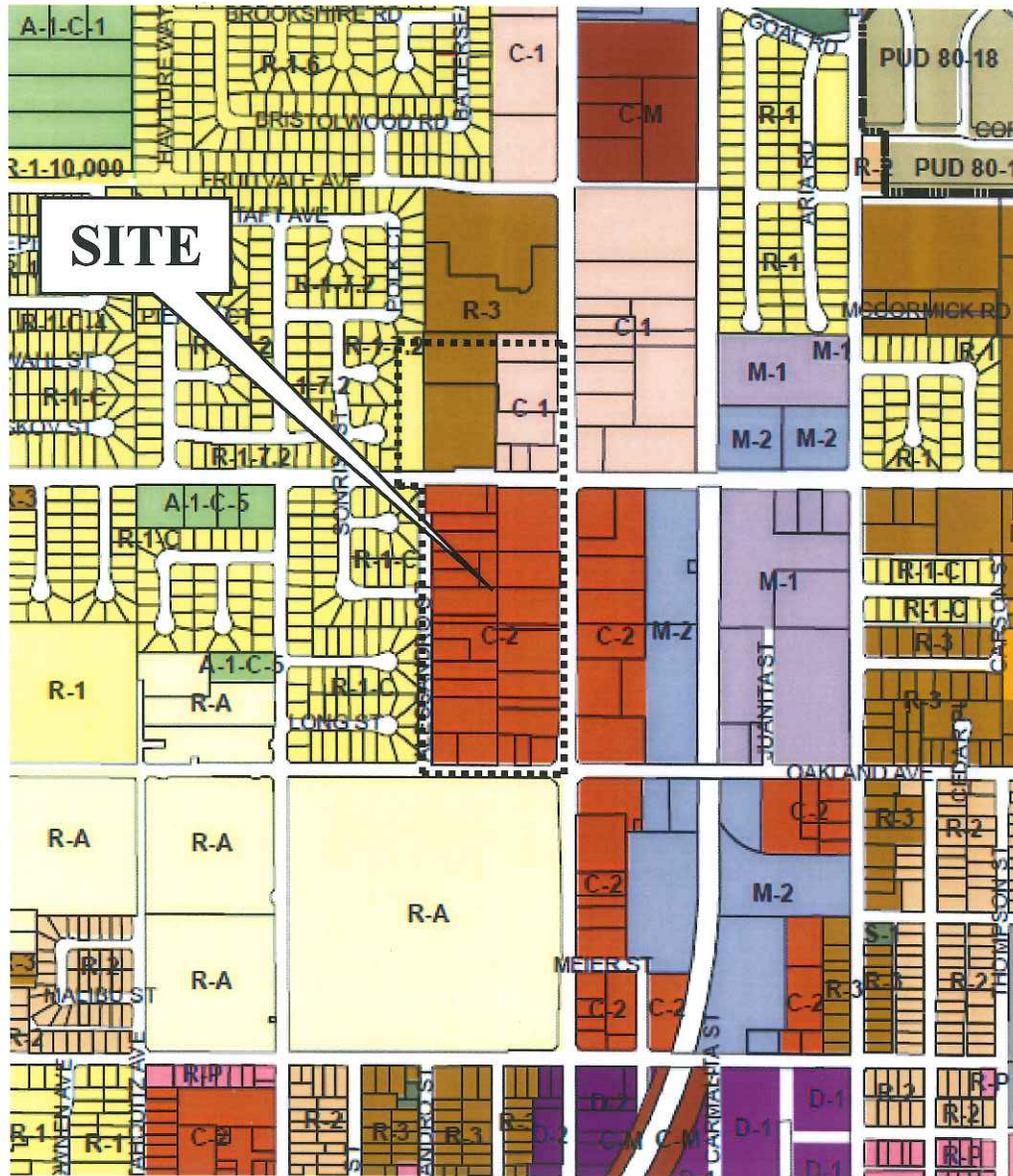
INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Subdivision Ordinance
Project Site’s Riverside County Integrated Plan Multi-Species Habitat Conservation Plan
Summary Report
Contents of City of Hemet Planning Division Project File(s) SP No. 11-001

**Attachment
No. A
Locational Exhibit**

**Planning Commission
Public Meeting of
December 4, 2012**

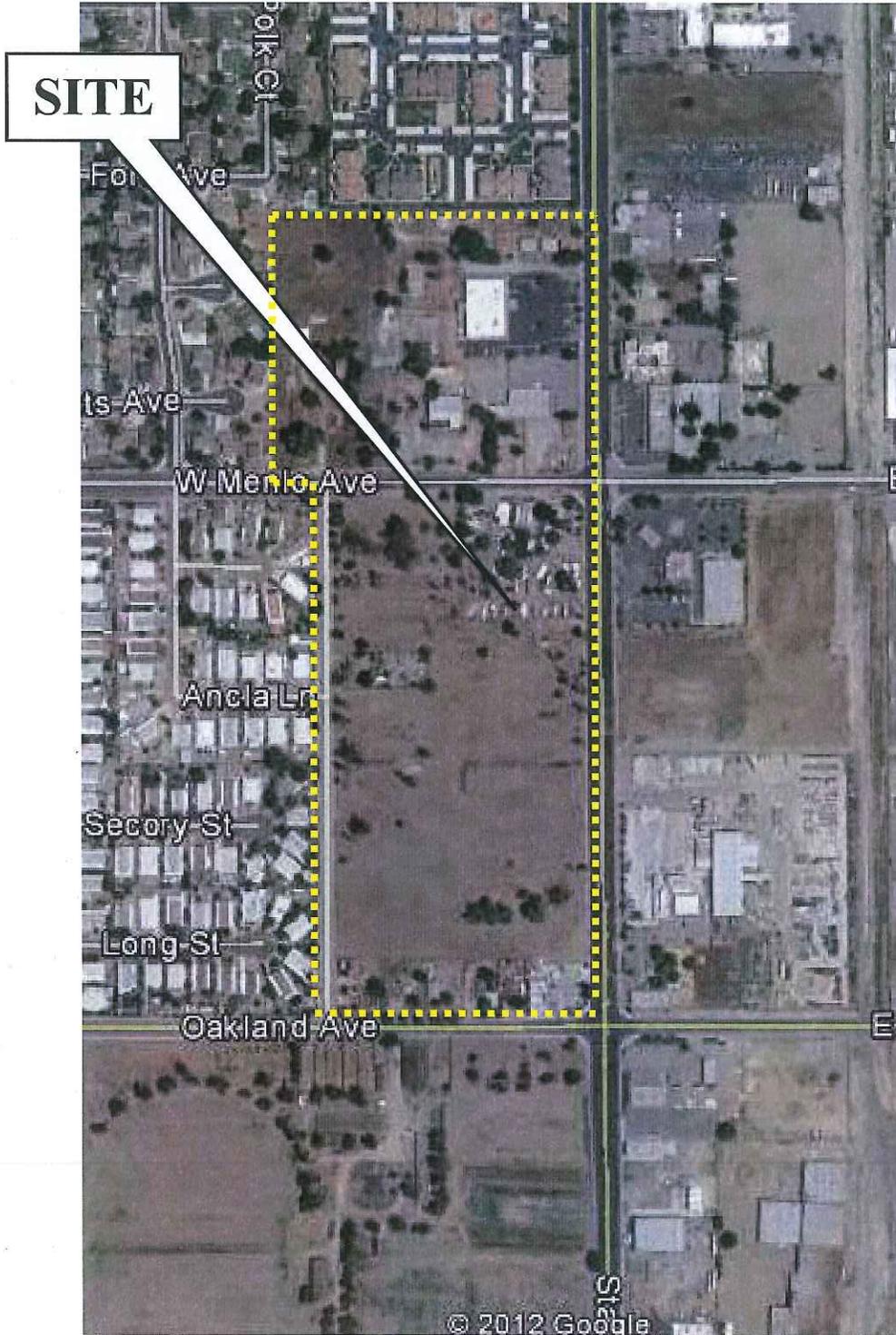
SPECIFIC PLAN NO. 11-001 ZONING MAP



**Attachment
No. B
Aerial Exhibit**

**Planning Commission
Public Meeting of
December 4, 2012**

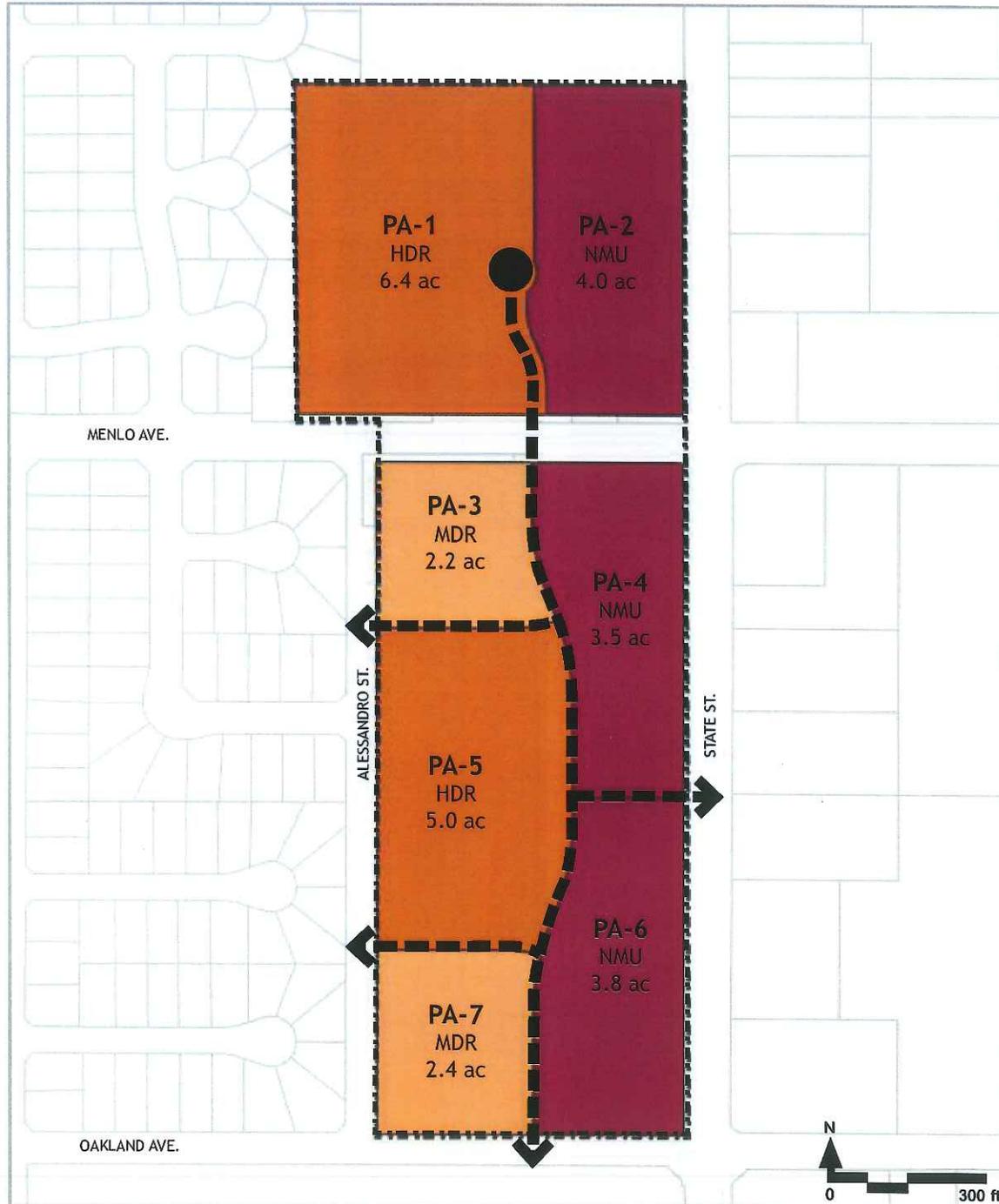
SPECIFIC PLAN NO. 11-001 AERIAL MAP



**Attachment
No. C
SP 11-001
Land Use Plan**

**Planning Commission
Public Meeting of
December 4, 2012**

FIGURE 3.1 LAND USE PLAN



- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Neighborhood Mixed-Use (NMU)

- Preliminary Road Alignment*
- Specific Plan Boundary

* Final access points and alignment to be determined with development processing.

**Exhibit
No. 1
SP No. 11-001
Text**

(Provided previously to the Planning Commission Only – available at the City's website at www.cityofhemet.org)

**Planning Commission
Public Meeting of
December 4, 2012**

Attachment No. 2 Draft DEIR

(Provided previously to the Planning
Commission Only – available at the City's
website at www.cityofhemet.org)

**Planning Commission
Public Meeting of
December 4, 2012**

**Attachment
No. 3
DEIR
Comment Letters**

**Planning Commission
Public Meeting of
December 4, 2012**

October 10, 2012

Attn: Ronald K. Running, City Planner
City of Hemet
445 East Florida Ave.
Hemet, CA 92543

RECEIVED
OCT 18 2012
PLANNING



Re: Notice of Completion of the Environmental Impact Report for the Northern Hemet Specific Plan (SP 11-001)

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between the City of Hemet and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

A handwritten signature in black ink, appearing to read "JOE", is written over the word "Sincerely,".

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



RECEIVED
OCT 18 2012
PLANNING

October 15, 2012

Mr. Ron Running, Project Manager

City of Hemet

445 East Florida Avenue
Hemet, CA 92543

Re: SCH#2011101031; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "North Hemet Specific Plan Project;" located in the City of Hemet, Riverside County California

Dear Mr. Running:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. The NAHC recommends that lead agencies conduct a Sacred Lands File search of the proposed 'area of potential effect' (APE) as part of their due diligence.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Board of Trustees
John I. Norman, President
Willie Hamilton, Clerk
Deborah Rex, Member
Rose Salgado, Member
John Schouten, Member

SAN JACINTO UNIFIED SCHOOL DISTRICT
EDUCATING AND INSPIRING EXCELLENCE

Shari L. Fox, Ed.D., District Superintendent
sfox@sanjacinto.k12.ca.us

District Administrative Office
2045 South San Jacinto Avenue
San Jacinto, CA 92583-5626
(951) 929-7700
Fax: (951) 658-3574
www.sanjacinto.k12.ca.us

October 18, 2012

RECEIVED
OCT 22 2012
PLANNING

Ron Running
City of Hemet-Community Development Department
445 E. Florida Ave.
Hemet, CA 92543

Re: North Hemet Specific Plan (SP-11-001)

Dear Mr. Running,

This letter is in response to your request to your letter regarding the above mentioned Site Plan. Your proposed residential units in Plan Area 1 and 2 (PA1 & PA2) are currently within the San Jacinto Unified School District boundaries. Based on your email dated 10/16/12, you indicated only PA1 would have proposed residential units for senior housing or assisted living.

Any students generated by the proposed residential project would be served by the San Jacinto Unified School District. All actions with respect to residential development will potentially result in an impact on the San Jacinto Unified School District's school system as overcrowding is a District-wide concern. The District requests that the developer inform all potential property owners that the San Jacinto Unified School District cannot guarantee attendance within the current elementary or middle school boundaries for the students generated from this development. As such, individual students may be assigned to the school that has available seating for that grade level. The District's website will show tentative schools of attendance based on the property's address. In addition, please be aware that in February 2010 the San Jacinto Unified School District Board of Trustees approved a reduction in transportation services. Transportation is only available for Elementary students who live over 2.50 miles from their school and for Secondary students who live over 5.00 miles from their school.

Sincerely,



Michael Collins
Director, Facilities and Operations

c: Richard De Nava, Assistant Superintendent, Business Services

Encl: Email dated 10/16/12

Ron Running - North Hemet Specific Plan

From: Mike Gow <mgow@lhmwd.org>
To: Ron Running <RRunning@cityofhemet.org>
Date: 10/12/2012 2:59 PM
Subject: North Hemet Specific Plan

Hello, Ron. I received the NOC/A and reviewed the applicable parts of the DEIR. All looks fine except a couple points. One, the developer should contact LHMWD to determine specific requirements for fire flow, meters, backflow, and irrigation service. Fire flow was not evaluated or even known when the WSA was prepared. Lastly, LHMWD provided the unit water usage for the Specific Plan in Table 1 of the WSA for the project contrary to Table 5.14-4 of the DEIR. No change to the conclusions regarding water availability though.

I also noticed the SP number changed from 10-001 to 11-001 so we will update our records. Thanks again and good luck with the DEIR.

From: Ron Running [mailto:RRunning@cityofhemet.org]
Sent: Monday, November 21, 2011 10:19 AM
To: Mike Gow
Subject: Re: North Hemet Specific Plan

Thanks Mike. Glad to see that we'll have water! Ill coordinate with Nicole on the fee.

Ron

Ronald K. Running
 City Planner
 City of Hemet Planning Department
 445 E Florida Avenue
 Hemet, CA 92543
 951.765.2393 phone
 951.765-2359 fax
 email: rrunning@cityofhemet.org

>>> Mike Gow <mgow@lhmwd.org> 11/17/2011 4:54 PM >>>

The Board approved the WSA today. Please send the fee asap. Thanks.

From: Mike Gow
Sent: Thursday, November 10, 2011 3:06 PM
To: 'Nicole Vermilion'; 'Ron Running'
Subject: North Hemet Specific Plan

Please process payment of \$1,025 for the WSA. Thanks.

From: Mike Gow
Sent: Tuesday, November 08, 2011 5:09 PM
To: 'Nicole Vermilion'
Subject: RE: North Hemet Specific Plan

Attachment

No. 4

**Draft Planning
Commission Minutes
of October 16, 2012**

**Planning Commission
Public Meeting of
December 4, 2012**

1 The motion was **SECONDED** by Commissioner Perciful, and carried by the following
2 vote:

3
4 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
5 Perciful, Moghadam, and Vasquez

6 **NOES:** None

7 **ABSTAIN:** None

8 **ABSENT:** None

9
10 **5. SPECIFIC PLAN NO. 11-001 & DRAFT ENVIRONMENTAL IMPACT REPORT**
11 **(NORTH HEMET SPECIFIC PLAN)**

12
13 **APPLICANT:** Housing Authority of the County of Riverside

14 **LOCATION:** Northwest corner of North State Street and Oakland Avenue

15 **PLANNER:** Ron Running — (951) 765-2375

16
17
18 **DESCRIPTION:** A request for Planning Commission review and
19 recommendation to the City Council regarding the establishment of a Specific
20 Plan for a 28.6+/- acre site and the proposed Draft Environmental Impact
21 Report establishing a maximum of 525 multi-family residential units (100 units
22 within mixed-use areas), 118,919 square feet of retail commercial, and 16,335
23 square feet of office space.

24
25 The staff report was presented by Project Planner Ron Running, who displayed a
26 PowerPoint presentation and provided various details regarding the proposed project.

27
28 Chairman Gifford thanked Mr. Running and staff for the work done on this item. He
29 noted that the Commission had been presented a work study on this project at an
30 earlier date, adding that the CEQA document has been placed on the City's website for
31 the 45-day comment period.

32
33 Planner Running added that the documents are available on the website, as well as at
34 the library and City Hall.

35
36 Chairman Gifford questioned if whether the assumptions for future project development
37 were dependent on having a future Metrolink station nearby.

38
39 Planner Running responded that at some time in the future the Metrolink would be
40 developed in Hemet, as it is on the RCTC master plan.

41
42 Chairman Gifford suggested that the density might be a problem since there is about a
43 third of the land area proposed as high density. Having a Metrolink in this area makes
44 sense, but if the Metrolink does not come in, this will come back to the Commission for
45 some specific issues that will need to be addressed at that time.

46
47 Planner Running commented that all future developments related to the specific plan
48 would come before the Planning Commission for review on an individual basis.

49
50 Chairman Gifford responded that staff should "put a red line" next to that for
consideration since most of the land area under consideration is open land at this point.

1 He inquired regarding whether the current land owners had been contacted regarding
2 this specific plan.

3
4 Planner Running indicated that notifications were sent to all of the landowners, and
5 advised that the county had been negotiating with the property owners within the
6 project and had held a stakeholder meeting about a year ago as one of the several
7 attempts at community outreach.

8
9 Chairman Gifford noted one property on the corner of Menlo Avenue and State Street
10 that might be replaced with something more attractive and reminded the Commission
11 that staff had been working on this for a number of years. He added a comment that in
12 his review of the EIR report, he was surprised that it didn't address cultural issues. For
13 example, the Hemet Stock Farm was not specified as a cultural resource, and some
14 sort of reference to the Stock Farm should be noted so that any remaining historic
15 buildings are preserved.

16
17 Planner Running explained that this project did not include the Stock Farm within its
18 boundaries.

19
20 Commissioner Moghadam expressed some concerns regarding the density on the
21 northwest side of the site, and the aesthetics and height of the buildings with respect to
22 the single-family homes at that location.

23
24 Planner Running shared that it is hoped that an assisted-living or senior-housing
25 project might be developed at this location, although he noted that the specific plan
26 does allow for conventional multiple-family housing in that area. He added that he
27 would look at the height issue, explaining that three stories, 40 feet high, was the
28 maximum allowed for that area.

29
30 Commissioner Moghadam continued asking about adjacent residences. He wondered
31 if any kind of landscaping or relief would be available or if the plan would be too dense,
32 with people being able to view their neighbor's backyard.

33
34 Planner Running responded that the plan included a ten-foot setback.

35
36 Commissioner Moghadam continued sharing his concern as far as the residential
37 setbacks and the possibility of reducing the heights at that location on the west corner.
38 He wondered about the width of the streets with landscaping and pedestrian areas,
39 along with parking, biking, and car lanes on State Street and Menlo Avenue.

40
41 Planner Running indicated that parking had been removed on State Street to ease this
42 problem.

43
44 Commissioner Moghadam asked if a reduction in the speed limit was considered or if
45 the limits would remain the same.

46
47 Planner Running responded that speed limits were outside the scope of the specific
48 plan document, noting that these types of issues are usually handled through the
49 Engineering Department.

50
Chairman Gifford added that the center divider would promote a slowing of the traffic.

1 Vice Chairman Overmyer commented that for him the important question would be
2 ownership of some of the parcels, and again whether the Metrolink has a specific
3 location designated for development.

4
5 Planner Running responded that there was no specific location planned for the
6 Metrolink, and that staff has only indicated its best guess on the maps.

7
8 Vice Chairman Overmyer agreed with the concerns that had been expressed regarding
9 the high-density issue, although he indicated that if the City is required to have higher
10 density housing this is a good location for it.

11
12 Commissioner Vasquez asked about the time frame for the project.

13
14 Planner Running said that build out of the project could be over a fairly long time frame
15 – probably 15 years. It will largely depend upon market conditions.

16
17 Commissioner Vasquez expressed concern regarding the length of time for project
18 completion, and the impact to the City if the project were not completed. He asked if
19 the time frame might be shortened if a developer were found.

20
21 Planner Running concluded that their hope was to find one major developer, once the
22 market rebounds, and then it would be possible to develop in a much shorter time
23 frame.

24
25 Chairman Gifford commented his belief that the Metrolink would drive this project and
26 wondered when it was anticipated to come in. He further requested a professional
27 opinion regarding when the project was anticipated to begin.

28
29 CDD Elliano responded that there had been approval for the Perris Line connection
30 which is the piece needed before the eastern extension could begin. She shared that
31 as part of the regional documents reviewed earlier this year – called the Regional
32 Transportation Plan or the RTP – as to the prioritizing of the various transportation
33 projects throughout the region, those that are funded have a higher priority. Without
34 funding it could be a 20-year window, but if funding were found, the project would move
35 up as a priority and the window could become as small as perhaps five-years. The
36 majority of the right-of-way that makes the connection from the Perris station is here,
37 and is relatively open land. Although the rail needs upgrading, the RCTC owns all of
38 the right-of-way, which is a huge advantage over some of the other potential
39 connections in the other communities.

40
41 Chairman Gifford concluded that a 15-year window to build this project out is
42 unrealistic, especially if we don't have a time frame from Metrolink, who is the driver of
43 this part of the project. He further suggested that even though State Street is the
44 northern gateway to the City, and the City cares how it will develop, the key to it is the
45 Metrolink, along with the City/County government center and library. If the Metrolink
46 happens, it will be self-sustainable.

47
48 Planner Running reported that the proposed Metrolink from San Bernardino to
49 Redlands has an ever-shortening time frame now to within five years because of
50 creative financing and grant funding from the Federal Transportation Administration.

1 He shared his optimism for the Hemet project and the possibility for the high-speed
2 railway to San Diego as a future project.

3
4 CDD Elliano reminded the Commission of the synergistic relationship between land
5 use planning and the Metrolink's priorities. She continued by listing the issues that
6 needed to be considered, such as ridership and land use planning that links to
7 transportation networks. She noted the importance of the specific plan development,
8 since in the specific plan we have an overall infrastructure plan, and land uses that
9 have been crafted for this site that create a potential demand for the metrolink. She
10 further noted that the Commission has ultimate authority and control over the actual
11 building design and construction of the project. Each project that comes forward will
12 have detailed reviews. She again reminded that this is a zoning document, looking at a
13 broad brush picture for the project.

14
15 Chairman Gifford thanked CDD Elliano for her summary.

16
17 CDD Elliano added that even without the Metrolink, future development of this part of
18 town will be achieved much more in keeping with what the City's vision is if there are
19 detailed design standards rather than simply using conventional zoning for each small
20 parcel at a time.

21
22 Vice Chairman Overmyer wondered if the specific plan could be adopted with the
23 current ownership intact.

24
25 CDD Elliano responded in the affirmative, noting that the City has police power to
26 adopt consistent zoning with the General Plan.

27
28 Vice Chairman Overmyer asked if majority ownership is one of the fundamental
29 determinations behind being able to change the zoning.

30
31 CDD Elliano answered by noting that the City always has the ability to enact zoning,
32 whether we have approval or agreement from the property owner or not. However, as
33 a practical matter, the City would prefer to have property owners' support because of
34 respecting private property rights. She believes it is a benefit that the County has the
35 majority ownership.

36
37 Chairman Gifford opened the public hearing on this item.

38
39 Assistant City Attorney McEwen reminded the Commission that this item remains open
40 as a public hearing until December 4th, so a proper motion would be to continue the
41 public hearing.

42
43 Ms. Elizabeth Pierce, 363 Long Street, approached the lectern and commented
44 regarding crime impact studies, noting that if this project was developed as low to
45 middle income it could bring some possible undesired elements into the City. She also
46 wondered what impact this might have on the police and fire departments as perhaps
47 indicated in the Draft Environment Impact Report. She stated that her concern
48 continues regarding the new properties such as mobile homes, what would be the
49 impact of having, for example, assisted living properties if crime already is seen in
50 these areas now, and what level of income is projected for this multi-family living

1 spaces. On another note, she asked about flooding on State Street and Oakland
2 Avenues, and what was anticipated with regards to this.

3
4 Chairman Gifford thanked Ms. Pierce and commented that the CEQA document is
5 open for public review now and for the next 45 days. Many of these concerns have to
6 be addressed in the CEQA document such as flooding impact, police and fire services,
7 etc. If it is not covered adequately, public comments are invited since we need to know
8 the impact to people that live there and are on the ground, so to speak.

9
10 CDD Elliano added her comments in terms of crime and the impact study. She stated
11 that the impact of police and fire are addressed within the EIR and that one of the
12 mitigation measures on police and fire is done at the time of development. Every
13 development unit and all commercial industrial properties have to pay a development
14 impact fee towards police and fire provisions. In addition, there is a mitigation measure
15 that this property would become a part of a public safety Community Facilities District,
16 which means it has an annual assessment that is applied to new development, this
17 property would fall under that. In terms of the affordability levels, the specific plan
18 document itself is the zoning document that establishes the land use and density, not
19 affordability. If, however, the County and the Housing Department were to negotiate
20 with a particular housing developer, they may have a certain affordability criteria they
21 might consider for a senior housing project. We do not have any details at this time
22 and at this level of the project.

23
24 Chairman Gifford commented for clarification that this is a programmatic document,
25 meaning that it sets the framework while the details – when they come in and actually
26 move to development – must come back to this Commission, and to the public. Details
27 such as who the buyers are and the density must be decided at a later time as we
28 hope this valley will be a destination for young professionals and upper middle class.
29 So with this particular plan, our option is to either do nothing or to do what builds this
30 community so that the face of Hemet to those coming in on State Street, Florida
31 Avenue and Sanderson Avenue is upgraded. We want the Metrolink and a plan that is
32 going to attract people here.

33
34 Chairman Gifford continued sharing his concern for a better Hemet and responded to
35 Ms. Pierce's concern about the length of time it may take for this to be fulfilled and
36 completed.

37
38 CDD Elliano continued the discussion by advising that the Town and Country Mobile
39 Home Park had been part of a redevelopment effort, but when the Redevelopment
40 Agency was dissolved, so was the City's ability to purchase the mobile home park.
41 However, under the proposed plan, it would be designated or zoned for commercial,
42 and the City's anticipation and hope is that because commercial is a higher and better
43 use than what is there now, perhaps someone will see the value at this prime corner
44 for new commercial development.

45
46 Ms. Pierce continued sharing her concern about crime, the challenges of building
47 mansions next to shacks, and current devaluation of existing property.

48
49 Chairman Gifford encouraged the public to take a good look at the CEQA document
50 and the Environmental Impact Report, and then let the Commission know their
thoughts at the December 4th Planning Commission meeting, to which the project is

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continued.

Ms. Paula Rangel (no address given) commented on the current state of Hemet and her feelings that this project would not improve the City of Hemet, whose focus should be on current challenges.

Chairman Gifford agreed with Ms. Rangel's statement regarding the state of the City of Hemet. He added that the State mandates low income housing and the City must comply with the state's policies; however, the plan is that these housing units, should the Metrolink come into existence, will be utilized by young professionals and commuters and that nothing can happen until these projects come back to the Commission for approval.

Mr. Kelly Estes, 343 Long Street shared a list of his concerns about the current state of Hemet and long-term projections and planning without regard to current conditions.

Chairman Gifford responded that these individual concerns are in the public record. He again encouraged the public to look at the CEQA document over the next 45 days and come back for the December 4th meeting.

Ms. Jenny Jones, 366 Socorro Street, shared her concerns about schools, traffic, new construction, lack of school buses, and the state of the economy in Hemet.

Mr. Mike Pendergast (no address given) identified his issues and suggested trolley service between Hemet and Perris as well as additional manufacturing jobs, and the development of the Stock Farm.

Chairman Gifford noted his concern and suggested he contact CDD Elliano after the meeting for an update regarding the police department's progress regarding crime in Hemet.

Mr. Raul Sparz, 115 West Oakland, wanted to know the status of his property, which The County EDA had expressed an interest in purchasing.

CDD Elliano suggested he contact Planner Running as to information regarding this property.

An unidentified member of the public wanted to know what would happen to their property since theirs is the only house left in the project area.

CDD Elliano responded that they would be able to continue to live in their home on their property until such time they should decide to sell that property. At that point it would be incorporated into the surrounding development.

Chairman Gifford reiterated that this is not subject to eminent domain. There is no requirement that anyone move or sell their property; the City is simply zoning the property.

City Engineer Biagioni explained that the City has one dog park on Cawston Avenue but it takes funds to maintain one. The City has been spending \$3.7 – \$3.8 million throughout the city for street improvements and to incorporate new streets for re-

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paving.

Chairman Gifford queried if flooding improvements are made with funds from the City or from the developers.

City Engineer Biagioni replied that the developers would be responsible for construction of the basins.

Chairman Gifford clarified that the developers would be required to pay the fees to improve the streets, including flooding issues.

City Engineer Biagioni further explained that it is a combination of money and development impact fees, so the City is not spending money from the General Fund.

Commissioner Moghadam explained that Hemet is a flood zone and that this site is going to contain itself. It is not going to overflow into what exists. He expressed concern regarding the existing part that is flooding.

City Engineer Biagioni commented that the City has some money for flood control – approximately \$4 million – in the development impact fee funds, which is quite small for a huge storm project. They are expensive to build and there are many concerns because of environmental conditions. The City is very flat and this is a huge challenge for the issue of drainage. He just released a request for proposal to do a study on the west side of the City, so hopefully that will be on-line and we can incorporate those storm drains or channels in order for the developer to build some of them.

Commissioner Moghadam asked if the City had any plan concerning the slope, which makes a difference in how fast the water goes.

City Engineer Biagioni replied that there is a master plan for drainage dated from 1984 that has identified all those areas. He reiterated that it is a matter of funding.

Chairman Gifford asked Planner Running the approximate size of the pocket parks in the plan?

Planner Running responded that each are under an acre in size.

Chairman Gifford asked if one of those could be designated as a dog park, and questioned whether an acre was enough space for a dog park.

Planner Running replied that it was, noting that the City had approved the Tres Cerritos East dog park.

Kelly Estes referred to the City's vision of Menlo Avenue as a four-lane street, and inquired regarding how far west that was proposed to go.

Planner Running responded that it would go all the way to the western city limit.

CDD Elliano explained that it is a master plan street in the General Plan, and to the west it would be four lanes all the way out.

1 Mr. Estes stated that the City is asking the property owners to give up a lot of land for
2 this street.

3
4 CDD Elliano notated that it has been designated as a secondary street for a long time
5 now.

6
7 City Engineer Biagioni further clarified that this particular property is going to improve
8 the four lanes for Menlo Avenue within the project limits. There would be a lot of
9 property acquisition.

10
11 Chairman Gifford stated that the City has designated Menlo Avenue as a secondary
12 collector, which means those rights-of-way have been set for a long time. Therefore,
13 they don't have to be acquired if they are already part of the street plan.

14
15 Ms. Linda Pendergast who has lived in Hemet for twenty-seven and a half years
16 commented about the high percentage of businesses that are closing. She asked how
17 the City was proposing to keep the new project open. She felt it was bad timing.

18
19 Chairman Gifford commented that his own father was born in Hemet in 1930 and that
20 his family has been here for four generations. He posed that there are two indications
21 that must be made: 1) we need to invite people who are troublemakers to leave; 2) we
22 need to invite people into this community who will embrace it and become responsible
23 citizens.

24
25 Ms. Pendergast agreed and stated that it has been only in the last five years that their
26 property has been violated.

27
28 Chairman Gifford suggested that a good thing is that the community as a whole is
29 organizing to change things. He noted that there are a lot of good businesses, and that
30 he wished to attract a better entertainment complex.

31
32 Chairman Gifford next asked for a motion to continue the public hearing to December
33 4, 2012 at 6:00 p.m.

34
35 Shawn Roots, a resident off of Florida Avenue, shared that he liked the idea of the
36 development issue. He has been disappointed about the mall on the west side not
37 being successful, but for this side of town the development is a good idea.

38
39 It was **MOVED** by Commissioner Overmyer, and **SECONDED** by Commissioner
40 Moghadam to continue the public hearing for Specific Plan 11-001 to the meeting of
41 December 4, 2012.

42
43 The motion was carried by the following vote:

44
45 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
46 Perciful, Moghadam, and Vasquez

47
48 **NOES:** None

49 **ABSTAIN:** None

50 **ABSENT:** None

**Attachment
No. 5
Conditions of
Approval**

**Planning Commission
Public Meeting of
December 4, 2012**



CITY OF HEMET

DRAFT CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: December 4, 2012
CITY COUNCIL DATE: TBD

PROJECT NO.: SP No. 11-001 (North Hemet Specific Plan)
APPLICANT: Housing Authority of the County of Riverside
LOCATION: Northwest corner of North State Street and Oakland Avenue
DESCRIPTION: Specific Plan for 28.6 acres.
OCCUPANCY: This project has been reviewed as a **B Occupancy**; any other use will require further review.

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

General Conditions:

1. Within 30 calendar days of the adoption of the Specific Plan Ordinance, the applicant shall provide twenty (20) copies of the final adopted Specific Plan document to the Planning Department in Microsoft Word and Adobe PDF word processing format on compact disc (CD).

Text Revisions:

(The following required revisions to the Specific Plan document shall be performed prior to first reading of the ordinance at the City Council hearing on the Specific Plan amendment and shown in underline text.)

2. Applicant shall modify the Specific Plan title page to include the Council Ordinance number and date of adoption on the final adopted document.
3. Applicant shall include City Council Ordinance adopting the Specific Plan amendment as an appendix.
4. Applicant shall include the adopted Mitigation Monitoring Plan as an appendix.
5. Applicant shall modify Specific Plan text to reference the Indemnification Agreement and include Agreement as an appendix.

City of Hemet - Conditions of Approval
Specific Plan No. 11-001 – North Hemet

6. Applicant shall modify the Specific Plan text to increase the setback adjacent to the single family homes to the west of Planning Area 1 to a minimum of fifteen (15) feet for two-story buildings and twenty (20) feet for three story buildings.
7. Table 3.1 shall be revised to correct the density for Planning Areas 4 and 6 from 18-30 du/ac to 8-18 du/ac to match the actual maximum unit allocation for these areas noted in Table 3.1

END

Attachment

No. 6

**Planning Commission
Staff Report dated
October 26, 2012**

**Planning Commission
Public Meeting of
December 4, 2012**

AGENDA #5



Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director *DE*
Ronald Running, Project Planner

DATE: October 16, 2012

RE: **SPECIFIC PLAN NO. 11-001 & ENVIRONMENTAL IMPACT REPORT** - A request for Planning Commission review and recommendation to the City Council regarding the establishment of the proposed North Hemet Specific Plan for a 28.6 ± acre site and the proposed Draft Environmental Impact Report establishing a maximum of 525 multi-family residential units (100 units within mixed-use areas), 118,919 square feet of retail commercial and 16,335 square feet of office space.

PROJECT APPLICANT INFORMATION

Owner: Housing Authority of the County of Riverside
Authorized Agent: Karen Gulley, The Planning Center
Project Location: Northwest corner of North State Street and Oakland Avenue
APN Information: 439-060-010 et. al.
Lot Area: 28.6± acres

STAFF RECOMMENDATION

The Planning Department recommends that the Planning Commission:

1. Take public testimony regarding the proposed project and Draft EIR, and
2. Provide initial review and comment regarding the Draft Environmental Impact Report (DEIR) (Attachment No. 2) and Draft North Hemet Specific Plan (SP 11-001) (Attachment No. 1), and
3. Continue the Public Hearing to the December 4, 2012 Planning Commission meeting for formal action on the Final EIR and SP 11-001.

City of Hemet - Planning Department
Planning Commission Meeting of October 16, 2012

BACKGROUND

Several years ago the Riverside County Economic Development Agency (EDA) approached the City with a proposal to master plan the property located within the City in the County's Mid-County Redevelopment Project Area located on North State Street in the City of Hemet. A development plan was prepared along with technical studies on the feasibility of revitalizing the area in general. The development plan was shown to the City Council in work study sessions. The County then contracted a consultant team in 2009 to develop a Specific Plan for the area. The City of Hemet's Housing Authority, as well as Planning staff, worked closely with the County and consultant team in developing the proposed Specific Plan.

On July 17, 2012 the Planning Commission reviewed the proposed North Hemet Specific Plan at its work study session. The proposed project is intended to be a mixed commercial/multi-family residential project on a site that is within a former Riverside County Redevelopment Project area. The project could ultimately have a maximum of 302-525 multi-family residential units, 118,919 square feet of retail and 16,335 square feet of office space at project build-out. (See Attachment 1).

The Housing Authority of the County of Riverside (HACR) has prepared a Specific Plan (SP 11-001) which, if approved, will be the zoning for the 28.6 ± acre site. The Specific Plan will contain the permitted land uses and development standards for the property. The applicant is not proposing to subdivide or develop the property at the present time. However, it is the County's intent to market the property for future development to a master developer or individual builders.

A Draft Environmental Impact Report (DEIR) has been prepared to analyze the possible environmental impacts associated with the proposed development. (See Attachment 2). The DEIR recommends a series of mitigation measures that are necessary for completion of the project. A summary of the mitigation measures are found in the draft Mitigation Measure Monitoring Plan contained in the Chapter 1 (Executive Summary) of the DEIR.

The Draft Environmental Impact Report (DEIR) was circulated for its 45-day public review period on October 10, 2012. The conclusion of the review period will be on November 16, 2012. Consequently, the Commission will need to continue the public hearing until its meeting on December 4, 2012. At that time, any public comments will be reviewed along with their responses. The Commission will then be able to make a recommendation to the City Council on the proposed specific plan.

The site is presently largely vacant under-utilized County owned land that is zoned C-2 (General Commercial), C-1 (Neighborhood Commercial) and R-3 (Multiple Family). (See Exhibit A.) The extent of the County ownership is shown in Figure 2.3 of the Specific Plan. Adoption of the Specific Plan will replace the present zoning and development standards for the property. The bulk of the property is vacant land with a few isolated single family residential structures, the Town & County mobile home park, and some commercial buildings. The County recently opened its Community Services Center in the former Smart & Final building. Photos of the various

properties are shown in Specific Plan Figure 2.5.

As of February 2012 all redevelopment agencies in California were dissolved. The Housing Authority of the County of Riverside (HACR) has assumed the project and ownership of the previous EDA properties within the project area. The HACR will oversee the processing of the Specific Plan with the City of Hemet.

PROPOSED SPECIFIC PLAN

Purpose

The overall purpose of the North Hemet Specific Plan is to provide comprehensive direction for the redevelopment of the project area while implementing the goals and polices of the 2030 General Plan and the objectives of the Mid-County Redevelopment Project Area. The following objectives were identified and explained in Section 1.1 of the Specific Plan:

- Increase the supply of new attached housing in the downtown area.
- Remove economic impediments to land assembly and infill development.
- Establish plans for public infrastructure improvements.
- Eliminate nonconforming and blighted uses.
- Provide neighborhood shopping opportunities.
- Provide new residential, commercial, office and open space development that is incompatible with existing or planning surrounding development.
- Provide for new development that is "transit ready" for the potential extension of Metrolink service to downtown Hemet.

Land Use Plan

The proposed land plan hopes to achieve the intensity that is suitable to a site that is located near the historic downtown core, along a major north-south thoroughfare, and within close proximity to a future Metrolink station. The following land use summary is found in Table 3.1 of the Specific Plan:

Land Use Summary

| PA | Land Use | Acres | Density | Units | F.A.R. | Retail Sq.Ft. | Office Sq.Ft. |
|----|------------------------|-------------|---------|----------------|--------|----------------|---------------|
| 1 | High Density Resid. | 6.4 | 18-30 | 115-192 | - | - | - |
| 2 | Neighborhood Mixed Use | 4.0 | - | - | 0.50 | 38,115 | 16,335 |
| 3 | Medium Density Resid. | 2.2 | 8-18 | 18-40 | - | - | - |
| 4 | Neighborhood Mixed Use | 3.5 | 18-30 | 24-40 | 0.50 | 53,361 | - |
| 5 | High Density Resid. | 5.0 | 18-30 | 90-150 | - | - | - |
| 6 | Neighborhood Mixed Use | 3.8 | 18-30 | 36-60 | 0.50 | 27,443 | - |
| 7 | Medium Density Resid. | 2.4 | 8-18 | 19-43 | - | - | - |
| | Public Street R.O.W. | 1.3 | | | | | |
| | Total | 28.6 | | 302-525 | | 118,919 | 16,335 |

The proposed land use mix ranges from Medium Density Residential (8-18 d.u./ac.) to High Density Residential (18-30 d.u./ac.). A market study prepared for the project showed a relatively light commercial demand for the area in general. The Specific Plan reflects the anticipated commercial demand, but also provides flexibility in the event that commercial is more viable over the long term. The project area has been divided into seven (7) planning areas as shown in Figure 3.1 of the Specific Plan.

The three Planning Areas that front State Street (PA 2, 4 and 6) will allow for commercial development. However the two southern areas, south of Menlo Avenue (PA 4 and 6) allow for a mix of commercial and residential land uses. The mixture of land uses can be vertical or horizontal.

Two high density planning areas are shown on the western portion of the project area (PA 1 and 5). Planning Area 1, north of Menlo Avenue, is envisioned as an appropriate site for a senior assisted living area with its close proximity to the Community Service Center immediately to the east. The other high density area (PA 5) is between two medium density areas (PA 3 and 7) that would allow for a tapering of density to the Menlo Avenue or Oakland Avenue frontages.

Development concepts are shown in the specific plan in Figures 3.2 and 3.3 and explained in text on page 23 for each Planning Area. Anticipated residential product types are illustrated in Figures 3.4 through 3.9 of the Specific Plan. The lowest density types would be Greencourt Homes (8-12 d.u./ac.) or Paired Homes (9-12 d.u./ac.). Courtyard Clusters and Townhomes range from 18 d.u./ac. to 30 d.u./ac. shown with Podium Apartments or Senior Housing prototypes.

Joint Use Parks/Detention Areas

The project site has an interesting drainage flow pattern which will cause the need for three separate storm-water collection areas in the plan. Two areas are proposed along Menlo Avenue where the project's interior entrance drives are located. The third collection area is found on Oakland Avenue at its project entrance. Figure 3.10 of the Specific Plan shows the approximate location for these areas along with photos showing how the areas could be developed as joint use park/detention facilities.

Circulation Plan

The seven planning areas are broken up with a transportation spine shown on Figure 3.1 of the Specific Plan. The spine will serve motorists, bicycles and pedestrian activity. State Street will remain as a Divided Secondary with four lanes of travel. A landscaped median is proposed as shown in Figure 3.12 of the Specific Plan. Menlo Avenue will serve as a 4-lane Undivided Secondary and Oakland will be a 2-lane collector street.

All three of the perimeter streets have been designated in the 2030 General to have bikeways. Specific Plan Figures 3.12 through 22 show how the travel lanes, bike lanes, parking and pedestrian walkways will be integrated on each street. Alessandro Street and the interior future streets will be local streets. The complete pedestrian, bicycle, and transit network is shown in Specific Plan Figure 3.24. State Street will be developed with a center landscaped median. Other street improvements are listed in the mitigation measures for traffic in Table 1-2 of the DEIR. Future development within the project will be required to pay its fair share of the cost of the installation of traffic signals at the intersections of 1) Palm Avenue and Menlo Avenue, 2) Lyon Avenue and Menlo Avenue, and 3) Menlo Avenue and Buena Vista Street.

Utilities and Drainage

Section 3 of the Specific Plan also contains the utility plans for the area. Specific Plan Figure 3.25 shows the natural gas, water and sewer lines that serve the project area. Figure 3.26 of the Specific Plan shows the conceptual drainage and grading plan. The three respective drainage areas will be needed to be improved at the time of development for the area that the areas serve.

Development Standards

Section 4 of the Specific Plan deals with the development criteria for the project. Table 4.2 lists the permitted land uses in each of the seven planning areas. General development standards are found in Section 4.2.

Residential Development Standards

Table 4.4 provides the development standards for future residential land use for both the Medium Density Residential (MDR) and High Density Residential (HDR) areas. The minimum project site size will be one (1) acre. Minimum standards for building frontage are shown for State Street, Menlo Avenue and Oakland Avenue. These standards are recommended to avoid having a parking lot dominated street scene. The maximum height for a residential only building would be 40 feet or three (3) stories.

Commercial Development Standards

Commercial development standards are provided in Section 4.4. The maximum Floor Area Ratio (FAR) of 0.50 is shown. The maximum height of a commercial only building would be two (2) stories or 35 feet in height. The minimum building frontage standards are also recommended for the major perimeter street. Open space and other public amenity requirements are also included in this section.

Mixed-Use Development Standards

Section 4.5 deals with development standards for mixed-use projects. Several types of mixed-use projects can be considered. Vertical mixed-use would involve developing commercial on the

ground floor level with residential on the upper floors. Horizontal mixed-use would deal with projects having residential and commercial uses side-by-side. A third scenario would be those residential units having a live-work space. Table 4.9 in the Specific Plan outlines the standards for all three types.

The maximum height for residential/commercial mixed-use would be 45 feet or three (3) stories. The height limit for live-work products would be 40 feet or three (3) stories. Building to building separation would require a minimum of five (5) feet for each story. Minimum landscape/open space requirement would be 10% for residential/commercial mixed-use, and 5% for live-work.

Section 4.5.1 of the Specific Plan lists additional requirements for live-work projects. Persons desiring to have a live-work environment would need to process a Administrative Use Permit (AUP). Changes in ownership or tenancy would require a new AUP so that appropriate conditions of approval would be attached to the specific use proposed. Live-work units would need to provide an additional parking space for each 500 sq.ft. of non-residential floor area.

Design Guidelines

Section 5.0 of the Specific Plan contains design guidelines for the physical design for the community, neighborhood and building level of development. The intent is to create an attractive and cohesive community identity.

Community Landscape Design

Community design elements are discussed in Section 5.1 of the plan. Figure 5.1 shows the overall streetscape framework for the project area. Suggested trees and shrub materials are shown that are drought tolerant and in the "California Friendly" landscape palette. Several of the suggested street tree species are not currently found in the City's approved street tree list. Future developers wanting to use these new street tree types will have to seek a modification to the approved street tree list.

Examples of various streetscape elements are shown in Specific Plan Figures 5.6 – 5.8. The exact type of street light standards, community signage and streetscape furniture will be determined during the development process.

Section 5.1.5 contains guidelines for signage for the project.

Site Design Guidelines

Design guidelines for residential, live-work, and commercial guidelines are contained in Section 5.2 of the Specific Plan.

Architectural Design Guidelines

Section 5.3 recommends four architectural styles for projects in the North Hemet Specific Plan. The listed styles are traditional farmhouse, English Tudor/Victorian, California Craftsman, Spanish Revival, and Italianate/Tuscan. All of these styles suggest a traditional architectural style instead of a modern contemporary architectural palette.

This section also includes guidelines for building mass, articulation, and materials. The final section discusses considerations for sustainable architecture in Section 5.3.5. Sustainable architecture takes into account solar orientation, views, noise, prevailing winds and other local climatic considerations. Buildings are encouraged to incorporate sustainable design features such as solar panels, light shelves, overhangs, reflective rooftop materials, and the use of reclaimed water where available.

Administration & Implementation

Section 6.0 of the Specific Plan deals with the administration and implementation of future development of the project area. Since the project is a joint effort with the County of Riverside a Project Coordinating Committee will be established to coordinate, review and monitor the implementation of the Specific Plan. The Committee will consist of representatives of the City and the Housing Authority of the County of Riverside.

Section 6.3 is the phasing plan of the project. No specific development proposals are known at this time. Consequently, the phasing of the project is broken into two (2) general phases. The first phase contains Planning Areas 1 and 2 which are located north of Menlo Avenue. The second phase of development will be those planning areas south of Menlo Avenue.

Section 6.5 outlines the maintenance plan for the project area. Table 6.2 shows which agencies are responsible for the maintenance of flood retention, public street, private drives, sewer, water, open space and commercial landscaped areas.

GENERAL PLAN CONSISTENCY

Appendix A of the Specific Plan contains a detailed Consistency Analysis with the 2030 General Plan. The analysis outlines how the proposed specific plan is consistent with all of the elements of the General Plan. The site of the North Hemet Specific Plan is found in the Downtown Mixed-Use district. The Mixed-Use designation provides for a mixture of residential and commercial land uses.

CEQA REVIEW

A DEIR has been prepared and circulated for a 45-day comment period for the proposed specific plan starting on October 10, 2012 and ending on November 26, 2012. The DEIR addresses several primary issues including aesthetics, agricultural resources, air quality, biological

resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, public service, traffic and utilities. Mitigation measures are proposed for many of the impacts are provided in the Mitigation Measure Monitoring Plan (MMMP) found in Chapter 1 (Executive Summary) of the DEIR.

The DEIR has found that there will be significant impacts to the environment concerning air quality, greenhouse gas emissions and noise. The air quality and noise impacts are typical to those found with projects of this magnitude. They are typically associated with temporary short-term impacts associated with construction activity. In all likelihood the North Hemet Specific Plan will be developed over a long period of time and in small increments.

The Greenhouse Gas emissions are considered significant until the City develops thresholds in a future Climate Action Plan (CAP) which is presently under development with the Western Riverside County Council of Governments.

The City will need to adopt a Statement of Overriding Considerations on these impacts in order to certify the EIR. Responses to the public comments on the DEIR will be prepared by the environmental consultant prior to the Commission's next review of the project and DEIR. The responses to comments and DEIR will then be reviewed in sum by the Planning Commission after the 45-day public comment period has ended and a final recommendation will be made to the City Council.

POLICIES, REQUIREMENTS AND GUIDELINES REVIEW

The proposed Specific Plan was reviewed by the Design Review Committee (DRC) for consistency with the City's applicable policies, requirements and guidelines. Subsequently, the DRC has recommended that the project be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines. The complete analysis of this project for consistency with the City's policies, requirements and guidelines can be found in Appendix A of the Specific Plan document.

PUBLIC COMMUNICATIONS RECEIVED

Owners of properties in the project area and those within a 500 foot radius were notified by mailed notice of the Planning Commission hearing and the public comment period for the DEIR. The general public was notified on October 5, 2012 with a legal advertisement in the Press Enterprise. As of the date of this report, the Planning Department has not received any letters of comment from the public.

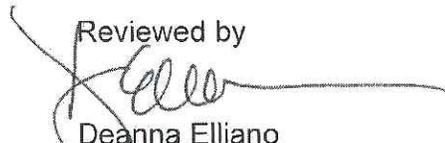
SUMMARY

The proposed Specific Plan will guide future development in a manner that is consistent with the vision outlined in the City's 2030 General Plan. The Specific Plan provides development

regulations for both commercial and multi-family residential land uses, in particular for mixed use development. Environmental questions or concerns raised during the public comment period will be addressed and added to the DEIR. This preliminary review is an opportunity for the Planning Commission to asked questions and express any concerns on the Specific Plan document itself.

Respectfully submitted,


Ronald Running
Project Planner

Reviewed by

Deanna Elliano
Community Development Director

RR/ns

ATTACHMENTS

- A) Locational Exhibit/Zoning Map
- 1) Proposed North Hemet Specific Plan (SP 11-001) Text (**Attached separately and provided to the Planning Commission only – also available at the City’s website at www.cityofhemet.org**).
- 2) Draft Environmental Impact Report (DEIR), and Mitigation Monitoring and Reporting Program (**Attached separately and provided to the Planning Commission only – also available at the City’s website at www.cityofhemet.org**).
- 3) Aerial Photo

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Subdivision Ordinance
Project Site’s Riverside County Integrated Plan Multi-Species Habitat Conservation Plan
Summary Report
Contents of City of Hemet Planning Division Project File(s) SP No. 11-001



Staff Report

TO: Honorable Chairman and Members of the Planning Commission

FROM: Deanna Elliano, Community Development Director
Emery J. Papp, Principal Planner

DATE: December 04, 2012

RE: **ZONING ORDINANCE AMENDMENT (ZOA) NO. 12-005 (Alcoholic Beverage Sale Regulations)**

APPLICANT: City of Hemet
LOCATION: City-wide
PLANNER: Emery J. Papp, Principal Planner
DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding a Zoning Ordinance Amendment to modify Chapter 90, amending Article III of the Hemet Municipal Code, adding regulations for the sale of alcoholic beverages, with related modifications to the land use matrix for commercial and industrial zones. This ordinance is a component of the Hemet ROCS (Restoring Our Community Strategy) Program for the City of Hemet.

STAFF RECOMMENDATION:

- 1. That the Planning Commission Adopt Planning Commission Resolution Bill No.12-023, recommending APPROVAL of Zoning Ordinance Amendment No. 12-005 (Ordinance Bill No. 13-001) to the City Council.***

BACKGROUND:

The Hemet ROCS Executive Committee had identified a need to adopt standards for alcoholic beverage sales and has charged Planning Division staff to work with the City Attorney's office to update the City's Zoning Code in this regard as one of the proposed new Hemet ROCS ordinances.

At present, more than half of the census tracts within the City of Hemet are considered by the California Department of Alcohol Beverage Control (ABC) to be "over-concentrated" with alcoholic beverage licenses, based on a ratio of one (1) general license to each 1,250 population. All of the census tracts that are not currently deemed to be over-concentrated are zoned mostly or entirely for residential purposes. Currently there are 72 active "on-sale" licenses in the city limits (an additional 13 are located outside of Hemet but within Hemet census tracts). There are 61 active "off-sale" licenses in the City and an additional 20 outside of the city limits. For general licensing in Riverside County, ABC uses a threshold of one (1) license per 1,250 people located within each census tract as the normally acceptable ratio. ABC makes its ruling on whether or not to grant a license for alcoholic beverage sales based on census tract boundaries, regardless of jurisdictional boundaries.

In some circumstances, census tracts are split with a portion located within Hemet, and another portion located in either San Jacinto or Riverside County. For example, in census tract 435.06 (see Attachmet No.

4), there are currently two (2) ABC licenses issued within San Jacinto and none issued within Hemet and a total of five (5) are permitted. It is possible that if three (3) more licenses were issued within this census tract in San Jacinto, that could preclude a Hemet business from obtaining an ABC license. The following Table identifies the current status of each Census Tract located, or partially located within the City of Hemet:

Table 1
Alcoholic Beverage Licenses by Census Tract

| Census Tract No. | 2010 Population | Total No. of Licenses Allowed in Census Tract | No. of Licenses Issued in Hemet | No. of Licenses Issued Outside of Hemet | Is Census Tract Over-Concentrated |
|------------------|-----------------|---|---------------------------------|---|-----------------------------------|
| 427.23 | 5506 | 4.4 | 0 | 4 | At Threshold |
| 433.04 | 6816 | 5.5 | 2 | 0 | No ¹ |
| 433.06 | 4538 | 3.6 | 0 | 0 | No ² |
| 433.07 | 5872 | 4.7 | 16 | 0 | Yes |
| 433.08 | 2770 | 2.2 | 8 | 0 | Yes |
| 433.09 | 2890 | 2.3 | 10 | 0 | Yes |
| 433.10 | 3120 | 2.5 | 3 | 7 | Yes |
| 433.11 | 2265 | 1.8 | 3 | 1 | Yes |
| 433.12 | 3862 | 3.1 | 0 | 0 | No ² |
| 433.13 | 3504 | 2.8 | 0 | 0 | No ² |
| 433.14 | 3631 | 2.9 | 0 | 0 | No ² |
| 433.15 | 2073 | 1.7 | 0 | 0 | No ² |
| 434.01 | 5791 | 4.6 | 29 | 0 | Yes |
| 434.03 | 2847 | 2.3 | 1 | 0 | No ² |
| 434.04 | 2544 | 2.0 | 0 | 0 | No ² |
| 434.05 | 4217 | 3.4 | 14 | 0 | Yes |
| 435.03 | 4112 | 3.3 | 21 | 0 | Yes |
| 435.04 | 7743 | 6.2 | 17 | 0 | Yes |
| 435.05 | 2911 | 2.3 | 3 | 0 | Yes |
| 435.06 | 6386 | 5.1 | 2 | 0 | No ¹ |
| 435.07 | 6700 | 5.4 | 2 | 4 | Yes |
| 435.08 | 7014 | 5.6 | 2 | 9 | Yes |
| 437.02 | 4235 | 3.4 | 0 | 8 | Yes |
| 437.03 | 2585 | 2.1 | 0 | 0 | No ² |
| TOTALS | 103,932 | 83 | 133 | 33 | 166 Combined |

Footnotes: ¹ Mostly Zoned Residential ² All Zoned Residential

As can be seen in Table 1 above, the combined number of licenses issued within Hemet census tracts exceeds the threshold established by ABC by a ratio of 2:1. Throughout Riverside County, the current number of retail licenses exceeds the ratio per population and, therefore the entire county as a whole is over-concentrated with alcohol licenses. Over-concentration, or "Undue-Concentration" as termed by ABC, is a threshold by which ABC determines whether or not to re-issue an alcohol license. Because of undue concentration, no new alcohol licenses are currently being issued in Riverside County by ABC, however, business owners may buy and sell, or otherwise transfer an existing license. When a Census Tract has an undue concentration, the City must make a finding of Public Convenience or Necessity (PCN) before ABC will rule on re-issuing an alcohol license. This concept is important because the City currently has no formal

process for making PCN findings, and defaults to ABC to make a ruling. The proposed Ordinance addresses this topic area and outlines the process for the City to make such findings

At present, alcohol sales in general are largely unregulated in the City of Hemet with many uses permitting the sale of alcoholic beverages by right; currently an Administrative Use Permit is required for retailers having earlier or later hours (with or without the sale of alcohol); and some more intense uses such as bars and nightclubs are allowed subject to a Conditional Use Permit. Contrary to most surrounding jurisdictions, the City of Hemet Municipal Code does not contain any locational requirements for alcoholic beverage sales, such as separation from schools or parks, nor are there required findings by which to evaluate whether or not a CUP can be supported for the more intense uses.

Staff and the City Attorney researched what other nearby jurisdictions have codified to address similar concerns and presented those findings previously to the Hemet ROCS CAC and the Planning Commission. The draft Ordinance attached to this report was crafted to address issues and concerns expressed by both reviewing bodies. The proposed Ordinance adopts separation standards that approximate adjacent jurisdictions as shown in Attachment No. 5. The types of uses that will be permitted by right or require a use permit are clearly identified in the modified Land Use Matrices found in the draft Ordinance (Attachment No. 1). Many uses will be exempt from the requirement to obtain a use permit, and these are specifically identified in Section 90-90(e) of the draft Ordinance. All other alcoholic beverage sales will require a CUP, similar to the City of San Jacinto and the County of Riverside. Proposed uses that would be permitted by right but require a finding of public convenience or necessity shall be heard and acted upon by the Planning Commission. Staff believes that the proposed draft Ordinance achieves the goal of providing a greater level of local control over the issuance of ABC licenses, without being overly regulatory.

If recommended for adoption by the Planning Commission, the draft Ordinance proposed under ZOA 12-005 will be considered by the City Council in January, 2013. The proposed ordinance is one of a collection of new ordinances and programs created as part of the Hemet ROCS - Restoring Our Community Strategy effort.

PROPOSED ORDINANCE DESCRIPTION:

The proposed Ordinance will adopt provisions recommended by the Hemet ROCS CAC and the Planning Commission. In addition, the new Ordinance establishes locational criteria as set forth below. The text of the proposed ordinance is included as Attachment No. 1A to this staff report.

The proposed ordinance accomplishes the following:

1. Sets forth definitions for: ABC, the California Department of Alcohol Beverage Control; Off-sale; On-sale; PCN, finding of Public Convenience or Necessity; and Undue concentration.
2. Requires a Conditional Use Permit (CUP) for all alcohol related uses not exempted by the provisions of this Ordinance.
3. Sets forth exemptions from the requirement to obtain a CUP, which permits certain alcoholic beverage sales by right
4. Establishes findings that must be made prior to issuance of a CUP, which include:
 - a. The use is located at least 600 feet, as measured from property line to property line, from any existing public or private schools (K through 12), public parks, or places of worship;
 - b. The use is located at least 100 feet, as measured from property line to property line, from existing residential uses or land that is zoned for residential uses
 - c. The use is located at least 1000 feet, as measured from property line to property line, from

- existing parolee-probationer homes, emergency shelters, supportive housing, or transitional housing.
- d. The use is located at least 1000 feet, as measured from property line to property line, from an existing business where alcoholic beverages are sold for off-site or on-site consumption.
 - e. The use is fully visible from a public street with an unobstructed view from the public street for public safety.
 - f. The proposed use will not be detrimental to surrounding properties and neighborhoods including ensuring that the use does not contribute to loitering, public drunkenness, noise, obstructing pedestrian and vehicular traffic, parking, crime, interference with pedestrian corridors used by children, defacement and damage to structures.
 - g. The proposed use will not adversely impact the suitability of adjacent commercially zoned properties for commercial uses.
5. Establishes standards that must be met whether or not a CUP is required, including public consumption, lighting, security/surveillance, graffiti removal, displays and signs, litter removal and ABC training.
 6. Establishes a process for making findings of public convenience or necessity.
 7. Amends the Land Use Matrices in applicable sections of the Municipal Code for alcohol related uses as shown in Exhibit "B" of the attached draft Ordinance.

Staff recommends the adoption of the proposed ordinance to further insure the safety and quality of life for Hemet's citizens, and to better respond to some of the anticipated challenges presented by these types of uses in commercial zones. Implementation of the ordinance will place more local control and influence over the issuance of new alcoholic beverage licenses issued in the City, and will implement more stringent requirements commensurate with other jurisdictions, for the future location of points of sale. Enforcement of the CUP process and the operational standards for any location within the City that engages in the selling of alcoholic beverages will be the responsibility of the Planning and Code Enforcement Divisions. Investigations regarding licenses issued by the ABC will be the responsibility of the Police Department.

COORDINATION AND PUBLIC REVIEW:

On November 23, 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 ordinance would be considered. The text of the proposed ordinance was developed by the City Attorney's office, in conjunction with input from the Planning Division staff, the Hemet ROCS Citizen Advisory Committee (CAC) and the Planning Commission. At the September 27, 2012 Hemet ROCS CAC meeting, staff provided an overview of the city's existing regulations as well as potential changes to the zoning ordinance to address this issue. Generally the CAC felt that more local control was desirable for the regulation of alcohol sales, including the need for separation requirements.

At the Planning Commission Work Study held on October 16, 2012, some Commissioners expressed that such an Ordinance could impede free enterprise or cause businesses to locate on the "other side of the street." While some Commissioners agreed that more local control may be beneficial, the Commission cautioned staff not to be overly regulatory to the point that Hemet would be more restrictive than the adjoining jurisdictions of Riverside County and the City of San Jacinto.

To address those concerns expressed by the Planning Commission, staff reviewed the development and separation requirements for alcoholic beverage sales in both the City of San Jacinto and the County of Riverside. In general, the proposed use provisions are in agreement with both jurisdictions as follow:

1. On-Sale for Restaurants.
 - a. Hemet (Proposed) – Generally exempt per Section 90-90(e)
 - b. San Jacinto – Minor Conditional Use Permit (MUP) required for all
 - c. Riverside County – Plot Plan or CUP required for all
2. On-Sale for Bars, Night Clubs and Lounges.
 - a. Hemet (Proposed) – CUP required for all
 - b. San Jacinto – CUP required for all
 - c. Riverside County – CUP required for all
3. Off-Sale for Incidental Retail.
 - a. Hemet (Proposed) – CUP required for all, except for exemptions per Section 90-90(e)
 - b. San Jacinto – MUP required for all
 - c. Riverside County – Plot Plan or CUP required for all
4. Off-Sale for Liquor Stores.
 - a. Hemet (Proposed) – CUP required for all
 - b. San Jacinto – CUP required for all
 - c. Riverside County – CUP required for all

In general, the proposed separation requirements are in agreement with both jurisdictions as follow:

1. City of Hemet (Proposed) Separation from:

| | |
|---|-------|
| Public School | 600' |
| Public Park | 600' |
| Place of Worship | 600' |
| Residential Use or Residentially Zoned Property | 100' |
| Parolee-Probationer Home | 1000' |
| Emergency Shelter | 1000' |
| Supportive Housing | 1000' |
| Transitional Housing | 1000' |
2. City of San Jacinto Separation from:

| | |
|---|-------|
| Existing Business Where Alcohol is Sold | 1000' |
| Public or Private School | 600' |
| Place of Worship | 600' |
| Public Park | 600' |
| Youth Facility | 600' |
| Residential Use or Residentially Zoned Property | 100' |
| Pool Hall/Billiard Parlor | 100' |
3. County of Riverside Separation from:

| | |
|--------------------------|-------|
| Public or Private School | 1000' |
| Public Park | 1000' |
| Playground | 1000' |
| Place of Worship | 1000' |

Staff believes that the proposed Ordinance, locational standards and findings complement those of the neighboring communities and will provide City Staff and the Commission with an effective method to assess any new proposed applications on a case-by-case basis.

To date, staff has not received any other public comments on the draft ordinance.

CONSISTENCY WITH ADOPTED GOALS, PLANS, AND PROGRAMS:

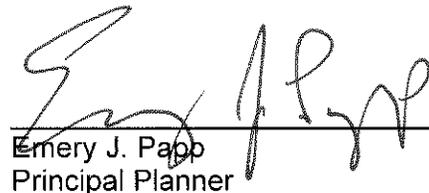
The proposed ordinance is in conformance with the adopted 2030 General Plan for the City, in that adopting development regulations for the sale of alcoholic beverages does not conflict with any allowable

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 residential zoning program to foster a healthy community through land use and urban design practices that support healthy and sustainable lifestyles (Land Use Goal LU-15). In particular, General Plan Land Use Policy No. 15.5 is applicable to the creation of this proposed ordinance, which states: "**Unhealthy Development Patterns:** Create, update, and enforce regulations and laws pertaining to the location, retailing, and use of unhealthy substances such as tobacco, marijuana, and other drugs, and alcohol."

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. Whereas 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 the sale of alcoholic beverages. 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.

Prepared by:


Emery J. Papp
Principal Planner

Reviewed by:


Deanna Eliano
Community Development Director

ATTACHMENTS:

1. Planning Commission Resolution Bill No. 12-023
Exhibit 1 – Proposed City Council Ordinance Bill No. 13-001
2. Planning Commission Work Study Minutes, October 12, 2012
3. Excerpt from Hemet ROCS CAC Meeting Minutes, September 27, 2012
4. Census Tract Map for Hemet and the Surrounding Area
5. Separation Standards Comparison with Surrounding Cities
6. Land Use Comparison with Surrounding Cities

**Attachment
No. 1
Resolution No. 12-
023**

**Planning Commission
Public Meeting of
December 4, 2012**



CITY OF HEMET
Hemet, California

PLANNING COMMISSION
RESOLUTION BILL NO. 12-023

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING ORDINANCE AMENDMENT NO. 12-005, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ADDING A NEW SECTION 90-90 (ALCOHOL SALES) TO ARTICLE III (SPECIAL USES AND CONDITIONS) OF CHAPTER 90 (ZONING) OF THE HEMET MUNICIPAL CODE, AND AMENDING LISTS OF PERMITTED USES IN SECTIONS 90-892, 90-932 AND 90-1042, AN ELEMENT OF THE HEMET RESTORING OUR COMMUNITY STRATEGY (HEMET ROCS) PROGRAM.

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 November 23, 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 December 4, 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

WHEREAS, attached as Exhibit "A" is the proposed Ordinance.

Planning Commission Resolution Bill No. 12-023
ZONING ORDINANCE AMENDMENT NO. 12-005
ALCOHOLIC BEVERAGE SALES REGULATIONS

1 The Zoning Ordinance Amendment protects the public health, safety and welfare by
2 recognizing the right of individuals to have access to alcoholic beverages while
3 maintaining the City's legitimate interest in local land use regulation and public
4 safety. This Zoning Ordinance maintains zoning requirements through the
5 conditional approval of alcoholic beverage sales which will reduce the potential
6 impacts to sensitive uses, preserve the quality and character of commercial districts,
7 and enhance the safety of residents in such a manner to avoid clustering and over
8 concentration of tobacco stores in proximity to residential areas.

9
10 **SECTION 3: PLANNING COMMISSION ACTIONS**

11
12 The Planning Commission hereby takes the following actions:

- 13 1. The Planning Commission approves Resolution Bill No. 12-023 recommending
14 that the City Council adopt the proposed Ordinance which is attached hereto and
15 incorporated herein by reference as Exhibit "A."
16

17
18 **PASSED, APPROVED AND ADOPTED** this 4th day of December, 2012, by the
19 following vote:

- 20
21 **AYES:**
22 **NOES:**
23 **ABSTAIN:**
24 **ABSENT:**
25
26
27
28

29 _____
30 John Gifford, Chairman
31 Hemet Planning Commission

32 ATTEST:

33
34 _____
35 Nancie Shaw, Records Secretary
36 Hemet Planning Commission

**Planning Commission Resolution Bill No. 12-023
ZONING ORDINANCE AMENDMENT NO. 12-005
ALCOHOLIC BEVERAGE SALES REGULATIONS**

Exhibit

No. 1A

**Proposed City Ordinance
Bill No. 13-001**

**Planning Commission
Public Meeting of
December 4, 2012**



CITY OF HEMET
Hemet, California
ORDINANCE BILL NO. 13-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ADDING A NEW SECTION 90-90 (ALCOHOL SALES) TO ARTICLE III (SPECIAL USES AND CONDITIONS) OF CHAPTER 90 (ZONING) OF THE HEMET MUNICIPAL CODE, AND AMENDING LISTS OF PERMITTED USES IN SECTIONS 90-892, 90-932 AND 90-1042, AN ELEMENT OF THE HEMET RESTORING OUR COMMUNITY STRATEGY (HEMET ROCS) PROGRAM.

WHEREAS, research shows that areas with greater densities of on-site and off-site alcohol outlets also generally have higher rates of motor vehicle crashes, alcohol-related hospital admissions, pedestrian injury collisions, self-reported injury and drinking and driving among both young people and adults; and

WHEREAS, the relationship between alcohol outlet density and violent crime has been well documented; communities with 100 or more alcohol outlets and a population of 50,000 or more can expect an annual increase of 2.5 violent crimes each year for every alcohol outlet added in the area; and

WHEREAS, drunk driving arrests often take place at night, as bars are closing and highways become crowded with patrons who have been drinking; and

WHEREAS, nuisance and criminal activities such as drug dealing, public drunkenness, loitering and other behaviors that negatively impact neighborhoods occur with disproportionate frequency at and around the premises of on-site and off-site alcohol uses; and

1 **WHEREAS**, neighborhood character can change over time and the careful
2 regulation of nuisance activity by on-site and off-site alcohol uses will help to ensure
3 that such uses do not contribute to the deterioration of neighborhoods; and

4 **WHEREAS**, statistics gathered from the California Department of Alcohol
5 Beverage Control indicates that there are presently 133 active retail licenses for the sale
6 of alcoholic beverages within the City of Hemet, and 166 active retail licenses when
7 considering the Census Tracts that extend beyond the City's corporate boundaries; and

8 **WHEREAS**, California law does not preempt local land use decisions with regard
9 to alcoholic beverage sale regulations and the authority to regulate nuisance conditions
10 created by state-licensed alcoholic beverage retailers derives solely from the City's
11 general police powers; and,

12 **WHEREAS**, on September 27, 2012, the Hemet ROCS Citizens Advisory
13 Committee discussed the issue of regulation of businesses that sell alcohol and
14 considered preliminary recommendations on the elements of a potential ordinance
15 establishing permit requirements for businesses that sell alcohol and operational
16 standards; and,

17 **WHEREAS**, the Hemet Planning Commission conducted a work-study at its
18 October 16, 2012, meeting on the regulation of businesses that sell alcohol and
19 provided direction to staff regarding how to amend the City's Zoning Code to address
20 the concerns raised by businesses that sell alcohol; and,

21 **WHEREAS**, on December 4, 2012, the Planning Commission was presented
22 with a draft of this Ordinance Bill 13-001 and, after conducting a duly noticed public
23 hearing, voted to recommend that the City Council approve Ordinance Bill 13-001.

24 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET DOES HEREBY**
25 **ORDAIN AS FOLLOWS:**

26
27
28 _____
CITY OF HEMET ORDINANCE BILL NO.

1 **SECTION 1: ADDITION OF SECTION 90-90.**

2 A new Section 90-90 is added to the Hemet Municipal Code, and shall read as
3 shown in Exhibit "A" hereto.

4 **SECTION 2: AMENDMENT OF SECTIONS 90-892, 90-932, AND 90-1042**

5 Sections 90-892, 90-932, and 90-1042 are amended as shown in Exhibit "B"
6 hereto.

7 **SECTION 3: CEQA FINDINGS.**

8 This Ordinance is exempt from the California Environmental Quality Act
9 ("CEQA") under CEQA Guideline 15061(b)(3) because it can be said with certainty that
10 there is no possibility the proposed Ordinance may have a significant effect on the
11 environment. The proposed Ordinance requires certain uses that engage in on-sale or
12 off-sale of alcoholic beverages to obtain a permit prior to commencing the use. It does
13 not approve any particular use, and any such use will undergo CEQA review prior to the
14 issuance of the permit.

15 **SECTION 4: SEVERABILITY.**

16 If any section, subsection, subdivision, sentence, clause, phrase, or portion of
17 this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of
18 any court of competent jurisdiction, such decision shall not affect the validity of the
19 remaining portions of this Ordinance. The City Council hereby declares that it would
20 have adopted this Ordinance, and each section, subsection, subdivision, sentence,
21 clause, phrase, or portion thereof, irrespective of the fact that any one or more sections,
22 subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared
23 invalid or unconstitutional.

24 **SECTION 5: EFFECTIVE DATE.**

25 This Ordinance shall take effect thirty (30) days from its passage by the City
26 Council of the City of Hemet.

27 **SECTION 6: PUBLICATION.**

28

CITY OF HEMET ORDINANCE BILL NO.

1 The City Clerk is authorized and directed to cause this Ordinance to be published
2 within fifteen (15) days after its passage in a newspaper of general circulation and
3 circulated within the City in accordance with Government Code Section 36933(a) or, to
4 cause this Ordinance to be published in the manner required by law using the
5 alternative summary and pasting procedure authorized under Government Code
6 Section 39633(c).

7
8 **INTRODUCED** at the regular meeting of the Hemet City Council on _____ 2013.

9
10 **APPROVED AND ADOPTED** this ___ day of _____ 2013.

11
12
13 _____
14 **Robert Youssef, Mayor**

15 **ATTEST:**

APPROVED AS TO FORM:

16
17 _____
18 **Sarah McComas, City Clerk**

19 _____
20 **Eric S. Vail, City Attorney**

21
22
23
24
25
26
27
28 _____
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 _____ 2013,
6 and had its second reading at the regular meeting of the Hemet City Council on the ___
7 day of _____, 2013, and was passed by the following vote:

8 **AYES:**

9 **NOES:**

10 **ABSTAIN:**

11 **ABSENT:**

12
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Sarah McComas, City Clerk

CITY OF HEMET ORDINANCE BILL NO.

EXHIBIT "A"

90-90. – Alcohol Sales

(a) *Purpose*

The purpose of this Section is to establish standards for businesses engaged in the sale of alcoholic beverages to protect the health, safety, and general welfare of the residents of the City. This Section regulates businesses engaged in the sale of alcoholic beverages to ensure compatibility of such uses with surrounding uses and properties and to avoid impacts associated with such uses.

(b) *Definitions*

(1) "ABC" or the "California Department of Alcoholic Beverage Control" means the department of the State of California empowered to act pursuant to Article 20, section 22, of the California Constitution and authorized to administer the provisions of the Alcoholic Beverages Control Act.

(2) *Alcoholic Beverage* means alcohol, spirits, wine, beer, liquor, and any solid or liquid containing alcohol, spirits, wine, or beer, that contains one-half of one percent or more of alcohol by volume and that is fit for beverage purposes either alone or when diluted, mixed or combined with other substances, the sale of which requires an ABC license.

(3) *Director* means the Community Development Director.

(4) *Off-sale* means the sale of alcoholic beverages for off-site consumption.

(5) *On-sale* means the sale of alcoholic beverages for consumption on-site.

(6) *PCN Determination* means a determination made upon ABC request that the public convenience or necessity would or would not be served by the issuance of a proposed ABC license.

(c) *Permit Required.* Except as provided in subsection (e) of this Section, any use that proposes to engage in the on-sale or off-sale of alcoholic beverages must first obtain a Conditional Use Permit as provided in this Section. In addition, a Conditional Use Permit shall be required for the following:

- (1) Any change in the type of an existing ABC license (e.g., an upgrade from beer and wine to sale of spirits, etc.).
- (2) A premise-to-premise transfer of an existing ABC license.
- (3) Any change in operating conditions from what was originally imposed by the City or ABC related to alcohol beverage sales, including any changes in hours of operation or entertainment.

- (4) Any ABC licensed establishment that has its license revoked, suspended, or surrenders its license to ABC or discontinues use of the license for 30 days or has its Conditional Use Permit revoked or vacates the property, shall obtain a new Conditional Use Permit before reestablishing the use.

(d) *Conflicting Provisions*

In the event that the type of permit required for a proposed use under this Section differs from the type of permit required by any other provision of this Chapter, the more restrictive permit requirement shall apply.

(e) *Exemptions*

- (1) The following uses are not subject to the permit requirement in subsection (c) of this Section:
 - a. Restaurants that have been licensed by ABC as a "bona fide eating place" and are in compliance with the terms and conditions of their license.
 - b. Grocery stores with at least 25,000 square feet of floor area that devote less than ten percent (10%) of their floor area to the off-sale of alcoholic beverages.
 - c. Florist and gift shops that include the incidental sale of wine with gift baskets or floral arrangements.
 - d. Retail or wholesale stores with at least 30,000 square feet of floor area that devote less than ten percent (10%) of their floor area to the off-sale of alcoholic beverages.
 - e. Temporary uses that have obtained a Special Event Permit from the City pursuant to Section 90-73.
- (2) Nothing in this subsection (e) shall be construed as exempting any use from any other permit requirement established in any other section of this Code.
- (3) This Section does not apply to any activity that is not required to be licensed under the California Alcoholic Beverage Control Act.

(f) *Findings*

In addition to the findings applicable to Conditional Use Permits under Section 90-42 *et seq.*, the decision making body shall make the following supplemental findings before approving a Conditional Use Permit for a use that engages in the on-sale or off-sale of alcoholic beverages:

- (1) The use is located at least 600 feet, as measured from property line to property line, from any existing public or private schools (K through 12), public parks, or places of worship;
- (2) The use is located at least 100 feet, as measured from property line to property line, from existing residential uses or land that is zoned for residential uses
- (3) The use is located at least 1000 feet, as measured from property line to property line, from existing parolee-probationer homes, emergency shelters, supportive housing, or transitional housing.
- (4) The use is located at least 1000 feet, as measured from property line to property line, from an existing business where alcoholic beverages are sold for off-site or on-site consumption.
- (5) The use is fully visible from a public street with an unobstructed view from the public street for public safety.
- (6) The proposed use will not be detrimental to surrounding properties and neighborhoods including ensuring that the use does not contribute to loitering, public drunkenness, noise, obstructing pedestrian and vehicular traffic, parking, crime, interference with pedestrian corridors used by children, defacement and damage to structures.
- (7) The proposed use will not adversely impact the suitability of adjacent commercially zoned properties for commercial uses.

(g) *Standards*

The following standards shall apply to all uses engaging in the on-sale or off-sale of alcoholic beverages, regardless of whether such use is required to obtain a Conditional Use Permit under this Section.

- (1) Public Consumption. If the use engages in the off-sale of alcohol but not the on-sale of alcohol, the owner or operator shall post a sign to indicate that it is unlawful for a person to consume alcoholic beverages in a public place or where posted.
- (2) Open Containers. The possession of alcoholic beverages in open containers and the consumption of alcoholic beverages are prohibited on or around the premises.
- (3) Loitering. Loitering is prohibited on or around the premises of any use engaging in the dispensing or sale of alcoholic beverages and it shall be the responsibility of the owner of any such establishment to post "No Loitering" signs and actively enforce measures that preclude loitering.

- (4) Lighting. The use shall maintain lighting to provide illumination for the security and safety of parking and access areas. The lighting shall be provided at a level of no less than one foot candle throughout in parking lots and access areas.
 - (5) Security/Surveillance. Surveillance cameras and equipment shall be installed to record all purchases and attempted purchases of alcoholic beverages in accordance with the specifications provided by the Police Department. The equipment shall be able to record a minimum of 24 hours of operation. The facility operator shall maintain the recordings for the prior 60 days.
 - (6) Graffiti. The owner or operator of the use shall remove or paint over any graffiti within 48 hours of the graffiti being painted or marked upon the premises.
 - (7) Displays & Signs. There shall be no interior displays of alcoholic beverages or signs which are clearly visible to the exterior. There shall be no exterior advertising or sign of any kind promoting or indicating the availability of alcoholic beverages. No more than 25% of the square footage of each window and glass-paneled door shall bear advertising or signs of any sort, and all advertising and signage shall be placed in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises.
 - (8) Litter. The owner or operator of the use shall remove litter from the premises daily, and shall keep the premises swept to prevent debris build up. Trash bins in approved enclosures shall be provided.
 - (9) ABC Training. The owner or operator of the use shall provide ABC approved or certified training for all employees who sell or serve alcoholic beverages within thirty (30) days of opening for business, and all new employees thereafter shall be trained within thirty (30) days of the date of their employment.
 - (10) Packaging/Off-Sale of "Singles". Beer, malt beverage products, wine coolers, and pre-mixed distilled spirit cocktails (if allowed under an ABC license) shall be sold, regardless of container size, only in manufacturer pre-packaged multi-unit quantities.
 - (11) Additional Conditions. In approving a Conditional Use Permit to establish a use selling alcoholic beverages, the decision making body may impose additional reasonable conditions on the use to ensure that it operates in a manner that provides adequate protection of the public health, safety, and general welfare.
- (h) *Public Convenience or Necessity*

- (1) When ABC requests that the City make a determination whether the public convenience or necessity (PCN) would be served by the issuance of a proposed ABC license, the provisions of this subsection shall govern.
- (2) A PCN determination shall be made by the Planning Commission if the proposed use would require a Conditional Use Permit under this Section. If ABC requests a PCN determination for a use that is exempt from the permit requirement of this Section, the Director shall make the PCN determination. The Director or the Planning Commission may consult with the Chief of Police in making their determination. A noticed public hearing is not required for a PCN determination.
- (3) A PCN determination shall be based on the following findings:
 - a. The public convenience would be served by the establishment of the proposed use.
 - b. The proposed use is not anticipated to be a source of nuisance behavior associated with the excessive consumption of alcoholic beverages, or the exposure of alcoholic beverages to minors
 - c. The proposed use would not be detrimental to the public health, safety or welfare.
 - d. The proposed use would not increase the severity of existing law enforcement or public nuisance problems in the surrounding area.
 - e. The proposed use is consistent with the objectives, policies, general land uses, and programs of the general plan and any applicable specific plan, this Section and any applicable zoning regulations contained in this Chapter.

EXHIBIT "B"

- A. The following entries in the land use matrix in Section 90-892 are amended to read as follows.

| 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. 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. | Nursery | | | | | |
| | 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 90-261 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 |
| | c. Large group home (11 or more residents) | C | C | X | X | X |
| | d. 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 nonresidential uses on a single site | X | X | C | C | X |
| 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 |

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|---------------------------|--|---|---|---|---|---|
| 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 | | | | | | |
| 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. | Alcohol Sales | | | | | |
| | a. In conjunction with an exempt land use per Section 90-90(e) | P | P | P | P | P |
| | b. All other on-sale and off-sale alcohol sales | C | C | C | C | C |
| 3. | Arcade, video or internet | X | X | A | A | A |
| 4. | 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 |
| 5. | Automotive, motorcycle, and marine vehicle body and/or paint shop | X | X | X | C | C |
| 6. | Automotive, motorcycle, and marine vehicle sales | | | | | |
| | a. Without outdoor display | X | X | X | A | A |
| | b. With outdoor display | X | X | X | C | C |
| 7. | Automotive, motorcycle, and marine vehicle rental | | | | | |
| | a. Without outdoor display | X | X | X | A | A |
| | b. With outdoor display | X | X | X | C | C |
| 8. | Automotive, motorcycle, and marine vehicle wash facility | | | | | |
| | a. Self service | X | X | X | A | A |
| | b. Full service | X | X | X | C | C |
| 9. | Bakery, with or without on-site sales | X | X | P | P | P |
| 10. | Bank, savings and loan, credit unions | P | P | P | P | P |
| 11. | Bar, nightclub, and dance hall | | | | | |
| | a. With on-site sale of alcoholic beverage | X | X | X | C | C |
| | b. With on-site live entertainment or dancing | X | X | X | C | C |
| 2. | Barber and/or beauty shop | P | P | P | P | P |
| 13. | Big box retailer, >80,000 sf of gross floor area including outdoor display area | X | X | X | C | C |
| 4. | Boarding house | C | C | X | X | X |
| 15. | 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 |
| 16. | Communication services without assembly or manufacturing | X | X | C | C | C |
| 17. | Convenience Store | | | | | |
| | a. Without Alcohol Sales | X | A | A | A | A |
| | b. With Alcohol Sales | X | C | C | C | C |
| 18. | Drive-through or drive-in facility including, but not limited to, dry cleaners, fast food restaurants, and pharmacies | X | X | C | C | C |
| 19. | Department store | X | X | P | P | P |
| 20. | Equipment rental including, but not limited to, moving and construction vehicles and equipment | X | X | X | C | C |
| 21. | Flower or produce stand | | | | | |
| | a. Permanent | X | X | A | A | A |
| | b. Nonpermanent as a temporary use subject to section 90-73 | X | X | P | P | P |
| 22. | Fortune telling | X | X | C | C | C |
| 23. | 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 |
| | c. With mini-mart but without sale of alcohol | X | A | A | A | A |
| | d. With mini-mart and sale of alcohol | X | C | C | C | C |
| 24. | Graphics production | P | P | P | P | P |
| 25. | Grocery stores and bulk food outlets | X | A | A | A | A |
| 26. | Hotel or motel | C | C | C | C | C |
| 27. | Liquor Store | X | X | X | C | C |
| 28. | Manufactured home sales with and without on-site | X | X | X | C | C |

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|-----|---|---|---|---|---|---|
| | display of models and inventory | | | | | |
| 29. | Medical and/or dental laboratory | A | A | A | A | A |
| 30. | 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. | X | C | C | C | C |
| 30. | 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 |
| 31. | Newspaper printing | X | X | X | C | C |
| 32. | 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 |
| 33. | Parking lot - commercial | A | A | A | A | A |
| 34. | Pharmacy | | | | | |
| | a. Without alcohol sales | P | P | P | P | P |
| | b. With alcohol sales | C | C | C | C | C |
| 35. | 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 |
| 6. | Radio station, AM and/or FM (without antennae) | X | X | X | C | C |
| 7. | Recording studio | X | C | X | C | C |
| 38. | 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 |
| 39. | 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 |
| | c. With dancing and/or live entertainment | X | C | C | C | C |

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| | 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 |
| 40. | 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. | X | X | P | P | P |
| | b. Open outside the hours of 7:00 a.m. to 9:00 p.m. | X | X | A | A | A |
| 41. | 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, music (with or without instruction), furniture, jewelry, dry good or notions, shoes, pets, 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. | X | X | P | P | P |
| | b. Open outside the hours of 7:00 a.m. to 9:00 p.m. | X | X | A | A | A |
| 42. | Shelter for the homeless and short-term transitional housing | X | X | X | X | C |
| 43. | 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 |
| 44. | Smoke, cigarette, cigar, or tobacco store | X | X | C | C | X |
| 5 | Tattoo and/or piercing service | X | X | X | X | C |
| 46. | Taxi or fleet dispatch and maintenance facility | X | X | X | X | C |
| 47. | Theater, motion picture and/or live | | | | | |
| | a. Indoor | X | X | A | A | A |
| | b. Outdoor | X | X | C | C | C |
| 48. | Towing and impound service subject to the requirements of section 90-895 (g). | X | X | X | X | C |
| 49. | Transportation service including, but not limited to, dial-a-ride, depot, train station, bus station (no | X | X | C | C | C |

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| | truck terminals) | | | | | |
| 50. | 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 set back 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 set back 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 | X | X | X | C | C |

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| | charter service subject to the requirements of section 90-895 | | | | | |
| 15. | Warehousing and storage, indoor and outdoor in compliance with section 90-895 (storage of fuel or flammable liquids is prohibited) | | | | | |
| | 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 | X | 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 nonresidential 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, | X | P | P | P | P |

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| | professional, technical and trade | | | | | |
| 8 | Stormwater 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 | X | X | X | X | C |
| | b. Nonpermanent 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 |

B. The following entries in the land use matrix in Section 90-932 are amended to read as follows.

| DOWNTOWN LAND USE MATRIX | | |
|--|-----|-----|
| P - Permitted Use | | |
| A = Administrative Use Permit | | |
| C = Conditionally Permitted Use | | |
| X = Not Permitted | | |
| ZONE | D-1 | D-2 |
| A. Residential Uses | | |
| 1. Bed and breakfast | A | A |
| 2. Home occupation in an existing single-family home subject to the requirements of section 90-72 | P | P |
| 3. Household pets in an existing single-family home including, but not limited to, dogs and cats when on the site of an existing residential unit subject to the requirements of section | P | P |

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| 90-77 | | |
| 4. Mixed use, an integrated mix of residential and nonresidential uses on a single site, including but not limited to, retail, professional offices, service commercial, restaurants, residential uses on the second floor over office or commercial uses. | C | C |
| 5. Multiple-family residence subject to the requirements of the R-3 zone development standards | C | C |
| 6. Single-family residential structures constructed prior to April 20, 2001 pursuant to section 90-936 | P | P |
| B. Commercial Uses | | |
| 1. Adult business as defined in section 90-18 | X | X |
| 2. Alcohol Sales | | |
| a. In conjunction with an exempt land use per Section 90-90(e) | P | P |
| b. All other on-sale and off-sale alcohol sales | C | C |
| 3. Antiques (not thrift store) | P | P |
| 4. Apparel, new | P | P |
| 5. Arcade, video or internet | A | A |
| 6. Art galleries, arts and crafts | P | P |
| 7. Artist studio | | |
| a. Studio without living space | P | P |
| b. Studio with living space | A | A |
| 8. 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 | C |
| 9. Automotive, motorcycle, and marine vehicle body and/or paint shop | X | C |
| 10. Automotive, motorcycle, and marine vehicle sales | | |
| a. Without outdoor display | X | A |
| b. With outdoor display | X | C |
| 11. Automotive, motorcycle, and marine vehicle wash facility | | |
| a. Self service | X | A |
| b. Full service | X | C |
| 12. Bakery, with or without on-site sales | P | P |
| 13. Bank, savings and loan, credit union | P | P |
| 14. Bar, nightclub, and dance hall | | |
| a. With on-site sale of alcoholic beverage | C | C |
| b. With on-site live entertainment or dancing | C | C |
| 15. Barber and/or beauty shop | P | P |
| 16. Bookstores, new and used | P | P |
| 17. Coffee house, with or without food and books | P | P |
| 18. Cultural facilities and museums | P | P |

| | | |
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| 19. Drive-through or drive-in facility including, but not limited to, dry cleaners, fast food restaurants, and pharmacies | X | X |
| 20. Equipment rental including, but not limited to, moving and construction vehicles and equipment | X | X |
| 21. Farmer's market (ongoing) | A | A |
| 22. 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 subsection 90-897(b). All vehicle fuel storage tanks shall be underground. Aboveground propane, natural, and other similar fuel gas tanks may be permitted when set back 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 | C |
| b. Gasoline pumps as an accessory use and where fuel is not offered for sale | X | A |
| c. With mini-mart but without sale of alcohol | X | A |
| d. With mini-mart and sale of alcohol | X | C |
| 23. Gift and specialty shops, new | P | P |
| 24. Grocery and specialty foods, ice cream | P | P |
| 25. Graphic production | P | P |
| 26. Hotel or motel | C | C |
| 27. Kiosk, permanent retail | A | A |
| 28. Liquor or convenience store | C | C |
| 29. Museum | P | P |
| 30. Offices, professional, general including medical, dental and optometry | P | P |
| 31. Parking lot - commercial | A | A |
| 32. Pawnshop | X | X |
| 33. Pharmacy | | |
| a. Without alcohol sales | P | P |
| b. With alcohol sales | C | C |
| 34. Photographic studio | P | P |
| 35. Radio station, AM and/or FM (without antennae) | A | A |
| 36. Recording studio | A | A |
| 37. Restaurant (not including bars and nightclubs) | | |
| a. Dining without b., c., d. or e. | P | P |
| b. Dining with on-site sale of alcoholic beverages | A | A |
| c. Dining with dancing and/or live entertainment | A | A |
| d. Drive-through or drive-in restaurants | X | X |
| e. Micro-brewery or winery and limited distribution | A | A |
| 38. Retail services shops including, but not limited to, appliance repair and sales, catering, health spa, martial arts or dance studios, locksmith, pet grooming, printing and copy, shoe repair, tailor, costume rental. | P | P |

| | | |
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| 39. Retail sales shops including, but not limited to, books, stationery, hobby, coins and/or stamps, candy, window coverings, gifts, hardware, home furnishings, florist, music (with or without instruction), furniture, jewelry, dry goods or notions, shoes, pets, paint, sporting goods. | P | P |
| 40. Smoke, cigarette, cigar or tobacco store or hookah lounge | X | X |
| 41. Sporting goods | P | P |
| 42. Storage — Outdoor | X | X |
| 43. Theater, motion picture and/or live | | |
| a. Indoor | A | A |
| b. Outdoor | C | C |
| 44. Thrift store | X | X |
| 45. Transportation service including, but not limited to, dial-a-ride, depot, train station, bus station (no truck terminals) | C | C |
| C. Recreation and Miscellaneous Uses | | |
| 1. Billiard parlor and/or pool hall | C | C |
| 2. Lodge hall for civic, social, or fraternal organizations | C | C |
| 3. Community center | A | A |
| 4. Conversion of a structure from a residential use to a nonresidential use in compliance with article IX | | |
| a. For use by a permitted use | A | A |
| b. For use by a conditionally permitted use | C | C |
| 5. Entertainment, open air | C | C |
| 6. Public facilities and utilities including, but not limited to, city facilities and public offices | P | P |
| 7. School or college including, but not limited to, city facilities and public offices | A | A |
| 8. School or studio offering music, art, and dance lessons | P | P |
| D. Accessory Uses | | |
| 1. Accessory structures and uses located on the same site as a permitted use | P | P |
| 2. Outdoor activities within a clearly defined area accessory to a primary use | | |
| a. Display of merchandise | A | A |
| b. Outdoor seating | A | A |

C. The following entries in the land use matrix in Section 90-1042 are amended to read as follows.

| MANUFACTURING LAND USE MATRIX | | |
|---|-----|-----|
| P=Permitted Use C=Conditionally Permitted Use X=Not Permitted | | |
| ZONE | M-1 | M-2 |
| A. Agricultural Uses | | |
| 1. Above-ground or underground | P | P |

| | | | |
|-----|---|---|---|
| | 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. | | |
| 2. | Aircraft landing strip or heliport pad for use in agricultural operations (Approval by the Riverside County Airport Land Use Commission may be required) | X | P |
| 3. | Bovine and equine animals in accordance with the requirements of section 90-77 | P | P |
| 4. | Chickens (see poultry) | X | X |
| 5. | Dairy products plant | X | P |
| 6. | Feed store | X | P |
| 7. | FFA (Future Farmers of America), 4-H (head, hands, heart, health) or similar projects conducted by the occupants of an existing single-family home (A no fee temporary use permit is required see section 90-73. For animal keeping requirements see section 90-77 | P | P |
| 8 | Flour, feed and grain mills | X | P |
| 9 | Horticulture (excluding forestry operations) including, but not limited to apiaries and, aviaries (in accordance with chapter 10), farms, orchards | P | P |
| 10. | Kennels - Commercial, for dogs and/or cats (See section 90-78 for requirements) | C | C |
| 11 | Nurseries, greenhouses and | | |

| | | | |
|----------------------------|---|---|---|
| | gardening | | |
| | a. Wholesale | P | P |
| | b. Retail | P | P |
| 12 | Peat and topsoil processing and storage | X | C |
| 13 | Poultry (except turkeys, geese and guinea fowl) chinchillas, hamsters, rabbits and other small animals on existing single-family residential, (See section 90-188 for additional requirements) | P | P |
| B. Residential Uses | | | |
| 1. | Bed and breakfast in an existing single-family residence | C | C |
| 2. | Day care facility | | |
| | a. >six but less than 12 clients | P | P |
| | b. >12 clients | P | P |
| 3. | Family care home (state licensed) in an existing single-family home for mentally disordered, handicapped, dependent or neglected children, serving up to a maximum of six persons | P | P |
| 4. | Home occupations in an existing single-family home subject to the requirements of section 90-72 | 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 (see section 90-77 | P | P |
| 6. | Single-family residential dwelling unit (existing) 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 |
| 7. | Rented room (a maximum of one room) within an existing | P | P |

| | | | |
|---------------------------|---|---|---|
| | single-family dwelling | | |
| 8 | Residential care facility (state licensed) in an existing single-family home for the elderly serving up to a maximum of six persons | P | P |
| C. Commercial Uses | | | |
| 1. | Adult business as defined in section 90-18 and in accordance with section 90-4-1 | C | C |
| 2. | Alcohol Sales | | |
| | a. In conjunction with an exempt land use per Section 90-90(e) | P | P |
| | b. All other on-sale and off-sale alcohol sales | C | C |
| 3. | Animal hospital | C | C |
| 4. | Automotive services including but not limited to auto detailing, auto stereo or window tinting installation, auto parts store, car rental (see other uses herein for additional requirements) | P | P |
| 5. | Automobile/motorcycle/small truck/boat body and/or paint shop | P | P |
| 6. | Automobile/motorcycle/small truck tune, lube and smog shop | C | C |
| 7. | Bakery, wholesale with incidental retail sales (i.e., less than 25 percent of the gross floor area) | P | P |
| 8. | Banks, savings and loan, credit unions | P | P |
| 9. | Barber and/or beauty shop | P | P |
| 10. | Car wash | | |
| | a. With steam cleaning and car laundry | P | P |
| | b. Packaged | P | P |
| 11. | Cemetery | | |
| | a. Without mortuary | P | P |
| | b. With mortuary | P | P |

| | | | |
|-----|--|---|---|
| | c. With crematorium and mortuary | P | P |
| 12. | Communication services (with or without assembly or manufacturing) | P | P |
| 13. | Drive-through or drive-in facility including, but not limited to dry cleaners, dairy, video rental | C | C |
| 14. | Environmental cleanup and treatment systems (subject to a temporary use permit see section 90-73) | P | P |
| 15. | Gasoline station, with or without a mini-mart, including self serve, full serve. All vehicle fuel storage tanks shall be underground. Above-ground 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 90-1045(g)(10). | C | C |
| 16. | Offices (see article XL for parking requirements) | | |
| | a. Medical including laboratories as an accessory use | P | P |
| | b. General including, but not limited to accounting, appraising, architects, consulting, research, insurance, legal, stockbrokerage, real estate | P | P |
| | c. Conversion of a residence to office in accordance with article IV | C | C |
| 7. | Pharmacy | | |
| | a. Without alcohol sales | P | P |
| | b. With alcohol sales | C | C |
| 8. | Photographic studio | | |
| | a. Excluding film processing, | P | P |

| | | | |
|--------------------------------------|--|---|---|
| | supplies and retail sales | | |
| | b. With film processing, supplies and retail sales | P | P |
| 19. | Radio station (a.m. and/or f.m.) | C | |
| 20. | Recording studio | P | P |
| 21. | Recycling facility - nonpermanent (subject to a temporary use permit see section 90-73) | P | P |
| 22. | Recycling facility - resource collection center | P | P |
| 23. | Recycling processing center | C | C |
| 24. | Restaurant (not including bars and nightclubs) | | |
| | a. With dancing and/or live entertainment | C | C |
| | b. With on-site sale of alcoholic beverages | C | C |
| | c. With drive-through or drive-in | C | C |
| | d. With Micro-Brewery | C | C |
| 25. | Towing and impound service when the requirements of section 90-1045(g) are met | P | P |
| 26. | Transportation service including, but not limited to bus charter, taxi, dial-a-ride, depot, train station, but excluding truck terminals | P | P |
| 7. | Truck scales, public | P | P |
| 8. | Veterinary office/small animal clinic | P | P |
| D. Manufacturing and Assembly | | | |
| 1. | Above-ground or underground fuel storage tanks for use with an on-going manufacturing business. Sale of fuel to the public is prohibited. Above-ground 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 | P | P |

| | | | |
|-----|---|---|---|
| | view from public streets. Requirements of the Uniform Fire Code and applicable state and federal laws shall be met. | | |
| 2. | Above-ground bulk fuel storage tanks 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 subsection 90-1045(g)(10) of this Code, the Uniform Fire Code and applicable state and federal laws shall be met. | P | P |
| 3. | Aircraft and aircraft parts and accessories manufacturing | X | P |
| 4. | Asphalt products manufacturing | X | C |
| 5. | Battery manufacturing | X | P |
| 6. | Boat building | X | P |
| 7. | Box factory and cooperage | X | P |
| 8. | Brewery and distillery (limited retail sales for off-site consumption allowable) | P | P |
| 9. | Cabinet manufacturing and assembly including, but not limited to wood working, furniture making and assembly | P | P |
| 10. | Carpet cleaning plant | X | P |
| 11. | Carport and rug manufacturing | X | C |
| 12. | Cement, lime, gypsum and plaster of paris manufacturing | X | C |
| 13. | Cement products manufacturing including, but not limited to concrete mixing and batching | X | C |
| 14. | Ceramic products manufacturing using only previously pulverized clay and | P | P |

| | | | |
|-----|--|---|---|
| | kilns fired only by electricity or low pressure gas | | |
| 15. | Chemical products manufacturing including, but not limited to adhesive, bleaching, bluing, calcimine, dyestuff (except aniline dyes), essential oils, soda and soda compounds, vegetable gelatine, glue, size | X | C |
| 16 | Cleaning, wholesale laundry and dyeing plant | P | P |
| 17 | Cold storage plant | X | P |
| 18. | Cork manufacturing | X | P |
| 19. | Distribution facilities including, but not limited to bottled water, food products, prepackaged goods, machine parts, machinery | P | P |
| 20. | Film manufacturing | X | C |
| 21. | Food lockers, frozen | P | P |
| 22 | Furniture manufacturing and sale | P | P |
| 23. | Furniture upholstery | P | P |
| 24. | Hair, felt and feather processing | X | C |
| 25. | Hatcheries | X | P |
| 26 | Junkyards when the requirements of section 90-1045(g) are met | X | C |
| 27 | Laboratory including but not limited to experimental, testing, research or commercial | P | P |
| 28. | Linoleum and oilcloth manufacturing | X | C |
| 29 | Lumber and building materials yard excluding planing mill | P | P |
| 30 | Machine shop | P | P |
| 31 | Manufacturing (including metal stamping and extrusion of small products), assembly and packaging including, but not limited to electronic equipment, business machines, cosmetics, medical supplies, toiletries, scientific equipment, video and | P | P |

| | | | |
|-----|---|---|---|
| | audio equipment, drafting supplies, photographic equipment, precision instruments, musical instruments, cutlery, and kitchen utensils | | |
| 32. | Manufacturing, assembly and packaging including, but not limited to sign manufacturing, heating and ventilating ducts and equipment, cornices, eaves, cans, metal containers, brooms brushes, fire arms, glass and glass products, graphite and graphite products, ice, jute, hemp, sisal, oakum, leather/fur finishing and dyeing (excluding tanning and curing) | X | P |
| 33 | Mattress manufacturing | X | P |
| 34 | Meat products processing and packaging excluding slaughtering (except for poultry and rabbits), glue and size manufacturing | X | P |
| 35. | Metal alloys and foil manufacturing including, but not limited to solder, pewter, brass, bronze, tin, lead, gold | X | P |
| 36. | Metal casting, finishing, plating and foundries (excluding magnesium foundries) | X | C |
| 37. | Mobile home/manufactured housing fabrication and assembly | X | P |
| 38 | Motion picture production | P | P |
| 39. | Ornamental iron works | P | P |
| 40. | Paint manufacturing including, but not limited to enamel, lacquer, shellac, turpentine, varnish | X | C |
| 41. | Painting, enameling and lacquering shop | X | P |
| 42 | Paper product manufacturing including, but not limited to shipping containers, pulp goods, carbon paper, coated paper stencils | X | P |

| | | | |
|-----|---|---|---|
| 43. | Petroleum products storage and distribution | X | C |
| 44. | Plastics manufacturing | X | P |
| 45. | Porcelain products manufacturing including, but not limited to bathroom and kitchen fixtures and equipment | X | P |
| 46. | Publishing | P | P |
| 47. | Retails sales of products manufactured on-site, when no more than 25 percent of the gross floor area is used for retail sales | P | P |
| 48. | Rock, sand or gravel excavating and/or distribution | X | C |
| 49. | Rolling mill | X | C |
| 50. | Rubber products manufacturing including, but not limited to tires, tubes, gloves | X | P |
| 51. | Sandblasting | X | P |
| 52. | Sanitary fill operation | X | C |
| 53. | Sheet metal shop | X | P |
| 54. | Shoe polish manufacturing | P | |
| 55. | Starch and dextrine manufacturing | X | C |
| 56. | Steel products manufacturing and assembly including, but not limited to steel cabinets, lockers, doors, fencing, furniture, bars, girders, rails, wire rope | P | |
| 57. | Stone products manufacturing and processing including, but not limited to abrasives, asbestos, stone screening and sand and lime products | X | C |
| 58. | Storage of building materials, contractor equipment when the requirements of section 90-1045(g) are met | P | P |
| 59. | Tire retreading and recapping | P | P |
| 60. | Transportation maintenance, storage and service, excluding truck terminals but including bus charter service, freight | P | P |

| | | | |
|--|---|---|---|
| | terminal when the requirement of section 90-1045(g) are met | | |
| 61. | Warehousing including mini-storage (storage of fuel or flammable liquids is prohibited). | X | |
| a. | General Storage | P | P |
| b. | Mini-storage | C | C |
| 62. | Wholesale business storage, including cash and carry market when the requirements of section 90-1045(g) are met | P | P |
| 63. | Woodworking (see cabinet manufacturing) | P | P |
| 64. | Wrecking yard when the requirements of section 90-1045(g) are met | X | C |
| E. Recreation and Open Space Uses | | | |
| 1. | Equestrian activities including, but not limited to riding academies, stables and thoroughbred farms | C | C |
| 2. | Game court - lighted (with ten-foot high court fencing) | C | C |
| 3. | Recreation center, park, playground, unlighted game court (with ten-foot high court fencing) racquetball center, swim club | P | P |
| 4. | Shooting range, indoor | 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 | X | X |
| 2. | Flood control facilities including, but not limited to, detention and retention basins, flood control channels | P | P |
| 3. | Public facilities and utilities including but not limited to, electrical substations, transmission substations, city facilities, and public offices | C | C |
| 4. | Recreation vehicle storage | P | P |

| | | | |
|--------------------------|--|---|---|
| | yard when the requirements of section 90-1045(g) are met | | |
| 5. | School or college including, but not limited to art, business, cosmetology, craft, dance, music, professional, technical and trade | P | P |
| 6. | Swap meet | C | C |
| G. 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 90-1044(a) | P | P |
| | b. >39 inches but less than eight feet in diameter when ground or roof mounted meeting the requirements of section 90-1044(a) | P | P |

Attachment No. 2

Planning Commission
Work Study Minutes
October 12, 2012

Planning Commission
Public Meeting of
December 4, 2012

1 Chairman Gifford stated that this is a preliminary planning stage. Nothing can be
2 built out there on new development unless it comes through the CEQA and planning
3 processes, which would require review before this Commission.
4

5 Commissioner Moghadam inquired regarding whether they tilled the ground around
6 the property to eliminate a fire hazard.
7

8 Ms. Donahoe stated that she had noticed some tilling and planting, but that it sits as
9 dust and dirt through the hot season.
10

11 Commissioner Moghadam responded that there are steps that every contractor has
12 to take to mitigate the dust that's going to kick up.
13

14 It was **MOVED** by Commissioner Moghadam and **SECONDED** by Commissioner
15 Perciful to initiate the pre-zoning for the Southwest Hemet area.
16

17 The motion was carried by the following vote:
18

19
20 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
21 Perciful, Moghadam, and Vasquez

22 **NOES:** None

23 **ABSTAIN:** None

24 **ABSENT:** None
25

26 **WORK STUDY ITEMS**

27 28 **7. WORK STUDY REGARDING ALCOHOLIC BEVERAGE LAND USE** 29 **REGULATIONS** — *Community Development Director Elliano*

30 Work Study to review existing and proposed zoning code requirements for the
31 sale of alcoholic beverages.
32
33

34 The work study session was introduced by CDD Elliano, who explained that its
35 purpose was to review the City zoning regulations and update the code regarding
36 establishments that sell alcoholic beverages, with the overall intent of improving the
37 public health, safety, and welfare. It is also a component of the Hemet ROCS
38 (Restoring Our Community Strategy) program.
39

40 CDD Elliano went on to advise that the state department of Alcoholic Beverage
41 Control (ABC) is the agency that has exclusive authority to license and regulate the
42 sale, purchase, possession, and transportation of alcoholic beverages within the
43 state. She then embarked on a comprehensive PowerPoint presentation.
44

45
46 Commissioner Moghadam gave a history of his background with alcohol sales and
47 expressed concerns over making decisions that would be difficult to change at a
48 later date.
49

50 Chairman Gifford expressed his feeling that there is already an over-concentration of
places that sell alcohol, and it is prudent to have a bit more control and oversight.

1 The City is adding a CUP process to allow these places to come to the Commission
2 for approval.

3
4 Commissioner Perciful questioned whether there was not already a system in place
5 to deal with over-concentration.
6

7 CDD Elliano responded that there is no formal system to review such issues. There
8 is no one at either the staff or administrative level looking at these in detail and
9 making recommendations to the ABC. She noted that the City does not have any
10 processes, regulations, or standards currently in place, and is trying to get more
11 structure with flexibility so there is something to review. There are code
12 requirements in place that if an establishment that sells alcohol is open after 9 p.m.
13 they must have a CUP, but that seems outdated and in need of change. In addition,
14 she added that this could be streamlined even more at the ABC and staff level than
15 just the CUP.
16

17
18 With regard to the staff recommendation, CDD Elliano added that if the Commission
19 thought there was community benefit and interest in the number of liquor stores,
20 then a review process like the CUP would be imperative.
21

22 Commissioner Perciful felt the free market system would control the number of liquor
23 stores or smoke shops in Hemet.
24

25
26 Chairman Gifford posited the City's need to close loopholes in existing regulations
27 because there is still concern about the location of these facilities, such as near
28 schools.
29

30 Commissioner Moghadam commented on the cost of obtaining a license. He
31 questioned whether the charge of a CUP fee would bring more money to the City.
32

33 Commissioner Perciful asked if having a liquor store on the county side of Florida
34 Avenue would result in a loss of income for the City.
35

36
37 Chairman Gifford agreed that this was an issue to consider.
38

39 Commissioner Vasquez inquired as to why staff had brought this before the
40 Commission and asked what the Hemet ROCS Citizen Advisory Commission felt
41 needed attention.
42

43 Chairman Gifford at this point requested that the Commission take Item No. 10 out
44 of order since CDD Elliano had been present at the Hemet ROCS Citizen Advisory
45 Committee and could answer this question.
46

47
48 CDD Elliano explained that this topic had come up in the ROCS executive
49 committee, which is composed of the City Manager, the Mayor, the Council
50 members, the Police Chief and herself, as one of the things they wanted to look at to
acquire better regulations and control. They specifically requested that staff
investigate what Temecula and surrounding communities do in this regard.

1 Temecula recently prohibited liquor stores entirely. They grandfathered the ones that
2 were already there, but prohibited the establishment of any additional stores. At this
3 point staff is not proposing to take that path. Murrieta has many requirements,
4 including the hours of operation. Also, there were some members of the ROCS
5 Citizens Advisory Committee that work with youth and have concerns about alcohol
6 abuse in the community.
7

8
9 Commissioner Vasquez asked if this was a nuisance problem and therefore seen as
10 necessary for the City to address, or just a blanket statement that liquor stores are
11 bad for the community.
12

13 CDD Elliano stated that the concern was at least to have a process and some
14 regulations in place as opposed to what we now have, which, she suggested, in her
15 opinion is not effective.
16

17 Commissioner Vasquez questioned how much say the City has in whether or not
18 someone is going to be granted a permit as opposed to ABC's authority.
19

20 CDD Elliano explained that the ABC will not issue a license if a CUP is required and
21 the City has not issued one. This is an attempt to address the over-concentration
22 issue.
23

24 Commissioner Perciful stated that if an ordinance does get drafted it must be
25 consistent with the county and City of San Jacinto because they are bordering our
26 city.
27

28
29 CDD Elliano commented that right now both the county and San Jacinto are more
30 restrictive than Hemet.
31

32 Chairman Gifford invited the public to comment.
33

34 Hemet resident, Melissa Donahoe, stated that there are many obviously intoxicated
35 people walking the streets of Hemet, and an excessive amount of drunk driving
36 related accidents. If this ordinance can help, she felt it was something that the City
37 should do for the sake of our children and the residents.
38

39
40 Vice Chairman Overmyer questioned whether additional liquor stores would lead to
41 more alcohol use and abuse, and would the ordinance appreciably change how
42 much liquor is being consumed. On one side the City is trying to bring in new
43 business, and on the other side we are limiting businesses.
44

45 Chairman Gifford suggested that if consensus was the goal, then it may not be
46 achievable, but there might be ideas to share.
47

48
49 CDD Elliano indicated that staff would draft the ordinance to the best of their ability
50 based on the information the Commission had provided, and that it would either go
back to the Commission or to ROCS. She noted that when the overview was given
to the ROCS group, they were in favor of the process and of separation standards.

Attachment No. 3

Excerpt from Hemet ROCS
CAC Meeting Minutes
September 27, 2012

Planning Commission
Public Meeting of
December 4, 2012

not picking up carts satisfactorily we can notify the store that the vendor they are using is not acceptable. She noted that at least three stores she was aware of had changed their cart containment vendors due to their failure to perform.

Frank Gorman: It sounds like the City is continuing to do the job of the retrieval companies. If you contact a retailer, does the vendor have to have approval from the retailer to pick up the carts from the City?

CDD Elliano: Yes. The retailer must contact the City to advise that their retrieval company will be picking up their carts.

Frank Gorman: Wondered if we could restrict them to be able to pick up their carts on only one day per month.

CDD Elliano: Explained that state law is skewed toward the retailer. The City has to be open five business days for retrieval. Once a retailer has a cart containment plan in place, it is stipulated that their retrieval companies have to be actively patrolling the City to retrieve carts. Once all of the plans are in place, if we continue to have a problem, we will be able to consider other options.

5. Presentation: Existing & Proposed Alcoholic Beverage Regulations - *Community Development Director Deanna Elliano, Police Chief Dave Brown*

CDD Elliano initiated the presentation, and stated that she would like to have Assistant City Attorney Erika Vega give a short overview regarding what the Alcoholic Beverage Control Board (ABC) regulates, versus what the City can regulate.

Attorney Vega explained that there was interplay between state law and local land use control. She noted that ABC governs the licensing of any establishment that sells alcohol for on-site or off-site consumption. The city has no authority regarding who can or cannot sell alcohol – it is completely under the jurisdiction of ABC. The City, however, does have the ability to impose zoning regulations to mitigate the effects of this use, such as hours of operation, noise, etc., utilizing the conditional use permit process. There is always a little contention here, because if you go too far it can be construed as prohibition.

CDD Elliano distributed a handout outlining Alcohol regulations. She offered an explanation regarding the different types of licenses that were issued, including off-sale and on-sale licenses, as well as a relatively new type of license called an “instructional tasting license – type 86, and a special events, or one-day license. She discussed existing regulations in the City of Hemet, noting that bars, nightclubs and dance halls are subject to an Administrative Use Permit (AUP) that can be granted by the Community Development Director. If live entertainment is included, a Conditional Use Permit is required. For restaurants, alcohol sales are permitted by right, but if live entertainment is part of the restaurant, a CUP is required. Micro-breweries or wine bars also require a CUP, while liquor or convenience stores are permitted by right. Gas stations and mini-marts require a CUP as part of the gas station. Pharmacies, such as Walgreens, etc., that sell beer, wine and alcohol, are permitted by right.

Police Chief Brown: Added to the discussion, noting that the Police Department's role in licensing is established by State law. When ABC receives an application, they begin an investigation of the company. They also send notice to the Police Department, Planning Department, etc. He noted that it is the Police Department's responsibility to evaluate every request for a new license, and to make a determination whether or not we have an objection outright, whether we wish to impose conditions on the license, or whether we have no opposition whatsoever. It is important to note that on Type 20 licenses, which are off-sale beer & wine license, there is an over-concentration county-wide. This means that there are too many of these licenses, by ABC standards. ABC, however, wants this to be the local communities' decision whether or not to object or not object to allowing additional licenses of this type. Some of the things that the Police Department can object to are based on high crime area, a perception of too many licenses, or that a public nuisance would be created. The review that the police department does is very subjective. So what we would be looking for is some input, and the opportunity for our City Council to direct us in terms of an ordinance, and what types of things this community wants us to consider in our review.

CDD Elliano distributed additional handouts, including an Alcohol Sales Land Use Comparison with surrounding cities for on-sale restaurants and alcohol sales, and a Separation Comparison with surrounding cities. Most cities have a nominal or limited process for restaurants that serve alcohol. Most nightclubs, lounges, etc., require a CUP.

CDD Elliano discussed the various requirements for the different entities that serve alcohol, and then referred to the separation requirements, which are under a city's zoning power. She pointed out that the City of Hemet currently has none. The City of Murrieta, she advised, recently went through a complete revamping of their ABC requirements, and one of the favorable things in their ordinance is that they have a number of regulations affiliated with it. The most controversial piece of the Murrieta ordinance is regarding limiting the sale of alcohol at a restaurant or other place where alcohol is served - Murrieta prohibits the sale of alcohol after midnight, though it is doubtful that this has been tested yet. Murrieta also has a process where a business can apply for an extension past midnight. This ordinance is a good model to follow. Temecula, she noted, had taken a stand in prohibiting any new liquor stores.

CDD Elliano referred back to No. 5 on the first handout that she had distributed, entitled "CAC Presentation on Alcoholic Beverage Sales." She discussed some of the preliminary recommendations, as noted, elaborating with a more detailed description of each item.

Police Chief Brown discussed the social host ordinance option, which deals with "party houses" per se, and people that are serving alcohol in their homes. This type of ordinance would provide the PD with the ability to issue Administrative citations.

Gary Fowler: How exactly does that work?

Police Chief Brown explained that an Administrative citation is a fine that is imposed. Fines can be stiff, and the ability to collect is higher.

Michael Ramirez: Suggested that several communities are leaning toward social host ordinances. He asked if the City of Hemet has considered a recovery cost?

Police Chief Brown advised that an Administrative citation is a recovery of the cost of the response.

Mary Ann Mari: My primary concern is that Hemet has **no** restrictions. If we address this, will the existing establishments be grandfathered in?

CDD Elliano explained that generally when we implement new ordinances, the existing businesses, if permitted legally at the time, can remain in existence as a grandfathered use. With the tobacco ordinance, we required that a new CUP be required if a new business owner came in. If there happened to be a business that is particularly detrimental, it would be best to deal with it through the chronic nuisance ordinance.

Stefany Nelson: What is the distance between liquor stores that determines an over-concentration.

Police Chief Brown responded to the question, explaining how ABC establishes over-concentration according to zones. Remember, however, that ABC does not deny a license based on over-concentration, but instead leaves that to the local authorities.

Michael Ramirez: Deanna, are you familiar with the ordinances that other cities have passed to deal with over-saturation and the existing vendors that were grandfathered in prior to a CUP requirement?

CDD Elliano indicated that it was her understanding that the City of San Bernardino was the only city that had passed such an ordinance.

Michael Ramirez: I was fortunate to have been able to sit through a six-hour training session on this issue. There have actually been cities across California that have passed ordinances which also regulate existing liquor stores in the community so it basically isn't arduous to protect those liquor stores, vendors and businesses that had been grandfathered in as a CUP.

CDD Elliano stated that this was perhaps something that could be looked into as part of the new ordinance.

As a point of information for the City of Hemet, CDD Elliano advised that there were 74 off-sale, and 81 on-sale alcoholic beverage licenses within the city. Also, in the ABC regulations, the number of off-site beer & wine licenses is limited to one for each 2,500 people in a city/county, and the number of beer & wine licenses that can be issued in a city/county in combination with off-sale generate licenses, which is liquor, is limited to one for each 1,250 people. They generally calculate their numbers according to these zones or census tracts, and that's how they've reached their determination.

Chair Goodrich: It sounds like we are in desperate need of separation requirements. In looking at the separation guidelines for different cities, I see that the City of San Bernardino permits only 4 within a 1,000 foot radius. I would like to see this for Hemet.

Frank Gorman: Discussed loitering at liquor stores. I'm not sure that it has anything to do with the ordinance, but the loitering is disturbing and we should find a way to resolve it.

CDD Elliano discussed the limitation of single alcohol sales and cited examples.

Michael Ramirez: Pressure needs to be put on the store owner to pay a fine.

Stefany Nelson: Inquired regarding caps for permits.

CDD Elliano advised that since Hemet has no review process or limits, there are currently no caps placed by the City – only by the ABC Board at this point.

Sharon McComb: I find it astounding that we have no separation requirement. I would definitely like to see separation and radius requirements established for Hemet.

6. Future CAC Meeting Schedule - Community Development Director Deanna Elliano

Chair Goodrich: The CAC is doing well at this point, but I would like to keep pushing forward with the 19 ordinances that we originally set out to review. Of those 19, I'm not sure if Mark or Deanna have a preference, but there are still six ordinances that we've been discussing, and we should probably be looking at some of the other ones that are on the list as well. He asked if all the ordinances on his sheet were completed.

ICM Orme stated that he would email out the updated ordinance list the following day.

Chair Goodrich: My interest is in getting the ordinances passed.

Discussion ensued regarding the establishment of an 800 number for the Hemet ROCS hotline.

Mary Ann Mari: I was accosted the other day at Walgreens, and when I threatened to call the police, the kid who was following me told me that the police couldn't do anything to him. It would be nice to have an 800 number that we could program into our phones.

ICM Orme suggested that police dispatch should be called in such instances, and Police Chief Brown concurred.

Frank Gorman: Is it against the law, when someone is harassing you to spray them with pepper spray?

Police Chief Brown responded that the reasonable expectation threshold varies from case to case, but that if you or someone else is in danger, it is permissible to use pepper spray for self defense. He recommended that great consideration and responsibility be taken in making the decision to do this.

Mary Ann Mari: Is 911 the best way to reach police dispatch?

Police Chief Brown advised that the best way to reach police dispatch is to dial 951-765-2400. He indicated that by pressing one (1) upon connection of the call, there was no way that the call could be placed on hold. He added that currently 911 calls are routed through Indio, but would soon be coming straight to Hemet dispatch.

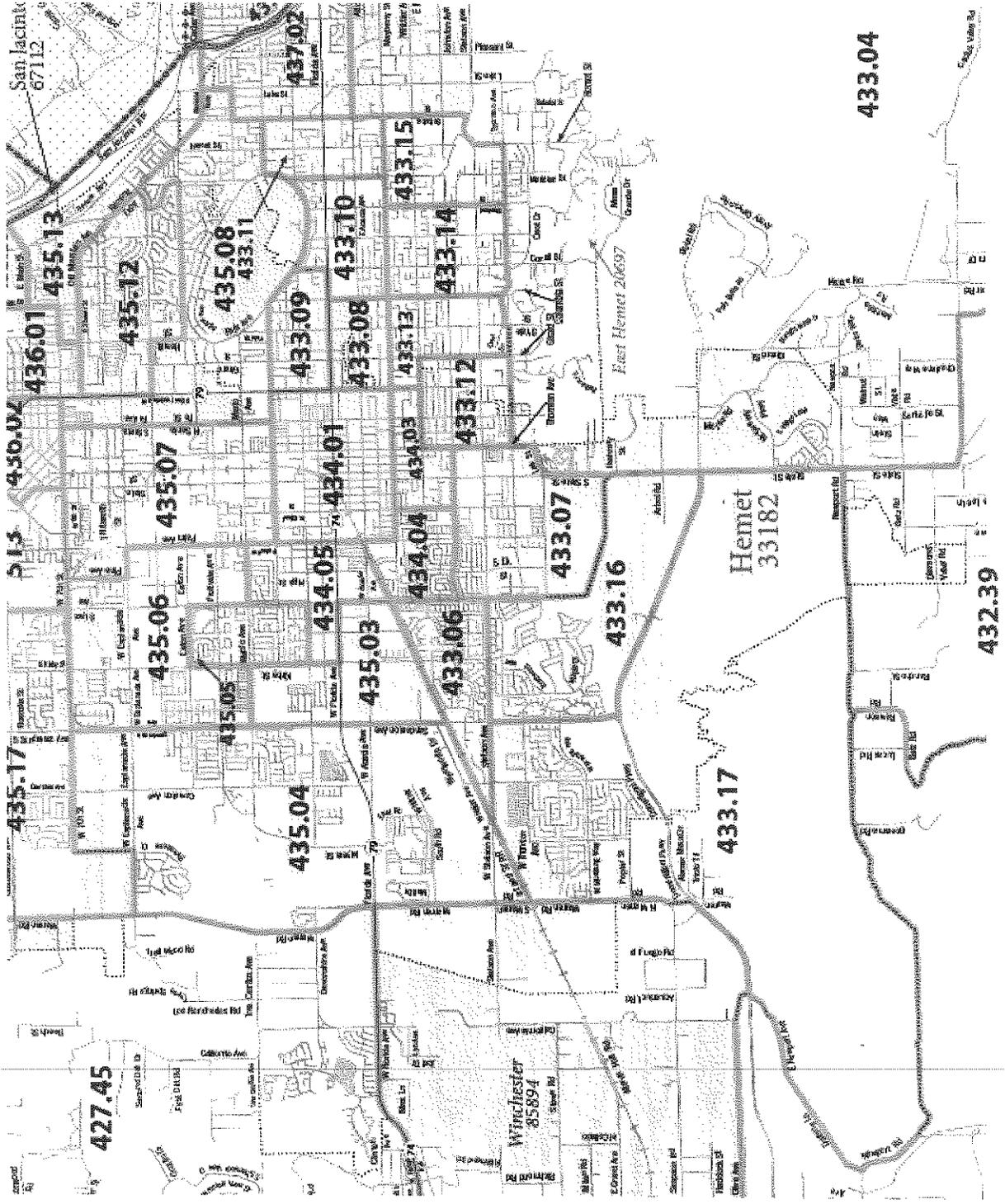
Attachment

No. 4

**Census Tract Map for
Hemet and the
Surrounding Area**

**Planning Commission
Public Meeting of
December 4, 2012**

2010 US Census Tracts within the City of Hemet



Attachment No. 5

Separation Standards
Comparison with
Surrounding Cities

Planning Commission
Public Meeting of
December 4, 2012

**ALCOHOL SALES
SEPARATION COMPARISON WITH SURROUNDING CITIES**

| JURISDICTION | SEPARATION FROM: | DISTANCE |
|--|---|-----------------|
| CITY OF HEMET (Current) | NONE | N/A |
| CITY OF HEMET (Proposed) | PUBLIC SCHOOL | 600' |
| | PUBLIC PARK | 600' |
| | PLACE OF WORSHIP | 600' |
| | RESIDENTIAL USE OR RESIDENTIALLY ZONED PROPERTY | 100' |
| | PAROLEE-PROBATIONER HOME | 1000' |
| | EMERGENCY SHELTER | 1000' |
| | SUPPORTIVE HOUSING | 1000' |
| | TRANSITIONAL HOUSING | 1000' |
| CITY OF BANNING | PUBLIC SCHOOL | 500' |
| | PUBLIC PARK | 500' |
| | PLACE OF WORSHIP | 500' |
| CITY OF MURRIETA | PUBLIC OR PRIVATE SCHOOL | 600' |
| | PUBLIC PARK | 600' |
| | OTHER "SENSITIVE RECEPTORS" | 600' |
| CITY OF RIVERSIDE (Varies by zone, but general standards are as follow:) | PAROLEE OR PROBATIONER HOME | 1000' |
| | EMERGENCY SHELTERS | 1000' |
| | SUPPORTIVE OR TRANSITIONAL HOUSING | 1000' |
| | PUBLIC OR PRIVATE SCHOOL | 600' |
| | HOSPITAL | 600' |
| | PLACES OF ASSEMBLY | 600' |
| | PUBLIC PARKS | 600' |
| | SERVICE STATION WITH ALCOHOL SALES | 300' |
| | RESIDENTIAL USE OR RESIDENTIALLY ZONED PROPERTY | 100' |
| COUNTY OF RIVERSIDE (Notification must be provided to the following uses:) | PUBLIC OR PRIVATE SCHOOL | 1000' |
| | PUBLIC PARK | 1000' |
| | PLAYGROUND | 1000' |
| | PLACE OF WORSHIP | 1000' |
| CITY OF SAN BERNARDINO | GROUPING OF MORE THAN 4 SALES LOCATIONS | 1000' RADIUS |
| | EXISTING BUSINESS WHERE ALCOHOL IS SOLD | 500' |
| | PUBLIC OR PRIVATE SCHOOL | 500' |
| | PUBLIC PARK, PLAYGROUND, OR REC. CENTER | 500' |
| | NONPROFIT YOUTH FACILITY | 500' |
| | PLACE OF WORSHIP | 500' |
| | HOSPITAL | 500' |
| | RECOVERY OR TREATMENT FACILITY | 500' |
| | COUNTY SOCIAL SERVICE OFFICE | 500' |
| | CRIME REPORTING DISTRICT WHERE CRIME RATE EXCEEDS 20% | 500' |
| CITY OF SAN JACINTO | EXISTING BUSINESS WHERE ALCOHOL IS SOLD | 1000' |
| | PUBLIC OR PRIVATE SCHOOL | 600' |
| | PLACE OF WORSHIP | 600' |
| | PUBLIC PARK | 600' |
| | YOUTH FACILITY | 600' |
| | RESIDENTIAL USE OR RESIDENTIALLY ZONED PROPERTY | 100' |
| | POOL HALL/BILLIARD PARLOR | 100' |
| CITY OF TEMECULA | RELIGIOUS INSTITUTIONS | 600' |
| | EDUCATION FACILITY | 600' |
| | DAY CARE CENTER | 600' |
| | PUBLIC PARK | 600' |

NOTE: In general, separation requirements do not apply when permitted by right or exempt from the requirement to obtain a CUP

Attachment No. 6

Land Use Comparison with
Surrounding Cities

Planning Commission
Public Meeting of
December 4, 2012

ALCOHOL SALES
LAND USE COMPARISON WITH SURROUNDING CITIES
for
On-Sale - Restaurants

| JURISDICTION | PERMIT APPROVAL / REQUIREMENT | ZONES PERMITTED | ADOPTED STANDARDS IN ZONING ORDINANCE? |
|----------------------|---|--|--|
| HEMET (Existing) | Permitted by Right CUP | C-1, C-2, C-M O-P | No |
| HEMET (Proposed) | Permitted by Right when exempt per 90-90 CUP, not exempt per 90-90 | O-P, C-1, C-2, C-M, D-1, D-2, M-1, M-2 O-P, C-1, C-2, C-M, D-1, D-2, M-1, M-2 | Yes - Separation Requirements Yes - Separation Requirements |
| BANNING | Permitted by Right CUP | AI DC, GC, HSC, PO, BP | No |
| CORONA | Permitted by Zoning Administrator CUP | C-P, C-2, C-3 M-1, M-2, M-3, M-4 | No |
| MENIFEE | Same as County of Riverside | | No |
| MURRIETA | Permitted by Right Site Plan Review CUP | PC, NC, CC, RRC, MU-3 CR, CG, MU-N, BMP, AI, AIR CRC, MU-V O | No |
| RIVERSIDE, CITY OF | | | No |
| RIVERSIDE, COUNTY OF | Plot Plan Review CUP | C-1/C-P, C-T, C-P-S, C-R, C-O, I-P, M- SC, M-M, M-H, C/V R-R | No |
| SAN JACINTO | MUP Permitted by Right (Beer and Wine) CUP (w/Spirits) | CD, CN, CG, CR, BP, IL, IH NC, CC, HT, SC, PO, BP, LI | No |
| TEMECULA | | | No |

On-Sale - Bars, Night Clubs, Lounges

| JURISDICTION | PERMIT APPROVAL / REQUIREMENT | ZONES PERMITTED | ADOPTED STANDARDS IN ZONING ORDINANCE? |
|----------------------|--|-------------------------------|--|
| HEMET (Existing) | AUP (sales only) CUP (w/Live Entertainment or Dancing) | C-2, C-M, D-1, D-2 | None |
| HEMET (Proposed) | CUP (alcoholic beverage sales only) CUP (w/Live Entertainment or Dancing) | C-2, C-M, D-1, D-2 | Yes - Separation Requirements |
| BANNING | CUP | DC, GC, HSC, AI | Yes - Separation Requirements |
| CORONA | CUP | C-3 | No |
| MENIFEE | Same as County of Riverside | | No |
| MURRIETA | CUP | PC, NC, CC, RRC, MU-3 | Yes - Separation Requirements |
| RIVERSIDE, CITY OF | CUP | CR, CG, CRC, MU-N, MU-V, MU-U | Yes - Separation Requirements |
| RIVERSIDE, COUNTY OF | CUP | R-R, C-1/C-P, C-P-S, C-R, C-T | No |
| SAN JACINTO | CUP | CD, CR, OP | Yes - Separation Requirements |

| | | | |
|----------|-----|------------|-------------------------------|
| TEMECULA | CUP | CC, HT, SC | Yes - Separation Requirements |
|----------|-----|------------|-------------------------------|

Off-Sale - Retail Incidental

| JURISDICTION | PERMIT APPROVAL / REQUIREMENT | ZONES PERMITTED | ADOPTED STANDARDS IN ZONING ORDINANCE? |
|-------------------------|---|--|---|
| HEMET (Existing) | Permitted by Right AUP | C-1, C-2, C-M C-1, C-2, C-M | between hours of 7 am - 9 pm outside hours of 7 am - 9 pm |
| HEMET (Proposed) | Permitted by Right when exempt per 90-90 CUP, not exempt per 90-90 | C-1, C-2, C-M C-1, C-2, C-M | Yes - Separation Requirements |
| BANNING | CUP | GC, HSC, PO | Separation Requirements for CUP |
| CORONA | Permitted by Zoning Administrator CUP | C-P, C-2, C-3 C-3 (Convenience Store) | No |
| MENIFEE | Same as County of Riverside | | No |
| MURRIETA | Permitted by Right | PC, NC, CC, RRC, MU-3 | No |
| RIVERSIDE, CITY OF | CUP (Exempt if more than 15,000 s.f. of gross floor area) | O, CR, CG, CRC, MU-N, MU-V, MU-U | Separation Requirements for CUP |
| RIVERSIDE, COUNTY OF | Plot Plan Review | | Interior floor space of 20,000 sq. ft. engaged in the sale of groceries and does not sell motor vehicle fuels - |
| SAN JACINTO | CUP | C-1/C-P, C-P-S, C-R R-R | Separation Requirements for CUP |
| TEMECULA | Permitted by Right Permitted by Right | CD, CN, CG, CR NC, CC, HT, SC, PO | No No |

Off-Sale - Liquor Stores

| JURISDICTION | PERMIT APPROVAL / REQUIREMENT | ZONES PERMITTED | ADOPTED STANDARDS IN ZONING ORDINANCE? |
|-------------------------|--|-------------------------------------|--|
| HEMET (Existing) | Permitted by Right AUP | C-1, C-2, C-M C-1, C-2, C-M | between hours of 7 am - 9 pm outside hours of 7 am - 9 pm |
| HEMET (Proposed) | CUP | O-P, C-1, C-2, C-M, M-1, M-2 | Yes - Separation Requirements |
| BANNING | CUP | GC, HSC, PO | Yes - Separation Requirements |
| CORONA | CUP | C-3 | No |
| MENIFEE | Same as County of Riverside | | Yes - Separation Requirements |
| MURRIETA | CUP | PC, NC, CC, RRC, MU-3 | Yes - Separation Requirements |
| RIVERSIDE, CITY OF | CUP | CR, CG, CRC, MU-N, MU-V, MU-U | Yes - Separation Requirements |
| RIVERSIDE, COUNTY OF | CUP | R-R, C-1/C-P, C-P-S, C-R | Refer to §18.48 for Alcohol Beverage Sales provisions |
| SAN JACINTO | CUP | CD, CN, CG, CR, OP | Yes - Separation Requirements |
| TEMECULA | Not Permitted (Exist./Nonconforming) CUP (Beer & Wine only) | NC, CC, HT, SC | No, not permitted |