

PLANNING COMMISSION

AGENDA

REGULAR MEETING OF THE HEMET PLANNING COMMISSION

City Council Chambers

450 East Latham Avenue, Hemet CA 92543

January 21, 2014

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 Greg Vasquez, and Commissioners Michael Perciful, Vince Overmyer, and Rick Crimeni

Invocation and Flag Salute: Commissioner Overmyer

2. APPROVAL OF MINUTES:

A. Minutes of the December 17, 2013 Planning Commission 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 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

4. TENTATIVE PARCEL MAP 36646 (MAP NO. 13-002) TRACTOR SUPPLY CO.

APPLICANT: California Gold Development Corporation
AGENT: Paul Peck – Paul Peck & Associates
PLANNER: Carole L. Kendrick, Assistant Planner
LOCATION: South side of Florida Avenue, west of Sanderson Avenue and east of Cawston Avenue

DESCRIPTION: A request for Planning Commission review and approval of the subdivision of 3.59 net acres into two (2) parcels for future commercial development in the General Commercial (C-2) zone, located on the south side of Florida Avenue, west of Sanderson Avenue and east of Cawston Avenue, with consideration of an Environmental Exemption pursuant to CEQA Guidelines Section 15315.

Recommended Action:

That the Planning Commission Adopt Planning Commission Resolution Bill No.14-002 (Attachment No. 1), APPROVING Tentative Parcel Map No. 36646 (MAP 13-002) subject to the findings and conditions of approval and direct staff to file a Notice of Exemption with the County Clerk.

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 is encouraged to provide direction to staff at the conclusion of the work study session.

5. SPECIAL PRESENTATION: UPDATE ON WRCOG SUBREGIONAL CLIMATE ACTION PLAN (CAP): Presentation provided by Alexa Washburn, Program Manager; and Jennifer Ward, Staff Analyst representing WRCOG

Recommended Action:

For information and discussion purposes only. No action is required at this time.

6. WORK STUDY #3 REGARDING TEMPORARY SIGNAGE REGULATIONS : Presentation by Emery Papp, Principal Planner

Recommended Action:

- 1. That the Planning Commission receive the staff presentation, take public comment, and provide any additional comments and direction to staff regarding the regulation of temporary signs within the City; and*
- 2. Direct staff to prepare and present the final recommendations and a draft Zone Text Amendment regarding Temporary Signage at a future Planning Commission public hearing.*

DEPARTMENT REPORTS

- 7. CITY ATTORNEY REPORTS:** *Verbal report from the Assistant City Attorney on items of interest to the Planning Commission.*
- 8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:** *Verbal reports from Community Development Director Elliano*
- A. Report on actions from the January 14, 2014 City Council Meeting.
 - B. Request for cancelation of the February 4, 2014 Planning Commission Meeting.
- 9. PLANNING COMMISSIONER REPORTS:** *Commissioner reports on meetings attended, future agenda items or other matters of Planning interest.*
- A. Chairman Gifford
 - B. Vice Chair Vasquez
 - C. Commissioner Perciful
 - D. Commissioner Overmyer
 - E. Commissioner Crimeni
- 10. FUTURE AGENDA ITEMS:**
- A. SPA for McSweeney Farms
 - B. CUP for Multi-tenant office building
 - C. Regent Properties – Ramona Creek SP, TTM and DEIR
 - D. General Plan Consistency Zoning Program – Phase II
- 11. ADJOURNMENT:** To the meeting of the City of Hemet Planning Commission scheduled for **February 18, 2014 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).

PLANNING  *COMMISSION*

MEETING MINUTES

DATE: DECEMBER 17, 2013

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 Greg Vasquez, and Commissioners Rick Crimeni, Vince Overmyer and Michael Perciful

ABSENT: None

Invocation and Flag Salute: Vice Chairman Greg Vasquez

2. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission meeting of November 19, 2013

It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner Vince Overmyer to **APPROVE** the Minutes of the Planning Commission meeting of November 19, 2013.

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

AYES: Chairman John Gifford, Vice Chair Greg Vasquez, Commissioners Rick Crimeni, Vince Overmyer and Michael Perciful

NOES: 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. GENERAL PLAN AMENDMENT (GPA) NO. 13-001 (2014-2021 Housing Element Update – Cycle 5)

1 **Applicant:** City of Hemet
2 **Planner:** Nancy Gutierrez, Contract Planner
3

4 **DESCRIPTION:** A City-initiated proposal to adopt the revised Housing Element
5 of the Hemet General Plan updating the current Housing Element in accordance
6 with State-mandated requirements for the 2014-2021 housing element cycle, and
7 consideration of an Addendum to the Environmental Impact Report of the Hemet
8 General Plan regarding potential environmental impacts.
9

10 (PowerPoint presentation by Contract Planner Nancy Gutierrez.)
11

12 Ms. Gutierrez introduced Michelle Lieberman with RBF Consulting, who together with
13 David Barquist, gave a PowerPoint presentation to the Commission.
14

15 Chairman Gifford, after the presentations, asked if the three changes being made,
16 based on the direction of the State, were more procedural than substantive changes.
17

18 Planner Gutierrez explained that they are technical types of minor changes and that
19 staff is looking at the new State definition of transitional housing and supportive
20 housing, along with the City Attorney's office, and may not have to make any changes.
21

22 Chairman Gifford asked what 95 percent reduction in number of housing units could
23 mean for the city, especially considering that at the very low-income housing area, the
24 city only has to meet 67 housing sites, instead of 11,000 units in the previous housing
25 element cycle, thereby skewing the community away from just a low income housing
26 element, to something more towards median.
27

28 CDD Elliano added that the highest percentage in the new RHNA numbers, is in "above
29 moderate," indicating that the greatest need in Hemet is to have the higher value
30 housing.
31

32 Chairman Gifford complimented the hard work of staff and RBF in moving these
33 numbers toward a median or upper median level income, rather than pushing it lower.
34

35 He thereafter asked for public comment, and receiving no response, closed the public
36 hearing portion of this item and asked for further Commissioners' comments, and
37 having received positive comments from Commissioners Overmyer, Crimeni, Perciful
38 and Vice Chair Vasquez, entertained a motion.
39

40 It was **MOVED** by Vice Chair Greg Vasquez and **SECONDED** by Commissioner Rick
41 Crimeni recommending **ADOPTION** of Planning Commission Resolution Bill 13-022
42 recommending **APPROVAL** of General Plan Amendment No. 13-001 and **ADOPTION**
43 of the associated Addendum to the General Plan Final Environmental Impact Report to
44 the City Council.
45

46 The **MOTION** was carried by the following vote:
47

48 **AYES:** Chairman John Gifford, Vice Chairman Greg Vasquez, and
49 Commissioners Michael Perciful, Rick Crimeni, and Vince Overmyer.
50

NOES: None

ABSENT: None

WORK STUDY REPORTS

5. WORK STUDY SESSION NO. 2 REGARDING TEMPORARY SIGNS

Report by Principal Planner Emery Papp

CDD Elliano made introductory comments before Planner Papp's presentation, advising that sign codes are very complex and detailed. She stated that staff had a productive meeting with the Chamber of Commerce and that staff recognizes the need for effective signage; however, the challenge is providing signage without visual clutter and distraction.

She indicated that the issue to be discussed at this meeting was the balance sought for temporary signage. Traditionally, temporary signage has been utilized to advertise special events, community activities, grand openings for new businesses, etc. Staff believes temporary signage should not be utilized by businesses in place of permanent signage. However, it is staff's desire to develop a strategy for temporary signage that is not overly complex and frustrating to the business owners. Her opinion is that window signage is the most effective way for businesses to advertise because there is no need to get a permit from the city if the coverage is between 25 and 50 percent, depending on location and type of business.

(PowerPoint presentation by Principal Planner Emery Papp.)

There was a discussion concerning framed posters, such as in drive-through establishments who have little window space with which to advertise. Chairman Gifford commented that we need regulations that are detailed enough to be enforceable, but also flexible enough to make exceptions, yet how much discretion does staff have? It is problematic to consider them windows, because they represent more than 50 percent of window space. He suggested staff come up with something that's hybrid for such a framed advertisement.

Commissioner Crimeni stated that he has observed vandalism with framed posters.

(Principal Planner Emery Papp continued the PowerPoint presentation.)

At the conclusion of the presentation, Chairman Gifford requested of City Attorney Jex, to report his opinion concerning the Community Development Director's jurisdiction and the limits to her discretion on signage judgments. He then asked for public comments after Commissioner Vasquez made the following suggestions:

1. For buildings that cannot accommodate banner signage, utilization of landscape banners with professional mounting poles might be considered;
2. Increasing the minimum size of the banners from 3 feet by 15 feet in length to something larger, like 3 feet by 20 feet;
3. Definitively deny banner signs on fences or handrails.

Andy Anderson, chief executive officer and president of the Hemet/San Jacinto Chamber of Commerce (615 North San Jacinto Street, Hemet), thanked the Commission for considering this issue. He made several suggestions, which included considering the time limit for banners being extended and allowing banners to be used more than once, and addressing the issue of feather signs, for which there is little

1 consistency between Hemet and the county side of particularly Florida Avenue. He
2 announced that the Chamber, along with City of Hemet, is going to be having a seminar
3 for business people that will address marketing and merchandising in the community so
4 that the local businesses will understand more fully the signage issue.
5

6 Doris Mixon, owner of C&L Coffee House, also representing Arturo's Mexican Grill, felt
7 that Hemet was not being business-friendly by putting such restrictions on temporary
8 signs, especially for family-owned businesses. She felt that larger banners and feather
9 signs would be helpful to her business and those in the building around her who do not
10 have businesses that face the street. She felt that franchise-type businesses are being
11 given preferential treatment rather than mom and pop operations, particularly those
12 such as Arturo's, which is struggling to maintain business because of sign restrictions.
13

14 Chairman Gifford commented that the mandate for the Commission is very much in
15 favor of balance and pro-business or pro-smart growth for businesses. However, there
16 have to be regulations and rules that are going to benefit the overall plan for the City of
17 Hemet. The Commission and staff is trying to figure out where do we have the leniency
18 or discretion to make exceptions, that will assist such businesses as Arturo's, which is
19 one of his favorite restaurants. But something must be crafted that will work within the
20 bounds that are fair to everybody. With that, he closed the public hearing, as there
21 were no additional persons who wished to speak.
22

23 City Attorney Jex agreed that the key is drawing the line. Sign codes are incredibly
24 complicated and the laws that govern how a sign code can be drafted are also
25 extraordinarily complicated. It is a very specialized area of the law. Therefore, what
26 goes into drafting amendments or changes to a sign code demands consideration of the
27 bigger picture ideas that have been presented tonight and at earlier meetings, drill down
28 those ideas, and formulate the language that accomplishes what is desired, as long as it
29 is within the bounds that sign code law has set.
30

31 He said he understands the Commission wants to have flexibility to be able to provide
32 discretion, but too much discretion cannot be provided because there must be a uniform
33 set of regulations. So while flexibility is desired, care must be taken in how the flexibility
34 is worded; the detail in the language will be important. At this point, we are in a broad,
35 conceptual level.
36

37 Commissioner Crimeni had questions about banners, their permit cost, time of posting,
38 and change of banners.
39

40 CDD Elliano explained that the cost of a banner is currently \$32 for a 30-day period to
41 hang the banner. Under the current rules, no matter what the time allowed for display of
42 the banner, the same banner could not be posted again.
43

44 Chairman Gifford advanced the possibility of mandating a square footage percentage
45 rather than 3 feet by 15 feet, with Commissioner Perciful agreeing.
46

47 Commissioner Overmyer asked if it had to be percentage of the wall.
48

49 CDD Elliano answered that most permanent signage is in relationship to the building
50 face. She also suggested they discuss the time-frame in which a banner could be
posted, and specifically how long it would have to remain down.

1 Chairman Gifford indicated that it was his impression from the business leaders that if
2 your promotion isn't working in 45 days, then you're pretty well done. And as to down
3 time, if there is a continual offer or message, then it should be a permanent sign.
4

5 Both Commissioners Vasquez and Crimeni agreed that 45 days is a good length for a
6 temporary sign.
7

8 After further discussion among Commissioners and staff, it was agreed that 14 days
9 would be acceptable as down time for the banners. Also discussed were the banners in
10 the landscaped area, with City Attorney Jex admonishing standards as to what was
11 "professionally" done.
12

13 Planner Papp asked the Commissioners their ideas concerning pennants in commercial
14 zones. They are currently allowed in model home displays.
15

16 CDD Elliano stated there needs to be a differentiation between pennants and flags, and
17 Chairman Gifford stated there is a different section for the real estate signage.
18

19 After further discussion, it was agreed that percentage of window coverage for signage
20 would be 50 percent, whether that was 25 percent message and 25 percent window tint
21 or 50 percent message.
22

23 Planner Papp asked if the Commission had a consensus concerning "cane" or "feather"
24 signs, with Chairman Gifford stating he didn't think the city was against them, but just
25 wanted to limit the number per business.
26

27 Commissioner Crimeni asked about printed screens on vacant buildings.
28

29 CDD Elliano said she did not think there was a prohibition on that. If it makes a vacant
30 building look better, the city would be in favor of it. She did not see it as an issue with
31 signage.
32

33 After further discussion on number of banners per business and numbers of cane signs,
34 Chairman Gifford suggested that staff work on the details and come back January 21,
35 2014 for a continued working session.
36
37

DEPARTMENT REPORTS

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40 **6. CITY ATTORNEY REPORTS:** *Verbal report from the Assistant City Attorney on*
41 *items of interest to the Planning Commission.*
42

43 City Attorney Jex reported on a change to the Brown Act effective January 1st, 2014.
44 After each vote that is taken, there must be a public announcement of each person's
45 vote. This is accomplished by using the voting machine on a regular basis by the
46 Planning Commission.
47

48 **7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:** *Verbal reports from*
49 *Community Development Director Elliano*
50

1 A. Report on actions taken at City Council meeting of December 10, 2013

2
3 At the December 10, 2013 City Council meeting, Larry Smith was elected Mayor, with
4 the position of Mayor Pro Tem being secured by Shellie Milne, both positions lasting
5 one year. The Planning Commission's recommendation regarding the Specific Plan
6 Zone and requirements was approved unanimously. The 2013 updated building code
7 standards were adopted, and the city has the opportunity to re-adopt, review and make
8 additional exceptions or requirements as it sees fit. The changes were generally minor
9 from the 2010 building code update, some having to do with firewall separation between
10 houses and garages and some other fire code provisions.

11
12 The appeal of the Planning Commission's decision regarding alcohol sales for the
13 Valero gas station was continued, as per applicant's request, to the January 14th
14 meeting of the City Council.

15
16 The new City Manager Wally Hill had several items, one of which was the appointment
17 of a short-term ad hoc committee for the Regent development project (Ramona Creek)
18 to review the proposed development agreement provisions. It will be the Planning
19 Commission's charge to make sure the development agreement is consistent with the
20 General Plan.

21
22 At the City Manager's suggestion and Council's concurrence, a strategic planning
23 session is being organized for big-picture planning for 2014.

24
25 B. Update report regarding the current status of the old Albertsons and Walmart
26 buildings on Florida Avenue and parking issues at adjacent properties (Report
27 requested by the Planning Commission)

28
29 CDD Elliano reported on the present situation with the old Albertson's, 869 Florida
30 Avenue, which was originally approved in 1992, as the Palm Plaza Shopping Center.
31 Smith's Grocery opened in '93, which became Lucky's in '96, then Albertson's took over
32 in 2000 until 2008. The property was purchased by R&B Investments in 2009, but the
33 property has remained vacant since 2008. There may be a major national grocery
34 chain tenant in the future; however, no permits or activities have come forward.

35
36 The former Walmart, 2171 West Florida, was originally approved as a Walmart in 1991.
37 A Conditional Use Permit was obtained in 2006 in an effort to transition from a Walmart
38 to a Sam's Club. It was not built within the time period required, and the extension of
39 time was denied. In 2009 a new ownership brought forward a proposal for a facility
40 called Medi-City, a heart hospital and acute care facility. A three-year Extension of
41 Time was granted in 2011. However, staff's understanding is that the new owners do
42 not intend to go forward with the project. It is being marketed to big-box users, but as of
43 yet, there are no proposals. The property has been subjected to vandalism such as the
44 stealing of pipes and electricity.

45
46 **8. PLANNING COMMISSIONER REPORTS:** *Commissioner reports on meetings*
47 *attended, future agenda items, or other matters of Planning interest.*
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1 A. Chairman Gifford reported visiting the Shooters Pool Hall and finding it
2 packed with 20 to 30 year old customers. He was pleased to see it flourishing.

3 B. Vice Chair Vasquez (Nothing to report)

4 C. Commissioner Perciful noted that FHA announced they are not going to be
5 changing loan limits; however, HUD did lower their limits to \$355,000. And recently, the
6 Hemet/San Jacinto Association of Realtors merged with the Southwest County
7 Associations of Realtors, resulting in a bigger membership base and more money for
8 the organization.

9 D. Commissioner Overmyer noted that his family had moved to the Hemet area
10 in 1965, almost 50 years ago, and with tongue in cheek, thanked the Commission for
11 allowing him to serve at a time when the sign ordinance is being rehashed.

12 E. Commissioner Crimeni suggested that in addition to going to Shooters, the
13 Commission members should go to Arturo's and drink coffee at the coffee shop. He
14 also recommended attending the Ramona Bowl to see the Harmonizers.

15
16 **9. FUTURE AGENDA ITEMS:**

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18 A. SDR for Woodside properties in McSweeney Farms

19 B. SPA for McSweeney Farms

20 C. CUP for Multi-tenant office building on Florida

21 D. WRCOG Presentation regarding Regional Climate Action Plan, which cities
22 will be asked to either adopt or modify. It is not required, but the State is strongly
23 encouraging adoption.

24 E. Regent Properties - Ramona Creek SP, TTM and DEIR

25
26 **10. ADJOURNMENT**

27
28 It was unanimously agreed to adjourn the meeting at 7:30 p.m. to the regular meeting of
29 the City of Hemet Planning Commission scheduled for **JANUARY 7, 2014 at 6:00 p.m.**
30 to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue,
31 Hemet, CA 92543.
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John Gifford, Chairman
Hemet Planning Commission

ATTEST:

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Melissa Couden, Records Secretary
Hemet Planning Commission



Staff Report

TO: City of Hemet Planning Commission

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

DATE: January 21, 2014

RE: **TENTATIVE PARCEL MAP NO. 36646 (MAP NO. 13-002)** - A request for Planning Commission review and approval of the subdivision of 3.59 net acres into two (2) parcels for future commercial development in the General Commercial (C-2) zone, located on the south side of Florida Avenue, west of Sanderson Avenue and east of Cawston Avenue, with consideration of an Environmental Exemption pursuant to CEQA Guidelines Section 15315.

PROJECT APPLICANT INFORMATION

Owner: California Gold Development Corporation
 Engineer: Paul Peck – Paul Peck & Associates
 Project Location: South side of Florida Avenue, west of Sanderson Avenue and east of Cawston Avenue
 Lot Area: 3.92 Gross Acres/3.59 Net Acres

STAFF RECOMMENDATION

The Planning Division recommends that the Planning Commission:

1. Adopt the attached Planning Commission Resolution Bill No. 14-002 (Attachment No. 1), approving Tentative Parcel Map No. 36646 (MAP 13-002) subject to the findings and conditions of approval, and;
2. Direct staff to file a Notice of Exemption with the County Clerk.

APPROVAL AUTHORITY

The Hemet Municipal Code, Section 70-133(c), authorizes the Planning Commission to review, consider, and approve, conditionally approve or deny applications for tentative maps. The Planning Commission shall approve or conditionally approve the tentative map if statutory findings required by the Subdivision Map Act (Gov. Code Sections 66410 et seq.) can be made.

PROJECT DESCRIPTION AND BACKGROUND

The Applicant has requested approval of **TENTATIVE PARCEL MAP NO. 36646 (MAP 13-002)** to subdivide 3.59 net acres into two (2) parcels with a minimum lot size of 1.02 net acres. The project is subsequent to Administrative Use Permit No. 13-001 and Site Development Review No. 13-006 that allows the construction and operation of a 19,097 square foot retail building, 15,000 square feet of outdoor display area and 876 square feet of trailer and equipment display for Tractor Supply Company. The Administrative Use Permit and Site Development Review for Tractor Supply Company were approved by the Community Development Director on July 23, 2013.

The proposed map would establish a 2.57 net acre site (Parcel 1) for the future Tractor Supply Company, which currently has building plans submitted for plan check. The second lot would establish a 1.02 net acre site (Parcel 2) for future commercial land uses. All future development on Parcel 2 will require the processing of either a Site Development Review, Administrative Use Permit or Conditional Use Permit depending on the proposed use.

Each of the proposed lots will have access to Florida Avenue through a joint access and parking easement as shown on the parcel map. Additional access will be provided to Acacia Avenue through an access agreement with the adjacent property owner to the south. Street improvements for Florida Avenue have been conditioned under Administrative Use Permit No. 13-001 and Site Development Review No. 13-006 and are incorporated into the conditions for Tentative Parcel Map No. 36646 (Attachment No. 6). Storm drainage and water quality treatment are provided on the map and will benefit both Parcels 1 and 2. The storm drain facilities will be constructed in conjunction with the actual grading and development of the site.

PROJECT SETTING

The 3.59 net acre site is currently vacant with no improvements existing on the property. Administrative Use Permit (AUP) No. 13-001 was approved to utilize the easterly two thirds of the property, as shown on Parcel 1 of the Tentative Parcel Map (Exhibit 1A). The remaining acreage (Parcel 2) to the west has no development proposed at this time although the Applicant has designed a 7,200 square foot retail pad for building in the future. To the west is an existing hotel and restaurants. To the east is the Target Shopping Center. To the south is vacant land. To the north is the Hampton Inn. Please refer to Attachment Nos. 2 - 4 to see the surrounding land uses

and zoning designations.

The table below illustrates the surrounding neighborhood:

	LAND USE	ZONING	GENERAL PLAN
PROJECT SITE	Vacant Land	C-2 (General Commercial)	CC (Community Commercial)
NORTH	Hampton Inn	C-2 (General Commercial)	CC (Community Commercial)
SOUTH	Vacant Land	C-2 (General Commercial)	CC (Community Commercial)
EAST	Target Shopping Center	C-2 (General Commercial)	CC (Community Commercial)
WEST	Hotel and Restaurants	C-2 (General Commercial)	CC (Community Commercial)

POLICIES, REQUIREMENTS AND GUIDELINES REVIEW

The proposed subdivision 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, subject to the recommended conditions of approval (Exhibit 1A), be found consistent with the City’s General Plan, Zoning Ordinance and other development requirements and guidelines. The complete analysis of the map for consistency with the City’s policies, requirements and guidelines is described below:

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 CC (Community Commercial). The proposed development is consistent with the following General Plan policies:

- **LU-2.1 Adequate Infrastructure** Ensure that growth in developing areas of Hemet proceeds with appropriate addition of infrastructure, public services and facilities to serve the new land uses and population. Ensure that infrastructure improvements are in place prior to, or concurrently with, new development.
- **C-1.7 Connectivity** Promote the efficient use of the street system by providing convenient connections between and within neighborhoods and adjacent land uses.

- **C-1.8 Reciprocal Access** Require reciprocal access ways and consolidate commercial driveway entries along Florida Avenue, Sanderson Avenue, State Street, San Jacinto Street, and other commercial driveways as practical.

Zoning Consistency

The subject property is presently zoned General Commercial (C-2) and is subject to various development standards in terms of lot width and lot depth as defined in the Hemet Municipal Code Section 90-894. Staff has reviewed the proposed project to verify compliance with these development standards. Each proposed lot within the tentative parcel map is a minimum of 1.02 net acres and maintains the required lot width and lot depth. Based on the information provided by the applicant, the project meets the minimum development standards of the C-2 zone. The table below summarizes the required development standards for the C-2 zone:

DEVELOPMENT STANDARDS	REQUIRED	PROPOSED PARCEL 1	PROPOSED PARCEL 2
Minimum Lot Width	60 feet	190 feet	323 feet
Minimum Lot Depth	100 feet	208 feet	264 feet
Minimum Lot Size	6,500 square feet	44,431 square feet	111,949 square feet

The proposed map complies with City requirements for commercial development relating to lot size and improvements.

Future Development

The future development of Parcel 2 will be reviewed under a separate Site Development Review or Conditional Use Permit process (depending on the proposed use) and will be subject to the City's Commercial Design Guidelines and Zoning Ordinance.

Transportation Uniform Mitigation Fee (TUMF)

This project is subject to the Western Riverside County Transportation Uniform Mitigation Fee Program (TUMF) pursuant to Chapter 58, Article III, Section 58-70.2(4) of the Hemet Municipal Code. TUMF fees will be collected at the issuance of building permits and subject to the rate in effect at the time of issuance.

Multi-Species Habitat Conservation Plan (MSHCP)

This project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

This project is subject to the Stephen's Kangaroo Rat (SKR) fee pursuant to City Council Resolution No. 3891. SKR fees will be collected prior to the issuance of grading permits and subject to the rate in effect at the time of issuance.

Additionally, a habitat assessment was prepared for the subject property due to the potential for Burrowing Owl habitat. The habitat assessment was prepared by Dale Hameister of First Carbon Solutions/Michael Brandman Associates on October 22, 2013. The findings indicated that no burrowing owl or sign of the burrowing owl was observed onsite or within the 500 foot survey buffer. The site was considered absent of the burrowing owl and was released for grading activities in November 2013, which are currently occurring onsite.

CEQA REVIEW

The project is exempt from provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15315 in that information contained in the project file and documents incorporated herein by reference demonstrates that: Tentative Parcel Map No. 36646 (MAP13-002) is consistent with the Community Commercial (CC) General Plan land use designation and all applicable General Plan policies as well as the General Commercial (C-2) zoning designation; the proposed project site is located within the boundaries of the City of Hemet; Tentative Parcel Map No. 36646 (MAP13-002) has no value as habitat for endangered, rare or threatened species; there is no substantial evidence in the record that Tentative Parcel Map No. 36646 (MAP13-002) will result in significant effects related to traffic, noise, air quality or water quality in that the proposed design incorporates and otherwise is subject to air and water quality resource agency design requirements to avoid any harmful effects; and the site is or can be adequately served by all required utilities and public services. As such, the project meets the criteria for application of a Class 15 (Minor Land Divisions) Categorical Exemption under the CEQA Guidelines. Additionally, none of the exceptions provided in CEQA Guidelines Section 15300.2 apply to this project.

PUBLIC COMMUNICATIONS RECEIVED

Notice of the public hearing was given to all property owners within a 1,000 foot radius of the property and in an advertisement in the local newspaper on January 9, 2014. The Planning Division has not received any letters of comment from the public as of the date of this report. Any comments received prior to the time of the scheduled Planning Commission hearing will be provided to the Commission at the time of the meeting.

REPORT SUMMARY

Tentative Parcel Map No. 36646 (Map 13-002) pertains to the subdivision of 3.59 net acres into two (2) lots for future commercial development. The proposed subdivision conforms to and is consistent with development standards provided by the City's Subdivision and Zoning Ordinance's and the General Plan.

PROJECT FINDINGS

The project is consistent with the provisions outlined in the Hemet Municipal Code Section 70-1 and following (Subdivision Ordinance), which is supplemental to the California Subdivision Map Act (SMA). The proposed subdivision has been prepared, reviewed, and acted upon in conformance with Sections 70-131 through 70-134, and 70-1, with appropriate conditions in conformance with other sections of that Chapter. Findings pursuant to the Subdivision Map Act can be made as follows:

1. **Tentative Parcel Map No. 36646 (Map 13-002) is consistent and compatible with the objectives, policies, general land uses, and programs specified in the City's General Plan in that:**

The property is located in the West Florida Corridor Land Use District of the General Plan. This neighborhood is predominantly characterized by commercial land uses. Commercial uses have been envisioned primarily along the West Florida Avenue corridor.

East-west circulation routes in the neighborhood include Florida Acacia Avenues. North and south travel are accommodated Sanderson and Cawston Avenues.

2. **The site is physically suitable for the type of development proposed under Tentative Parcel Map No. 36646, in that:**

The site is physically suitable for the proposed development of commercial development in that the site topography is generally flat, and the trapezium shape of the site allows for an orderly pattern of accommodating the construction of individual buildings.

3. **The site is physically suitable for the density of development proposed under Tentative Parcel Map No. 36646, in that:**

The site is generally trapezium in shape and flat, and consists of approximately 3.92 gross acres. The subdivision has been designed to accommodate the development of single commercial building(s) that meet the C-2 provisions of the Zoning Ordinance development standards, and that conforms to the General Plan density limit of a Floor Area Ratio maximum of 40 percent. The approved Administrative Use Permit (AUP 13-001) proposes

a Floor Area Ratio of 17 percent on Parcel 1.

- 4. The design of the subdivision and improvements proposed under Tentative Parcel Map No. 36646, is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat in that:**

A habitat assessment was prepared for the subject property due to the potential for Burrowing Owl habitat. The habitat assessment was prepared by Dale Hameister of First Carbon Solutions/Michael Brandman Associates on October 22, 2013. The findings indicated that no burrowing owl or sign of the burrowing owl was observed onsite or within the 500 foot survey buffer. The site was considered absent of the burrowing owl and was released for grading activities in November 2013, which are currently occurring onsite. There is no evidence that vernal pool complex, similar bodies of water, or conditions suitable for forming such bodies of water exist on the site. In addition, this project has been conditioned to comply with the environmental policies and regulations of the City of Hemet and those of all local and regional governmental agencies having jurisdiction over the site.

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

- 5. The design of the subdivision and improvements proposed under Tentative Parcel Map No. 36646, is not likely to cause serious public health problems in that:**

The design of the subdivision is in conformance with the City's General Plan, Zoning Ordinance, and Subdivision Ordinance. The construction of all improvements on the site has been conditioned to comply with all applicable City of Hemet ordinances, design guidelines, codes, and standards, including, but not limited to, the California Building Code and the City's Ordinances relating to stormwater run-off management and controls. The City's ordinances, codes and standards have been created based on currently accepted standards and practices for the preservation of public health, safety and welfare.

- 6. The design of the subdivision and improvements proposed under Tentative Parcel Map No. 36646, will not conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision in that:**

There is no indication of easements of record or easements established by judgment of a court of competent jurisdiction for public access across the site that have not been accommodated by the design of the subdivision, and the City does not otherwise have any constructive or actual knowledge of any such easements.

7. The design of the subdivision proposed under Tentative Parcel Map No. 36646 adequately provides for future passive or natural heating and cooling opportunities in the subdivision in that:

The proposed subdivision accommodates buildings that can take advantage of passive or natural heating and cooling opportunities by means of architectural features of the buildings, and the provision of landscape areas that supplement these opportunities.

Respectfully submitted,



Carole L. Kendrick
Assistant Planner

Reviewed by,



Deanna Elliano
Community Development Director

ATTACHMENTS

- 1) Planning Commission Resolution No. 14-002
Exhibit 1A - Tentative Parcel Map No. 36646 (Map No. 13-002)
Exhibit 1B - Draft Conditions of Approval
- 2) Land Use Designation Map
- 3) Zoning Map
- 4) Aerial Photograph
- 5) Photographs of the Site and Surroundings
- 6) Approved Conditions of Approval for Administrative Use Permit No. 13-001 & Site Development Review No. 13-006
- 7) Tentative Parcel Map No. 36646 – full size (**Provided to Commission Only**)

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan
Summary Report
Contents of City of Hemet Planning Department Project File(s) AUP13-001, SDR 13-006, LLA 13-002 and TPM 36646 (MAP 13-002)

Attachment No. 1

Planning Commission
Resolution Bill No. 14-002

Planning Commission
Meeting of
January 21, 2014



**CITY OF HEMET
Hemet, California**

**PLANNING COMMISSION
RESOLUTION BILL NO. 14-002**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO 36646 (MAP 13-002) FOR THE SUBDIVISION OF 3.92 GROSS ACRES INTO TWO (2) LOTS FOR FUTURE COMMERCIAL DEVELOPMENT, LOCATED ON THE SOUTH SIDE OF FLORIDA AVENUE, WEST OF SANDERSON AVENUE AND EAST OF CAWSTON AVENUE (APN 448-250-017)

WHEREAS, an application for Tentative Parcel Map No. 36646, for the subdivision of 3.92 gross acres into two (2) lots for future commercial development located on the south side of Florida Avenue, west of Sanderson Avenue and east of Cawston Avenue has been duly filed by:

Applicant/owner: California Gold Development Corporation
Engineer: Paul Peck – Paul Peck & Associates
Project Location: South side of Florida Avenue, west of Sanderson Avenue and east of Cawston Avenue
AP Number: 448-250-017
Lot Area: 3.92 Gross Acreage; and

WHEREAS, the Municipal Code allows for the subdivision of 3.92 acres into two (2) lots for future commercial development, subject to the approval of a Tentative Parcel Map; and

WHEREAS, the Community Development Director has reviewed the project's potential effects on the environment and has recommended that the project is categorically exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15315 (Minor Land Division), and that the exceptions to the categorical exemptions contained in CEQA Guidelines Section 15300.2 are not applicable to the project ; and

WHEREAS, on January 9, 2014 the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 1,000 feet, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

**Planning Commission Resolution Bill No. 14-002
TENTATIVE PARCEL MAP NO. 36646**

Page 1 of 5

1
2 **WHEREAS**, in accordance with Government Code Section 66452.3, the City has
3 provided the applicant and each tenant on the subject property with a copy of the
4 Planning Division's report and recommendation to the Planning Commission at least
5 three (3) days prior to the below referenced noticed public hearing; and
6

7 **WHEREAS**, on January 21, 2014 the Planning Commission held the noticed
8 public hearing at which interested persons had an opportunity to testify in support of, or
9 opposition to, the Tentative Parcel Map and at which the Planning Commission
10 considered the Tentative Parcel Map.
11

12 **NOW THEREFORE**, the Planning Commission of the City of Hemet does hereby
13 find, determine and resolve as follows:
14

15 **SECTION 1. ENVIRONMENTAL FINDINGS.**
16

17 The Planning Commission, in light of the whole record before it, including but not limited
18 to, the City's Local CEQA Guidelines and Thresholds of Significance, the
19 recommendation of the Planning Director as provided in the Staff Report dated January
20 21, 2014 and documents incorporated therein by reference, and any other evidence
21 (within the meaning of Public Resources Code § 21080(e) and §21082.2) within the
22 record or provided at the public hearing of this matter, hereby finds and determines as
23 follows:
24

- 25 1. **CEQA:** The project is exempt from provisions of the California Environmental
26 Quality Act (CEQA) under CEQA Guidelines Section 15315 in that information
27 contained in the project file and documents incorporated herein by reference
28 demonstrates that: Tentative Parcel Map No. 36646 (MAP13-002) is consistent
29 with the Community Commercial (CC) General Plan land use designation and all
30 applicable General Plan policies as well as the General Commercial (C-2) zoning
31 designation; the proposed project site is located within the boundaries of the City
32 of Hemet; Tentative Parcel Map No. 36646 (MAP13-002) has no value as habitat
33 for endangered, rare or threatened species; there is no substantial evidence in
34 the record that Tentative Parcel Map No. 36646 (MAP13-002) will result in
35 significant effects related to traffic, noise, air quality or water quality in that the
36 proposed design incorporates and otherwise is subject to air and water quality
37 resource agency design requirements to avoid any harmful effects; and the site is
38 or can be adequately served by all required utilities and public services. As such,
39 the project meets the criteria for application of a Class 15 (Minor Land Division)
40 Categorical Exemption under the CEQA Guidelines. Additionally, none of the
41 exceptions provided in CEQA Guidelines Section 15300.2 apply to this project.
42
- 43 2. **Multiple Species Habitat Conservation Plan (MSHCP).** The project is found to
44 be consistent with the MSHCP. The project is located outside of any MSHCP

Planning Commission Resolution Bill No. 14-002
TENTATIVE PARCEL MAP NO. 36646

1 criteria area and mitigation is provided through payment of the MSHCP Mitigation
2 Fee.
3

4 **SECTION 2. MAP ACT FINDINGS**
5

6 In accordance with Hemet Municipal Code § 70-133 and Government Code § 66473.1,
7 § 66473.5 and § 66474, the Planning Commission, in light of the whole record before it,
8 including but not limited to the Planning Division's staff report and all documents
9 incorporated by reference therein, the City's General Plan, Subdivision Ordinance,
10 Zoning Ordinance, standards for public streets and facilities, and the City's Commercial
11 Design Guidelines and any other evidence within the record or provided at the public
12 hearing of this matter, hereby finds and determines as follows:
13

- 14 1. Tentative Parcel Map No. 36646 is consistent and compatible with the objectives,
15 policies, general land uses, and programs specified in the City's General Plan in
16 that:
17

18 *The property is located in the West Florida Corridor Land Use District of the*
19 *General Plan. This neighborhood is predominantly characterized by commercial*
20 *land uses. Commercial uses have been envisioned primarily along the West*
21 *Florida Avenue corridor.*
22

23 *East-west circulation routes in the neighborhood include Florida Acacia Avenues.*
24 *North and south travel are accommodated Sanderson and Cawston Avenues.*
25

- 26 2. The site is physically suitable for the density of development proposed under
27 Tentative Parcel Map No. 36646, in that:
28

29 *The site is physically suitable for the proposed development of commercial*
30 *development in that the site topography is generally flat, and the trapezium*
31 *shape of the site allows for an orderly pattern of accommodating the construction*
32 *of individual buildings.*
33

- 34 3. The site is physically suitable for the type of development proposed under
35 Tentative Parcel Map No. 36646, in that:
36

37 *The site is generally trapezium in shape and flat, and consists of approximately*
38 *3.92 gross acres. The subdivision has been designed to accommodate the*
39 *development of single commercial building(s) that meet the C-2 provisions of the*
40 *Zoning Ordinance development standards, and that conforms to the General*
41 *Plan density limit of a Floor Area Ratio maximum of 40 percent. The approved*
42 *Administrative Use Permit (AUP 13-001) proposes a Floor Area Ratio of 17*
43 *percent on Parcel 1.*
44
45

- 1 4. The design of the subdivision and improvements proposed under Tentative
2 Parcel Map No. 36646, is not likely to cause substantial environmental damage
3 or substantially and avoidably injure fish or wildlife or their habitat in that:
4

5 *A habitat assessment was prepared for the subject property due to the potential*
6 *for Burrowing Owl habitat. The habitat assessment was prepared by Dale*
7 *Hameister of First Carbon Solutions/Michael Brandman Associates on October*
8 *22, 2013. The findings indicated that no burrowing owl or sign of the burrowing*
9 *owl was observed onsite or within the 500 foot survey buffer. The site was*
10 *considered absent of the burrowing owl and was released for grading activities in*
11 *November 2013, which are currently occurring onsite. There is no evidence that*
12 *vernal pool complex, similar bodies of water, or conditions suitable for forming*
13 *such bodies of water exist on the site. In addition, this project has been*
14 *conditioned to comply with the environmental policies and regulations of the City*
15 *of Hemet and those of all local and regional governmental agencies having*
16 *jurisdiction over the site.*

17
18 *The project is found to be consistent with the MSHCP. The project is located*
19 *outside of any MSHCP criteria area and mitigation is provided through payment*
20 *of the MSHCP Mitigation Fee.*

- 21
22 5. The design of the subdivision and improvements proposed under Tentative
23 Parcel Map No. 36646, is not likely to cause serious public health problems in
24 that:
25

26 *The design of the subdivision is in conformance with the City's General Plan,*
27 *Zoning Ordinance, and Subdivision Ordinance. The construction of all*
28 *improvements on the site has been conditioned to comply with all applicable City*
29 *of Hemet ordinances, design guidelines, codes, and standards, including, but not*
30 *limited to, the California Building Code and the City's Ordinances relating to*
31 *stormwater run-off management and controls. The City's ordinances, codes and*
32 *standards have been created based on currently accepted standards and*
33 *practices for the preservation of public health, safety and welfare.*

- 34
35 6. The design of the subdivision and improvements proposed under Tentative
36 Parcel Map No. 36646, will not conflict with easements, acquired by the public at
37 large, for access through or use of, property within the proposed subdivision in
38 that:
39

40 *There is no indication of easements of record or easements established by*
41 *judgment of a court of competent jurisdiction for public access across the site*
42 *that have not been accommodated by the design of the subdivision, and the City*
43 *does not otherwise have any constructive or actual knowledge of any such*
44 *easements.*
45

Planning Commission Resolution Bill No. 14-002
TENTATIVE PARCEL MAP NO. 36646

1 7. The design of the subdivision proposed under Tentative Parcel Map No. 36646,
2 adequately provides for future passive or natural heating and cooling
3 opportunities in the subdivision in that:
4

5 *The proposed subdivision accommodates buildings that can take advantage of*
6 *passive or natural heating and cooling opportunities by means of architectural*
7 *features of the buildings, and the provision of landscape areas that supplement*
8 *these opportunities.*
9

10
11 **SECTION 3. PLANNING COMMISSION ACTIONS.**
12

13 The Planning Commission hereby takes the following actions:
14

- 15 1. **Notice of Exemption.** In accordance with Public Resources Code Section
16 21152(b) and CEQA Guidelines Section 15062 the Planning Commission hereby
17 approves a categorical exemption for the project under CEQA Guidelines Section
18 15315 and directs the Community Development Director to prepare and file with
19 the Clerk for the County of Riverside a notice of exemption as provided under
20 Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062.
21
- 22 2. **Approve Tentative Parcel Map.** Tentative Parcel Map No. 36646 is hereby
23 approved subject to the Conditions of Approval attached hereto and incorporated
24 herein by reference as Exhibit 1A.
25

26 **PASSED, APPROVED AND ADOPTED** this 21st day of January, 2014, by the
27 following vote:
28

29 AYES:
30 NOES:
31 ABSTAIN:
32 ABSENT:
33

34 _____
35 John Gifford, Chairman
36 Hemet Planning Commission

37 ATTEST:
38

39 _____
40 Melissa Couden, Records Secretary
Hemet Planning Commission

Planning Commission Resolution Bill No. 14-002
TENTATIVE PARCEL MAP NO. 36646

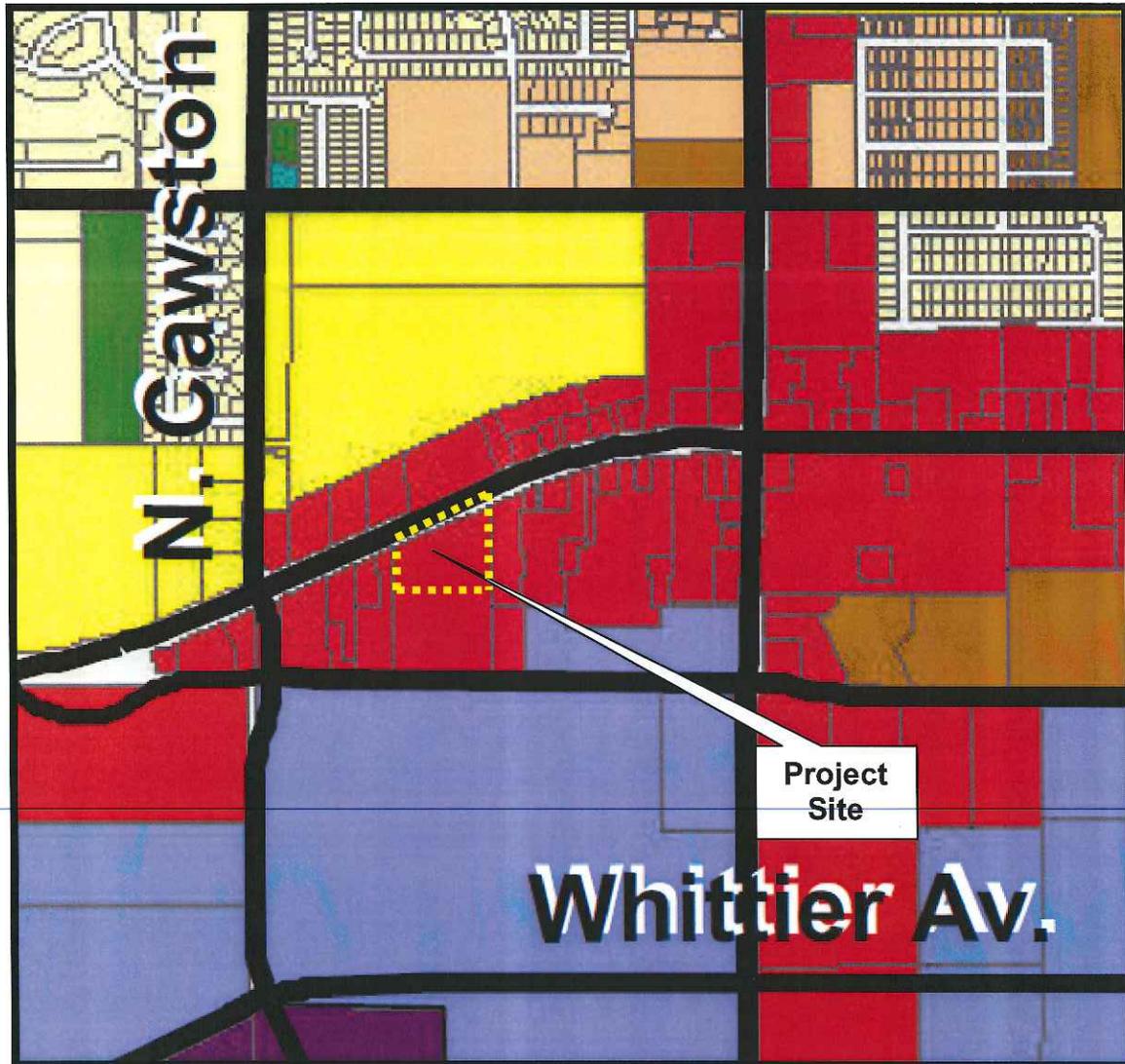
Page 5 of 5

Attachment No. 2

General Plan Land Use
Designation Map

Planning Commission
Meeting of
January 21, 2014

**TENTATIVE PARCEL MAP 36646
MAP NO. 13-002
LAND USE MAP**



Exhibit

No. 1A

**Tentative Parcel
Map No. 36646**

**Planning Commission
Meeting of
January 21, 2014**

Exhibit

No. 1B

**Draft Conditions of
Approval**

**Planning Commission
Meeting of
January 21, 2014**



EXHIBIT 1B
CITY OF HEMET
CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: **January 21, 2014**

PROJECT NO.: **Tentative Parcel Map No. 36646**
APPLICANT: California Gold Development Corporation
ENGINEER: Paul Peck – Paul Peck & Associates
LOCATION: South side of Florida Avenue, west of Sanderson Avenue and east of Cawston Avenue
OCCUPANCY: This project has been reviewed as a **Tentative Parcel Map**; 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 (Resolution No. 3523) 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. **Tentative Parcel Map No. 36646** shall become null and void on **January 21, 2016** (two calendar years from the date of approval), unless the final map is approved by the City Council and recorded with the County of Riverside and unless use in reliance on the approved Tentative Parcel Map is established prior to the expiration date. A time extension may be granted by the Planning Commission in accordance with Hemet Municipal Code and the Subdivision Map Act, 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 **Tentative Parcel Map No. 36646** shall become effective on **January 31, 2014** (10 calendar days after action by the Planning Commission) unless

City of Hemet - Conditions of Approval
TENTATIVE PARCEL MAP NO. 36646 – TRACTOR SUPPLY

appealed to the City Council. 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 Zoning Ordinance, Subdivision Ordinance and all other applicable Local, State and Federal laws and regulations in effect at the time of the building permit application and/or time of recordation, including the I.C.B.O. California Building Code, California Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24).
6. The applicant shall be subject to all applicable development fees at the rate in effect at the time of building permit application. Such fees may include, but not be limited to: Development Impact Fees, Park Fees, School Fees, Master Plan Storm Drainage Fees, Transportation Uniform Mitigation Fees, Permit and Plan Checking Fees, Water and Sewer Service Fees, Capital Facility Fees, Multiple Species Habitat Conservation Plan and Stephen's Kangaroo Rat Fees.
7. 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 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

City of Hemet - Conditions of Approval
TENTATIVE PARCEL MAP NO. 36646 – TRACTOR SUPPLY

defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in defense of the Action.

Environmental:

8. During construction, should any archaeological artifacts be discovered, the Planning Division shall be notified immediately, and all work shall cease until a qualified archaeologist, approved by the Planning Division and financed by the applicant, has examined the artifacts and the site and submitted findings and recommendations directly to the Planning Division. Any further release of the information to any and all parties shall be only at the direction of the Planning Division. Recommencement of construction shall be upon approval of the Planning Division.

PLANNING DEPARTMENT CONDITIONS

Please contact the Planning Department for compliance with the following conditions:

9. Prior to the Final Map, the Applicant shall record a reciprocal access easement with the property owner to the south.

Environmental

10. Prior to the issuance of a Grading Permit, a pre-construction burrowing owl study shall be conducted to assure that burrowing owls have not moved onto the site prior to the beginning of site work.

ENGINEERING DEPARTMENT CONDITIONS

Please contact the PUBLIC WORKS-ENGINEERING DEPARTMENT for compliance with the following conditions:

GENERAL

11. When changes to the approved Tentative Map are proposed, a Substantial Compliance Exhibit, in the same scale of the Tentative Map, shall be submitted for review and approval of the City Engineer.
12. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project
13. Easement(s) of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easements of record, which

City of Hemet - Conditions of Approval
TENTATIVE PARCEL MAP NO. 36646 – TRACTOR SUPPLY

cannot be relinquished or relocated, shall be redesigned.

14. 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).
15. Monuments shall be provided in accordance with City of Hemet Standard Specifications for Public Works Construction Standard M-900, M-900A, and M-901.
16. On the Final Parcel Map provide the recorded Joint Access Easement for Ingress, Egress and Parking between Parcels 1 & 2, as shown on the Tentative Parcel Map.
17. On the Final Parcel Map provide the recorded Joint Storm Drain and Water Quality Treatment Easement between Parcels 1 & 2, as shown on the Tentative Parcel Map. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.
18. Digitized drawing files of the Onsite Plans, in a City's compatible CAD system, shall be submitted along with original mylar plans.

Streets

Florida Avenue

19. Install street paving and new curb and gutter per Caltrans requirements at the time of development. Prior to the commencement of any improvement work on or along Florida Avenue, an Encroachment Permit must be obtained from Caltrans.
20. Prior to the issuance of building permits for Parcel 1 or 2, install driveway approach in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards C-208, C-209, and C-210A, driveway widths and locations shall be approved by the City Engineer.
21. Prior to the issuance of building permits for Parcel 1 or 2, install public street lights in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards G-808, G-808A, and G-808B. The plans shall be designed by a registered electrical engineer.
22. Prior to Certificate of Occupancy for any future development on Parcels 1 and 2, install street trees (40-feet on-center) in accordance with the City of Hemet Approved Street Tree List. Install automatic irrigations system to trees.

City of Hemet - Conditions of Approval
TENTATIVE PARCEL MAP NO. 36646 – TRACTOR SUPPLY

23. Prior to the issuance of Building Permits for Parcel 1 or 2, install 12' (twelve feet) meandering sidewalk within the Scenic Highway Setback. Install items required by the City's Scenic Highway Setback Manual, such as construction treatment, pedestrian lighting, benches, etc. Note, The 25' Scenic Highway Setback was dedicated and accepted by the City of Hemet with PM 213/33-34.

Drainage

24. The incremental increase in runoff between the developed and undeveloped property for the 100-year/3-hour storm must be retained on site.
25. The design of all drainage and other public improvements shall conform to the current edition of the following City of Hemet documents: "Standard Specifications for Public Works Construction", the "Hemet Master Flood Control and Drainage Plan", and the "Storm Drain Development Standards, Storm Drain Criteria and Drainage Design Manual".
26. The project lies within Flood Zone X of the Flood Insurance Rate Map, All building foundation pads within the development shall be elevated in accordance with City of Hemet Ordinance No. 754.
27. The Applicant shall adhere to all Federal Emergency Management Agency (FEMA) regulations and requirements in the event that existing drainage patterns are affected by this development. Prior to issuance of a Grading Permit all necessary calculations shall be submitted to the City of Hemet and to any governing Federal agency for review and approval.
28. Effective February 14, 2011, all construction projects on one acre or more, in the San Jacinto Watershed, shall apply for coverage under the State General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (General Permit) Order No. 2010-0014-DWQ.
29. 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) using the WQMP Guidelines & Template adopted October 22, 2012 utilizing Low Impact Development (LID) Principles and LID BMPs. This plan shall address Site Design BMPs, incorporate the applicable Source Control BMPs, incorporate LID 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. Neither the Preliminary Treatment BMPs or Site/Grading Plan have been approved as submitted as of the AUP Director's Approval meeting and it is the applicant's understanding that both items will be subject to the possibility of redesign in order to have compliance with the WQMP adopted October 22, 2012.

City of Hemet - Conditions of Approval
TENTATIVE PARCEL MAP NO. 36646 – TRACTOR SUPPLY

30. Prior to issuance of a Grading Permit, the applicant shall provide the City Engineer with proof of filing a Notice of Intent with the State Water Resources Control Board in Sacramento, obtain a WDID number from the Board, under Construction General Permit, Order No. 2010-0014-DWQ, and have an approved WQMP from the City.
31. 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.
32. Prior to issuance of a Certificate of Occupancy, a Registered Civil Engineer shall submit to the City Engineer a written certification that all the components of the approved WQMP have been satisfactory installed and constructed. Certification shall be to grade, elevations, plantings, materials, and other elements included in the approved WQMP.
33. Any required underground storm drain lines and appurtenances, within the public right-of-way, shall be installed in accordance with the City of Hemet Standard Specifications for Public Works Construction.
34. Prior to final map, the applicant shall provide a drainage easement from the downstream property owner of Parcel 2, PM 30934 as shown per Map on file in P.M.B. 213-33-34 to accept drainage from Parcel 1 of said Parcel Map. Submittal will be Grant of Easement, Exhibit "A" and Plat prepared by the applicant's Licensed Land Surveyor and will be subject to the approval of the City Engineer, prior to the approval of the Grading Plan.
35. 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.
36. The Developer shall submit to the City Engineer for review and approval, hydrology and hydraulic calculations sufficient to establish base flood elevations within and immediately adjacent to the project site. Improvements proposed by the Developer shall be taken into account when analyzing impacts to upstream, adjacent and downstream properties.

Landscaping

37. Prior to issuance of a Grading Permit, a landscape plan for improvements within the public right-of-way, shall be submitted to Engineering for review and approval. Plans shall be prepared in 24" x 36" format with City's standard title block.

City of Hemet - Conditions of Approval
TENTATIVE PARCEL MAP NO. 36646 – TRACTOR SUPPLY

38. Prior to final acceptance of the public improvements, submit landscape "as-built" in public areas, and RP principle backflow prevention certification(s) for all water service.

END

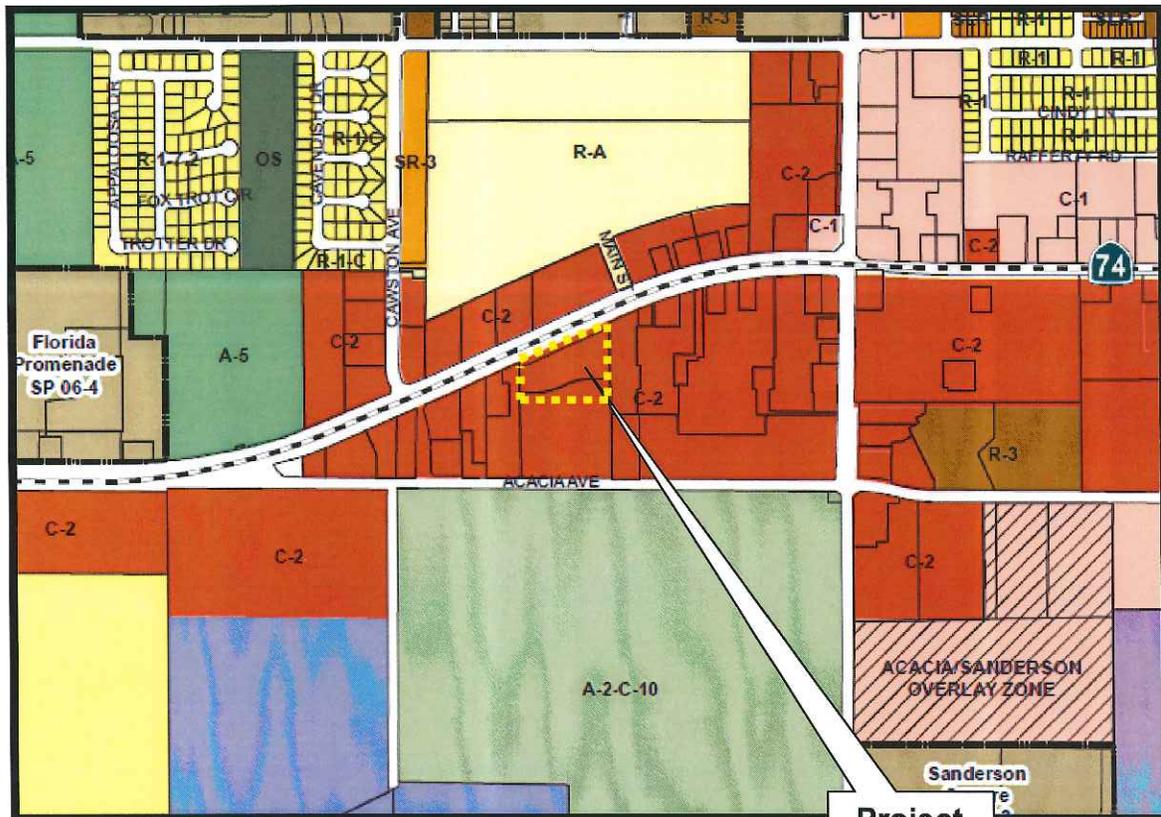
Attachment No. 3 Zoning Map

Planning Commission
Meeting of
January 21, 2014

TENTATIVE PARCEL MAP 36646

MAP NO. 13-002

ZONING MAP



Project Site

**Attachment
No. 4
Aerial Photograph**

**Planning Commission
Meeting of
January 21, 2014**

TENTATIVE PARCEL MAP 36646
MAO NO. 13-002
AERIAL MAP



Attachment No. 5 Site Photographs

Planning Commission
Meeting of
January 21, 2014

Tentative Parcel Map No. 36646 (Map 13-002)
Site Photographs



Looking north from Acacia Avenue



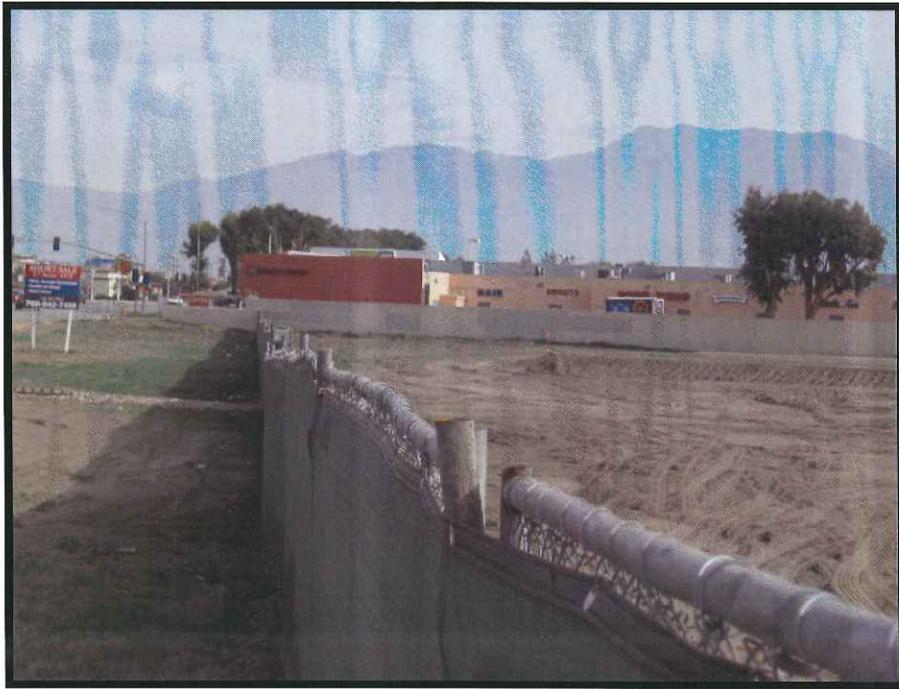
Looking northwest from Acacia Avenue



Looking east along the property frontage & Florida Avenue



Looking southeast from the northwest corner of the site



Looking east along the property frontage



The southern boundary of the site

Attachment

No. 6

Approved Conditions of
Approval for AUP13-001 &
SDR13-006

Planning Commission
Meeting of
January 21, 2014



CITY OF HEMET

FINAL CONDITIONS OF APPROVAL

COMMUNITY DEVELOPMENT DIRECTOR DATE: JULY 23, 2013

PROJECT NO.: ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006

APPLICANT: Jim Todd – California Gold Development

LOCATION: South side of Florida Avenue, approximately 750 feet from the southeast corner of Florida and Cawston Avenues

OCCUPANCY: This project has been reviewed as an "M" **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. **ADMINISTRATIVE USE PERMIT NO. 13-001** shall become null and void on **July 23, 2015** (two calendar years from the date of approval), unless use in reliance on the approved Conditional Use Permit is established prior to the expiration date. 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 Division prior to the expiration date. No formal notice of expiration will be given by the City.
2. Approval of **ADMINISTRATIVE USE PERMIT NO. 13-001** shall become effective on **August 2, 2013** unless appealed to the Planning Commission by **August 1, 2013** (10 calendar days after action by the Community Development Director). 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 project development plans.

City of Hemet - Conditions of Approval

ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

4. This project site shall be developed in accordance with the approved plan(s) and the conditions contained herein. The proposed use shall be operated in accordance with all the conditions contained herein. Failure to comply may result in enforcement actions including citations and potentially revocation of AUP 13-001, pursuant to the procedures of the Hemet Municipal Code.
5. This project shall comply with all sections of the Zoning Ordinance, Subdivision Ordinance and all other applicable Local, State and Federal laws and regulations in effect at the time of the building permit application and/or time of recordation, including the California Building Code, California Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24), and all State laws in regard to Recycling operations and collections.
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 for the tenant improvement.
7. 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 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 defense of the Action. (*City Council Resolution No. 3693, 12-17-02*)
8. Construction activity shall meet the requirements of the Hemet Municipal Code Chapter 30, Article II.
9. Parking lot lighting and public common area lighting 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.

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

Mechanical Equipment:

10. 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.

PLANNING DIVISION 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.

Site Development and Operation:

11. Prior to the issuance of a Certificate of Occupancy for the project site or business activity being commenced thereon, pursuant to Administrative Use Permit No. 13-001, all conditions of approval contained herein shall be completed to the satisfaction of the Planning Department.
12. This project is subject to all of the required design criteria as defined in the City of Hemet "Scenic Highway Setback Manual Design Criteria" (1990) for Florida Avenue. Any subsequent changes to the plans approved pursuant to this Site Development Review must be consistent with those criteria.
13. Prior to the issuance of a Grading Permit, a Lot Line Adjustment shall be approved and recorded to incorporate the 0.92 acres of assessor parcel number 448-250-018.
14. The proposed use shall not operate prior to 6:00 am or after 10:00 pm.
15. Any uses not specifically permitted as part of, or not determined to be in substantial conformance by the Community Development Director, to this Administrative Use Permit No. 13-001, shall require submittal and approval of an application for the modification of the Administrative Use Permit or the appropriate application.
16. The property owner shall be responsible for maintaining the site in a clean manner free of trash and debris at all times. The property owner is also responsible for maintaining the undeveloped portion of the property free of weeds and debris.
17. An anti-graffiti coating shall be provided on all block walls and stucco covered walls and written verification of its application from the developer shall be provided to the City of Hemet, Planning Department.

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

18. Within 150 days after the Building Permit is issued, all billboards shall be removed from the property. In no instance, shall this condition be deferred to prior to the Issuance of a Certificate of Occupancy.
19. Prior to the issuance of a Certificate of Occupancy, the 15,000 square foot outdoor display area shall be enclosed with eight (8) foot wrought iron fencing and block pilasters at the west elevation and vinyl coated chain link on the east and south elevations.
20. Prior to the issuance of a Certificate of Occupancy, a Shopping Cart Containment Plan must be submitted and approved.
21. Permanent sidewalk display areas shall not encroach into the required ADA path of travel.
22. Prior to the issuance of a Building Permit, the Applicant/Owner shall contract with the City of Hemet Franchise Waste Hauler (CR&R) for the removal and disposal of waste and recyclable materials, and ongoing trash service.
23. Prior to the issuance of a Certificate of Occupancy, the Applicant shall record a reciprocal access easement with the property owner to the south.

Signage:

24. Onsite signage is approved as part of this Project. A separate sign permit, in accordance with the Zoning Ordinance, shall be approved under a separate permit.
25. Prior to the issuance of a Certificate of Occupancy or finalization of the Building Permit, the Applicant shall post signs in customer areas that state, "*Removing shopping carts from a business is illegal! It is unlawful for any person to do any of the following acts:*"
 - *To remove a shopping cart from the premises of a retail establishment.*
 - *To be in possession of any shopping cart while that cart is not located on the premises of the retail establishment.*
 - *To abandon a shopping cart at a location other than the premises of the retail establishment.*
 - *To alter, convert or tamper with a shopping cart.*
 - *To be in possession of any shopping cart with the serial number removed.*
26. At such time that the property owner to the south develops, a joint sign program may submitted to provide signage opportunities as a shopping center.

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

Landscaping

27. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash, disease, vermin, and debris, during the term of this Project.
28. Landscape plans shall be prepared by a Licensed Landscape Architect and submitted in conjunction with Building Plan check and this project shall be subject to all the requirements listed in the Water Efficiency Landscaping Ordinance (currently Ordinance No. 1827, adopted by City Council on April 13, 2010).
29. Prior to the issuance of a Certificate of Occupancy or finalization of the Building Permit, all landscaping shall be installed.
30. Prior to the issuance of a Certificate of Occupancy or finalization of the Building Permit, landscaped areas shall have an automatic irrigation system, with automatic timers, installed and operational, unless cash or a bond is posted to guarantee completion.
31. Prior to the issuance of a Certificate of Occupancy or finalization of the Building Permit for Phase 1, Phase 2 shall be hydroseeded with a drought tolerant mix of seeds and provided with temporary irrigation until the time that they are developed.
32. Light standards shall be shown on the landscape plans and shall not exceed 25 feet in height and shall be located so as not to interfere with parking lot landscaping.

Environmental

33. During construction, should any archaeological artifacts be discovered, the Planning Division shall be notified immediately, and all work shall cease until a qualified archaeologist, approved by the Planning Division and financed by the Applicant, has examined the artifacts and the site and submitted his or her findings and recommendations directly to the Planning Division. Any further release of the information to any and all parties shall be only at the direction of the Planning Division. Recommencement of construction shall be upon the approval of the Planning Division.
34. Prior to the issuance of a Grading Permit, a pre-construction burrowing owl study shall be conducted to assure that burrowing owls have not moved onto the site prior to the beginning of site work.

BUILDING DIVISION CONDITIONS

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

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

Building Code Requirements

35. 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.
36. The electrical, plumbing and mechanical systems shall be installed in accordance with applicable adopted codes.

Handicap Requirements

37. This project is subject to State Handicapped Accessibility Requirements. (California Code of Regulations, Title 24)
38. Handicapped restrooms shall be installed in accordance with California Code of Regulations, Title 24/California Building Code, Section 1115(b).
39. Handicapped parking and signage shall be installed in compliance with applicable state and city codes, if off-street parking is provided.
40. All entrances and exits shall be handicapped accessible per California Code of Regulations, Title 24.
41. A handicapped accessible pedestrian access to the site shall be provided.

Agency Approvals

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

General

43. Utilities shall be underground.

ENGINEERING DEPARTMENT

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.

General

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

44. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.
45. Digitized drawing files of the Onsite Plans, in a City's compatible CAD system, shall be submitted along with original mylar plans.
46. Easement(s) of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easements of record, which cannot be relinquished or relocated, shall be redesigned.
47. 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).
48. A Lot Line Adjustment will be submitted to the Planning Department, reviewed and approved by the City Engineer and recorded by the applicant prior to the issuance of a Grading Permit, to accommodate the new lot configuration. Submittal will be Grant Deed, Exhibit "A" and Plat prepared by the applicant's Licensed Land Surveyor and will be subject to the approval of the and the City Engineer prior to the approval of the Grading Plan.
49. 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

Florida Avenue

50. Install street paving and new curb and gutter per Caltrans requirements. Prior to the commencement of any improvement work on or along Florida Avenue, an Encroachment Permit must be obtained from Caltrans.
51. Install driveway approach in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards C-208, C-209, and C-210A, driveway widths and locations shall be approved by the City Engineer.
52. Install public street lights in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards G-808, G-808A, and G-808B. The plans shall be designed by a registered electrical engineer.
53. Install street trees (40-feet on-center) in accordance with the City of Hemet Approved Street Tree List. Install automatic irrigations system to trees.
54. 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.

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

55. Install 12' (twelve feet) meandering sidewalk within the Scenic Highway Setback. Install items required by the City's Scenic Highway Setback Manual, such as construction treatment, pedestrian lighting, benches, etc. Note, The 25' Scenic Highway Setback was dedicated and accepted by the City of Hemet with PM 213/33-34.
56. Paving along Florida Avenue shall be performed at night to prevent inconveniences due to the necessary traffic control measures. Applicant shall be responsible for the overtime charges for the City of Hemet and Caltrans. Existing City roads which require reconstruction shall remain open for traffic at all times, with adequate detours, to the satisfaction of the City Engineer.
57. Truck Routes for import of dirt during construction shall conform to Section 78-61 of the Municipal Code.

Parking

58. Prior to issuance of a Certificate of Occupancy or the finalization of building permit, install a double trash enclosure(s) in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards R-500A series. The location(s) shall be approved by the City of Hemet Refuse Supervisor.
59. 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.
60. Prior to issuance of a Certificate of Occupancy, the new parking lot paving shall be fog sealed.

Drainage

61. The incremental increase in runoff between the developed and undeveloped property for the 100-year/3-hour storm must be retained on site.
62. The design of all drainage and other public improvements shall conform to the current edition of the following City of Hemet documents: "Standard Specifications for Public Works Construction", the "Hemet Master Flood Control and Drainage Plan", and the "Storm Drain Development Standards, Storm Drain Criteria and Drainage Design Manual".
63. Prior to issuance of the Building Permit, the Applicant shall pay the Master Storm Drain Plan fee, at the currently adopted rate.

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

64. The project lies within Flood Zone X of the Flood Insurance Rate Map, All building foundation pads within the development shall be elevated in accordance with City of Hemet Ordinance No. 754.
65. The Applicant shall adhere to all Federal Emergency Management Agency (FEMA) regulations and requirements in the event that existing drainage patterns are affected by this development. Prior to issuance of a Grading Permit all necessary calculations shall be submitted to the City of Hemet and to any governing Federal agency for review and approval.
66. Effective February 14, 2011, all construction projects on one acre or more, in the San Jacinto Watershed, shall apply for coverage under the State General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (General Permit) Order No. 2010-0014-DWQ.
67. 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) using the WQMP Guidelines & Template adopted October 22, 2012 utilizing Low Impact Development (LID) Principles and LID BMPs. This plan shall address Site Design BMPs, incorporate the applicable Source Control BMPs, incorporate LID 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. Neither the Preliminary Treatment BMPs or Site/Grading Plan have been approved as submitted as of the AUP Director's Approval meeting and it is the applicant's understanding that both items will be subject to the possibility of redesign in order to have compliance with the WQMP adopted October 22, 2012.
68. Prior to issuance of a Grading Permit, the applicant shall provide the City Engineer with proof of filing a Notice of Intent with the State Water Resources Control Board in Sacramento, obtain a WDID number from the Board, under Construction General Permit, Order No. 2010-0014-DWQ, and have an approved WQMP from the City.
69. 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.
70. Prior to issuance of a Certificate of Occupancy, a Registered Civil Engineer shall submit to the City Engineer a written certification that all the components of the approved WQMP have been satisfactory installed and constructed. Certification shall be to grade, elevations, plantings, materials, and other elements included in the approved WQMP.

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

71. Any required underground storm drain lines and appurtenances, within the public right-of-way, shall be installed in accordance with the City of Hemet Standard Specifications for Public Works Construction.
72. The applicant shall provide a drainage easement from the downstream property owner of Parcel 2, PM 30934 as shown per Map on file in P.M.B. 213-33-34 to accept drainage from Parcel 1 of said Parcel Map. Submittal will be Grant of Easement, Exhibit "A" and Plat prepared by the applicant's Licensed Land Surveyor and will be subject to the approval of the City Engineer, prior to the approval of the Grading Plan.
73. 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.
74. The Developer shall submit to the City Engineer for review and approval, hydrology and hydraulic calculations sufficient to establish base flood elevations within and immediately adjacent to the project site. Improvements proposed by the Developer shall be taken into account when analyzing impacts to upstream, adjacent and downstream properties.

Water

75. Domestic water service will be provided by EMWD.

Sewer

76. Domestic sewer service will be provided by EMWD.

Landscaping

77. Prior to issuance of a Grading Permit, a landscape plan for improvements within the public right-of-way, shall be submitted to Engineering for review and approval. Plans shall be prepared in 24" x 36" format with City's standard title block.
78. Prior to issuance of a Certificate of Occupancy, a Lighting and Landscaping Maintenance District (LLMD) shall be established or joined.
79. Prior to final acceptance of the public improvements, submit landscape "as-built" in public areas, and RP principle backflow prevention certification(s) for all water service.

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

FIRE DEPARTMENT 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. Please contact the Hemet Fire Department, Fire Prevention Division for any questions regarding compliance with the applicable codes or following conditions:

Agency Approvals

80. Prior to the issuance of a building permit written proof shall be provided from the water purveyor that sufficient capacity is available for fire protection. The minimum required fire flow for this project is 3,750 GPM @ 20psi residual pressure for a duration of 3 hours, per 2010 CFC Appendix B. Fire flow and flow duration for buildings without automatic fire protection and having an area in excess of 3,600 square feet shall not be less than specified in Table B105.1.
81. 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

82. 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".
83. 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 (use).
84. 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.
85. 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.
86. 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.

City of Hemet - Conditions of Approval

**ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.**

Hydrants and Fire Protection Systems

87. An approved water supply capable of supplying the required fire flow for fire protection shall be provided on site when any portion of the building or facility is in excess of 400 feet from an approved water supply on a public street. 2010 CFC Section 507. The location of on-site hydrants and mains shall be approved by the Fire Marshal prior to permit issuance.
88. Prior to combustible construction commencing, install and/or upgrade, as required by the 2010 CFC, street (off-site) fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Distance between fire hydrants shall not exceed 300 feet without approval from the Fire Marshal. Fire hydrants shall be located within 150 feet of Fire Department Connections (FDC) for Standpipes and Automatic fire sprinklers.
89. 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.
90. 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.
91. In accordance with the 2010 CFC Section 903, as amended and Article II, Chapter 14 of the Hemet Municipal Code, automatic fire sprinklers shall be installed throughout all buildings 3,500 square feet or larger pursuant to NFPA Standards. 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.
92. 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.
93. In accordance with the CFC Section 904 and CCR Title 19, alternative automatic fire extinguishing systems shall be installed and maintained pursuant to NFPA standards. Prior to installation (or modification) of a fire protection system, complete plans shall be submitted to the City of Hemet Fire Marshal for review and approval.

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

94. 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.
95. 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.
96. All check valves, post indicator valves, fire department controls, and connections shall be located as required and approved by the Fire Marshal of the City of Hemet. If multiple buildings, each building shall have separate (approved) control valves. A separate permit will be required for all underground piping for fire protection systems.

Fire Department Access

97. 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.
98. 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.
99. 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.
100. Prior to final inspection, addresses shall be provided on all new and existing buildings in accordance with the 2010 CFC Section 505.
101. 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.

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

Miscellaneous

102. 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.
103. 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.
104. Fire safety during construction and demolition shall comply with 2010 CFC Chapter 14.
105. Access during construction: Access for fire fighting 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.
106. 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 not provided any conditions at this time.

END

City of Hemet - Conditions of Approval
ADMINISTRATIVE USE PERMIT NO. 13-001 & SITE DEVELOPMENT REVIEW NO. 13-006
TRACTOR SUPPLY CO.

Attachment No. 7

TPM No. 36646
Full Size

Planning Commission
Meeting of
January 21, 2014



Staff Report

TO: Honorable Chairman and Members of the Planning Commission

FROM: Deanna Elliano, Community Development Director *DE*
Alexa Washburn, WRCOG Program Manager

DATE: January 21, 2014

RE: **SPECIAL PRESENTATION: UPDATE ON WESTERN RIVERSIDE COUNTY
SUBREGIONAL CLIMATE ACTION PLAN: PRESENTATION BY ALEX WASHBURN
AND JENNIFER WARD OF WRCOG**

RECOMMENDED ACTION

The purpose of the presentation is for information and discussion. No action required at this time.

BACKGROUND

The City of Hemet is a member of the Western Riverside Council of Governments (WRCOG) whose purpose is "to unify Western Riverside County so that it can speak with a collective voice on important issues that affect its members." One of those issues is the focus of tonight's workshop presentation: Climate Action Plans. State legislation (AB 32 and SB 375) requires that each jurisdiction establish programs and implementation measures to reduce its greenhouse gas emissions. Hemet has chosen to participate in the Subregional Climate Action Plan (CAP) effort being prepared by WRCOG for Western Riverside County. The Western Riverside County CAP will propose implementation strategies to meet State mandates by preparing greenhouse gas inventories, identifying emission reduction targets, and developing and evaluating reduction measures or strategies. The Western Riverside County CAP strategies can be uniformly applied, or tailored as needed, should the City of Hemet adopt its own citywide CAP. The WRCOG CAP is required to be completed by September 2014. The proposed Draft Plan is anticipated to be reviewed by member agency staff and then presented to the WRCOG Executive Committee over the course of the next few months. As such, WRCOG staff is commencing with its public outreach efforts and have graciously offered to provide an update to the Planning Commission.

This evening, two WRCOG employees, Alexa Washburn, Program Manager, and Jennifer Ward, Staff Analyst, will be presenting a status report on the Western Riverside County Climate Action Plan.

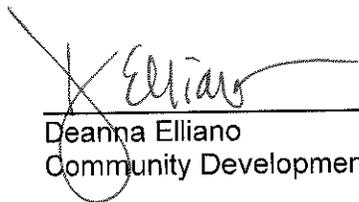
COMPONENTS OF THE WESTERN RIVERSIDE COUNTY CLIMATE ACTION PLAN

- **Existing Conditions:** Information on local programs and policies currently in place related to energy, water, solid waste, transportation / land use, and green infrastructure, along with a discussion of existing regional and state programs are included in the CAP.
- **GHG Inventories:** Community and local government greenhouse gas inventories were conducted by the WRCOG project team with input from the local jurisdictions. Inventory

information, best practices, and successful greenhouse gas reduction strategies from the local plans will be incorporated into the final CAP.

- **Recommended Emission Reduction Targets and Measures:** In consultation with the member jurisdictions, the CAP has established greenhouse gas reduction targets of 15% below base year emissions by 2020 and 49% below base year emissions by 2035. The CAP will seek to achieve these reductions through a combination of state, regional, and local measures and strategies. Based on initial calculations derived from the level of local commitment to reduction measures, the WRCOG subregion is on track to achieve a 15% reduction in greenhouse gas emissions below base year levels by 2020.
- **Outreach:** The Western Riverside County CAP includes an extensive outreach component to seek input and promote the CAP to member jurisdictions, regional agencies, the private sector, and the general public. In addition to public workshops, the project team will utilize the online platform "MindMixer" to engage members of the community in the development of the CAP.
- **Coordination with Western Riverside Energy Leader Partnership (WRELP):** The Western Riverside County CAP is being conducted in close coordination with the WRELP, which is designed to assist local governments in leading their communities to increase energy efficiency, reduce GHG emissions, increase renewable energy usage, improve air quality, and ensure that their communities are more livable and sustainable.

Submitted by:



Deanna Elliano
Community Development Director



Staff Report

TO: Honorable Chairman and Planning Commissioners

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

DATE: January 21, 2014

RE: **WORK STUDY SESSION NO. 3 REGARDING TEMPORARY SIGNS**

RECOMMENDED ACTION:

1. That the Planning Commission receive the staff presentation, take public comment, and provide any additional comments and direction to staff regarding the regulation of temporary signs within the City; and
2. Direct staff to prepare and present the final recommendations and a draft Zone Text Amendment regarding Temporary Signage at a future Planning Commission public hearing.

DESCRIPTION:

This third work study for temporary signage will discuss issues raised by the business community, property owners, the Hemet/San Jacinto Valley Chamber of Commerce (H/SJVCC) regarding prior work study discussions and proposed regulations for temporary signage. Also, staff will present the existing definition or a proposed new definition for each type of temporary sign previously discussed, new information responding to inquiries from the Planning Commission, and present staff's recommendations for each sign type.

BACKGROUND:

City staff and the Planning Commission are responding to the Hemet business community's need for more effective temporary signage, while protecting the City in terms of potential liability and prevention of visual clutter/visual blight. Throughout this process, staff has collected information and comments regarding temporary signage from a number of sources. Some of this information had previously been presented to the Planning Commission at Work Studies held on November 5, 2013, and December 17, 2013. Staff also met with the Hemet/San Jacinto Valley Chamber of Commerce on November 26, 2013 to elicit feedback from the business community. Staff also considered public testimony and discussion amongst the Planning Commissioners in preparing recommendations for temporary signage. The discussions below will summarize staff's recommendations pertaining to temporary signage in the following categories:

1. Temporary signage regulations for which there was general consensus amongst the Commissioners;
2. Temporary signage regulations for which the Commission requested additional recommendations from staff; and
3. Temporary signage regulations for classes of signage that were still under review by staff as of the last work study session on December 17, 2013, and additional information was required.

Before engaging in the discussions regarding staff recommendations, the following, existing General location, height, and area standards shall continue to apply to all signs in the City of Hemet, pursuant to Section 90-1247 of the Hemet Municipal Code unless specific standards are stated for individual conditions or signs:

(a) *Location standards.*

- (1) *Except as specifically provided in this article, no sign may be located upon or project over a public right-of-way.*
- (2) *Except as specifically provided in this article, no sign may extend above the eave line or parapet or the lowest point on the sloping roof of the building on which it is located. Roof signs may not extend above the highest point on the building on which it is erected. No wall sign may extend beyond or project above the vertical or horizontal line of any exterior wall or portion of the structure upon which such sign is affixed.*
- (3) *Signs must be designed and located so as not to interfere with the unobstructed clear view of the public right-of-way and nearby traffic regulatory signs or any pedestrian, bicyclist or motor vehicle driver.*
- (4) *All signs authorized under this article must be placed on the side of the property facing on a public or private right-of-way, and may not be placed in such a manner that it is observable only over private property not used in conjunction with the property of the applicant.*
- (5) *No sign may be erected in such a manner that any portion of its surface or supports is within six feet horizontally or 12 feet vertically of overhead electric conductors which are energized in excess of 750 volts.*
- (6) *No sign over 42 inches in height may be erected at the intersection of any street or within the segment created by drawing an imaginary line between points 30 feet back from where the curb lines of the intersection quadrant intersect.*

RECOMMENDATIONS FOR TEMPORARY SIGNAGE THAT GARNERED A GENERAL CONSENSUS:

The following discussions incorporate feedback received by the Planning Commission, the Hemet/San Jacinto Valley Chamber of Commerce, and from public comment. Each discussion below includes Staff recommendations for changes and/or additions to the sign ordinance for discussion and direction by the Planning Commission:

1. Temporary Banner Signs or Special Event Signs

Existing Definition: *Banner sign* means any sign printed or displayed upon cloth or other flexible material, with or without a frame.

The intent of allowing temporary banner signs in the City is for the benefit of business owners to advertise grand openings, special promotions, special events, or to display the name of their business until a permanent sign has been fabricated and installed. Temporary banner signs are not intended to be used as directional signage or in lieu of permanent signage. A Temporary Sign Permit is required prior to the installation of a temporary banner sign. Many businesses have taken liberties with the provisions of the existing sign ordinance, having erected temporary banner signs without having first obtained a permit, or have left them up and on display for long periods of time. This creates conflict because the City wants to be "Business Friendly" but is also charged with monitoring and enforcing City Ordinances, including temporary sign regulations.

A review of Temporary Sign Permits issued by the City of Hemet in 2013 indicates that 195 Temporary Sign Permits were issued, and of those 186 were for temporary banner signs. The highest frequency of banner

signs were issued to automotive uses with 42 permits; followed by commercial retail businesses having obtained 33 permits; fast food establishments who obtained 30 permits; and beauty salons who obtained 23 permits. Of the 9 non-banner permits, 4 were issued for pennants and bunting for auto sales or grand opening events; and 5 were issued for large balloon permits.

Staff Recommendations

The following identifies staff's general recommendations for Temporary Banner or Special Event signs:

- A temporary sign permit shall be required for each temporary banner sign (existing regulation).
- A permit shall be valid for 45 days from the date the permit is issued (existing regulation allows only 30 days). The CDD may extend the number of days the permit is valid under the following circumstances (new regulation):
 - a. In lieu of permanent signage only while a permanent sign is being fabricated for a new business;
 - b. No such extension shall allow a banner sign to be displayed for a period of time exceeding 90 days.
- A new temporary sign permit may be issued only after it can be demonstrated with photo evidence or other proof acceptable to the permit technician that the previously approved banner sign has not been displayed for 14 consecutive days (this revises the existing regulation by requiring proof of down time).
- Maximum number of banners: one per business at any one time (there is no existing regulation for maximum number).
- Sign calculations:
 - a. Area shall not exceed 1.5 square feet per lineal feet of store frontage (there is no existing regulation for sign area).
 - b. Length or width: Shall exceed 80% of the lineal feet of store frontage, or 30 feet, whichever is less (there are no existing regulations for maximum size).
 - c. Maximum sign area shall not exceed 100 square feet (there is no existing regulation for maximum area).
- All signs shall be attached to the building (business it's advertising for)(there is no existing regulation requiring banner signs to be located on a building).
- Off-site banner signs shall not be permitted (existing regulation).
- Banner signs shall not be located on or attached to landscaping (draped between trees, etc.) (new regulation).
- Banner signs shall not be located within landscaped areas (new regulation).
- Banner signs may be located adjacent to vacant property subject to CDD approval (existing regulation does not allow this).
- Banner signs may be located on fences or hand rails only when ALL of following apply (new regulation):
 - a. There is no suitable wall space on the building to display a banner sign, and
 - b. The banner sign does not obstruct vehicle or pedestrian line of sight or visibility; and
 - c. The banner sign is not attached to any landscaping, and
 - d. The method of displaying the banner sign is pre-approved by the Community Development Director (CDD) or designee, and
- The banner sign maintains a professional appearance at all times and does not sag, droop, flap in the wind, become tattered, or otherwise become unattractive.
- Banner signs inset a minimum of ten feet from a service bay opening and inside a building shall be exempt from the requirement to obtain a temporary sign permit (new regulation).
- Banner signs located adjacent to or with a covered walkway shall maintain a minimum vertical

clearance of eight feet from the sidewalk to the underside of the sign (new regulation).

As a sub-category of Temporary Banner Signs, the Community Development Director may approve a **Theatrical Performance Temporary Sign (New Sign Category)** subject to the same criteria as for temporary banner signs, with the following exceptions:

- A permit is valid for 45 days per sign from the date it is issued. The CDD may extend length of display time upon written request with cause.
- Maximum number of banners: 2 per establishment at any one time.
- Maximum sign area: 100 square feet.
- Maximum height or width: Not to exceed 20 feet.
- All such signs shall be removed within 5 days of final performance.
- May be located adjacent to vacant property when visible from the public right-of-way

2. Community Event Banner Signs (New Sign Category)

New Definition: *Community event sign* means a banner sign advertising a community event or other special event for a limited duration where advance notice is required.

Staff Recommendations

The following identifies staff's general recommendations for Temporary Banner signs for Community Events:

- A temporary sign permit shall be required for each banner sign for Community events.
- A permit is valid for 45 days per sign from the date it is issued. The CDD may extend length of display time upon written request with cause.
- Maximum number of banners: 2 per establishment/location at any one time.
- Maximum sign area: 100 square feet.
- Maximum height or width: Not to exceed 20 feet.
- Shall be attached to building (where event is being held) in a pre-approved, designated display area; but may be located off-site subject to prior approval of the CDD and the private property owner.
- All such signs shall be removed within 5 days of the community event.
- May be located adjacent to vacant property when visible from the public right-of-way

3. Pennants

New Definition: *Pennant(s)* means a long, tapering, usually triangular flag made of flexible materials, such as cloth, paper or plastic, which is attached by a string to buildings and/or light standards and used for promotional purposes and to attract attention of passersby.

Staff Recommendations

The following identifies staff's general recommendations for Pennants:

- The display of pennants shall be prohibited except for the following exceptions:
 - A permit issued in conjunction with a Grand Opening shall be valid for no more than 45 days from the date it is issued.
 - Any use of pennants associated with any other type of use permit, e.g., Special Event Permit, Parking Lot Car Sale Permit, and shall cease upon the end of the event.
 - Pennants may be attached from a building to parking lot light fixtures only with owner's prior

written permission.

4. Temporary Window Signs (Includes window mounted “Graphic” or “Picture” Tint)

Existing Definition: *Window sign, temporary* means a sign attached to or placed on or within three feet of the interior of a window. Temporary window signs do not include signs utilized as part of a window display of merchandise when such signs are incorporated within the display.

Staff Recommendations

The following identifies staff’s general recommendations for Window Signs, and Picture Tint:

- A temporary sign permit shall not be required for window signs (existing regulation).
- The maximum total amount of window coverage shall not exceed 50% of any individual window pane (existing regulation).
- Window signs, posters, and picture tint shall be allowed as part of the aggregate coverage (modified, existing regulation).
- Any such window signs placed on or within three feet of the window shall be non-illuminated except for “Open/Closed” signs (existing regulation).
- Any establishment selling alcohol, tobacco, or tobacco related products shall be limited to a maximum total window coverage of 25% of any individual window pane (an existing regulation under the alcohol ordinance).

RECOMMENDATIONS FOR TEMPORARY SIGNAGE WHERE MORE INFORMATION WAS REQUESTED:

The following discussions incorporate feedback received by the Planning Commission, the Hemet/San Jacinto Valley Chamber of Commerce, and from public comment. At the request of the Planning Commission, also included below is additional information and performance criteria recommended by Staff for Commission consideration at the third work study regarding temporary signage. Each discussion below includes Staff recommendations for additions to the sign ordinance regarding new classes of temporary signage not currently permitted.

5. Cane signs, a.k.a. “feather signs” or “swiffer” signs (New Sign Category)

New Definition: *Cane sign* means a temporary advertising banner, usually tall and narrow with a single pole on one side and curving across the top.

Staff Recommendations

The following identifies staff’s general recommendations for Cane Signs:

- Cane signs shall only be allowed in conjunction with grand openings, or an approved special event permit.
- Maximum number of cane signs: The number and location of cane signs shall be approved by the Community Development Director.
- Cane signs shall not exceed 12 feet in height and shall not exceed 20 square feet in area.
- Cane signs shall not be located within the City Right-of-Way, including landscaped parkway, or the required setback areas.
- Cane signs shall not be placed on any building or on a roof.

- Cane signs shall not be permitted in the Downtown zones.

6. Promotional Poster Frames for Drive-Through Establishments (New Sign Category)

New Definition: *Promotional poster frame sign* means a permanently mounted frame that allows for unlimited interchangeable sign copy of temporary advertising usually printed on paper or lightweight cardboard for promotional sale events at drive thru establishments.

Staff Recommendations

Staff believes that these types of signs should only be permitted when there is no suitable opportunity for window signage on a building frontage that is adjacent to the drive-thru lanes. The following identifies staff's general recommendations for promotional poster frames for drive-thru establishments:

- Permanently mounted poster frames may be used for businesses having drive-through facilities.
- Permanently mounted poster frames must be made of durable and attractive materials approved by the CDD.
- Permanently mounted poster frames must be attached to the building, allowing for unlimited changeable poster copy in pre-approved, designated locations.
- Planning Division review and approval, and building permits, shall be required for all permanently mounted poster frames.
- Permanently mounted poster frames may be located where visible from within the drive-through aisle only.
- No more than four such permanently mounted poster frames may be utilized per businesses.
- Permanently mounted poster frames shall not exceed six square feet each (e.g. 2 feet wide by three feet tall).
- Permanently mounted poster frames shall not be used to advertise alcohol, tobacco, or tobacco related products.

7. Portable Menu Signs or "A" Frame Signs (New Sign Category)

New Definition: *Portable menu signs or "A" frame sign* means a freestanding sign that is not permanently affixed, anchored or secured to either the ground or a structure on the premises it is intended to advertise, and is at a location and scale designed for pedestrian viewing.

Staff Recommendations

The following identifies staff's general recommendations for Portable Menu or "A" Frame Signs:

- Portable menu or "A" frame signs shall be non-illuminated.
- Portable menu or "A" frame signs shall be exempt from the requirement to obtain a temporary sign permit for the following business types or locations:
 - a. Restaurants
 - b. Coffee Shops
 - c. Delicatessens
 - d. Bakeries
 - e. Downtown Businesses
- No other business or establishment may use a portable menu or "A" frame sign.
- The following size and locational standards shall apply:
 - a. Only one such sign may be displayed at any time.

- b. Must be located within 5 feet of the front main entrance to the establishment.
- c. Must maintain ADA clearance around the sign at all times for pedestrian and disabled persons access.
- d. Shall not exceed 5 square feet per sign face
- e. Must be removed and placed indoors when the establishment is closed.

8. "Open House" Real Estate Directional Signs (New Sign Category)

New Definition: *"Open House" real estate directional sign* means off-site directional signs used during specified times to assist with wayfinding to homes for sale in the City and shall be removed on a daily basis.

Staff Recommendations

The following identifies staff's general recommendations for Open House Real Estate Directional Signs:

- "Open house" real estate signs may be placed on private property (with the owner's permission) or within public rights-of-way, including parkways, from 7:00 a.m. to 6:00 p.m., and shall be promptly removed by the real estate agent/company listed on the sign.
- Signs shall not be posted to create a safety or litter hazard by adhering to the following criteria:
 - a. Sign shall not exceed two feet by three feet and no more than three feet high from the ground.
 - b. Sign shall be securely fastened to the ground – not fixed to another sign, tree, structure, utility or mechanical equipment.
 - c. Sign shall be placed no closer than ten feet from a corner or drive approach to preserve driver sight visibility.
 - d. Signs shall not be placed within any center median.
 - e. No more than three signs per business, entity, or person shall be located on a single block.
 - f. Sign shall be professionally manufactured and constructed of substantial sturdy material, not single layer cardboard, paper or bond stock.
 - g. Signs shall not be placed on any sidewalk or cause the obstruction of any disabled person point of access.
 - h. Sign shall include the name and telephone number of the realtor responsible for conducting the open house.
 - i. Signs posted outside the criteria or times permitted, will be subject to removal by the city with the costs to remove borne by the responsible party or company noted on the sign.

RECOMMENDATIONS FOR TEMPORARY SIGNAGE STILL UNDER REVIEW BY STAFF AS OF THE LAST WORK STUDY SESSION ON DECEMBER 17, 2013:

9. Balloons

New Definition: *Balloon* means an air or gas filled three-dimensional object attached to a string, rope or cable, and tethered to a fixed place or object.

Staff Recommendations

The following identifies staff's general recommendations for Balloons or inflatable signs:

- This type of advertising media shall only be permitted in conjunction with an approved Grand Opening or other seasonal special event (new regulation) and limited to a maximum of 5 days.
- No establishment shall display a large balloon more than two times per year (new regulation).

- The balloon must be maintained in a clean and attractive manner at all times it is on display (new regulation).
- The balloon may not be internally illuminated at any time (new regulation).
- Method of tie down or tethering shall be approved by the Building Official prior to installation (new regulation).
- A deflated balloon shall immediately be removed until it has been repaired (new regulation).
- All other existing HMC requirements concerning balloon advertising shall continue to apply as follows:
 - Zones. Large balloons (larger than three square feet) are permitted in the C-1, C-2, and C-M zones only.
 - Number. Only one large balloon is permitted at any one time on a site.
 - Height. Any large balloon must be maintained so that its highest point is no more than 20 feet above the roof line of the applicable premises. The maximum height of the balloon may not exceed 55 feet. When the premises lies within the Hemet-Ryan Airport Areas of Risk I, the balloon height may not exceed 35 feet. All large balloons must be maintained at least 20 feet below any overhead utility line.
 - Separation. No new permit will be granted for a large balloon within 1,000 feet or three blocks, whichever is greater, from any other large balloon.

10. Stake signs (attached to wood or metal stakes in the ground)

New Definition: *Stake sign* means a small temporary sign usually made of cardboard or plastic and mounted to a wood or metal stake in the ground.

Staff Recommendations

The following identifies staff's general recommendations for Stake Signs:

- Stake signs are currently prohibited and staff believes that stake signs should continue to be prohibited as they are likely to lead to visual clutter, visual blight, and litter. Staff believes that appropriate use of other temporary and directional signage should constitute adequate signage.

11. Electronic or LED Display Board Signs (New Sign Category)

New Definition: *Electronic or LED display board sign* means a sign with the capability of presenting variable message or displays through electronically controlled lighting and which can be programmed to change the content of the display periodically.

Additional Information

LED Display Board Signs can allow for temporary panels to be automatically changed electronically. These types of signs are permanent structures that provide the possibility to display computer generated images, video, animated or static signage, or other messages. As such, this new category of signage to be considered falls into a gray area because it is both permanent and temporary at the same time. Displays can be programmed to be animated or static, and transitions from one message or sign to another are generally limited only by the capabilities of the programmer. LED display board signs shall not be used as, or considered to be billboards.

Such signage can be of great benefit within multi-tenant retail or commercial/office centers, to provide signage and advertising media to retail and other commercial tenants who may not otherwise have good visibility from the street. It is important to note that current HMC provisions do not allow animated, moving, or

flashing signs.

Staff Recommendations

The following identifies staff's general recommendations for LED Display Board Signs:

- LED Display Board Signs shall be permitted subject to the following requirements:
 - One such sign may be allowed in a commercial complex having a minimum of fifty thousand (50,000) square feet of floor area, or a minimum of ten (10) tenants subject to approval of a new, or an amendment to an existing master sign program.
 - Staff is requesting Planning Commission input regarding allowing these signs for stand-alone businesses such as restaurants or pharmacies. Such signs for civic use have been allowed and should be considered.
 - An LED display board sign shall only be allowed when integrated into an existing freestanding sign, or placed into a new freestanding sign subject to the criteria established in Section 90-1251 of the Hemet Municipal Code. A stand alone LED bulletin board for informational, time/temperature, non-profit purposes, and community uses may be permitted as a monument sign.
 - No LED display board sign shall be located closer than one-thousand two-hundred fifty (1,250) feet to another LED display board sign.
 - Each individual electronic "panel" or display shall appear for a period of at least eight seconds.
 - The sign, or an individual tenant "panel" shall remain blank (no message or display) for at least one second between separate images.
 - Method of transition - Displays shall not be animated, flash, scroll, fade in and out, or move across the changeable copy sign face.
 - The sign may display noncommercial civic messages such as Civic Events, Fire or Police emergencies, or other City-approved public service announcements.
 - The sign may display onsite commercial messages related to those establishments that are part of the complex, or the merchandise or activities available at the commercial complex.
 - Any such sign shall not be used as a billboard for off-site advertising.
 - The sign shall be reviewed for traffic safety purposes by the City Engineer and shall comply with any and all safety standards as prescribed by the State of California, and other regional or local entities having jurisdiction. Such reviews shall not consider message content.
 - If an LED display panel is incorporated into a center's freestanding sign, then no temporary banner signs shall be permitted within that center except for grand openings and other approved special events.
 - Other regulations deemed necessary by the Planning Commission, or adopted as part of a master sign program for a commercial center.

12. On-Site Directional Signs (New Sign Category)

New Definition: *On-site directional sign* means a sign that provides directional information to assist drivers, pedestrians, and travelers with wayfinding through a multi-tenant center.

Purpose: The purpose of on-site directional signs is to guide the movement of pedestrians and vehicles through multi-tenant centers and assist them in finding their way to an intended destination in an efficient manner. Directional signs are not intended to be used as a substitute for permanent freestanding signs which are visible from the public right-of-way.

Staff Recommendations

The following identifies staff's general recommendations for On-Site Directional Signs:

- On-site directional signage may be permitted in a multi-tenant center through the amendment of an existing, or the creation of a new, master sign program for commercial centers.
- On-site directional signs may be used within centers having 25,000 or more square feet of commercial space, or ten or more tenants, or when the configuration of the tenant spaces warrants the need for directional signage.
- On-site directional signs may include individual tenant panels that can be changed.
- On-site directional signs may include corporate logos.
- On-site directional signs shall be at a "human scale" and shall incorporate small scale panels.
- On-site directional signs shall be professionally designed and constructed using durable materials capable of withstanding exposure to sunlight and weather for prolonged periods of time.

13. Hand-Held Signs

Existing Definition: *Hand-held sign* means a sign that is held by or otherwise mounted on a person. For the purposes of this article, hand-held sign does not include a noncommercial sign.

Purpose: The purpose of hand-held signs is to draw attention the attention of passersby and motorists of goods, products, services, or events available or happening in proximity of the "sign twirler."

Pursuant to HMC Section 90-1280 Prohibited Signs, hand-held signs are not permitted (see Attachment No. 1). However, on February 10, 2009, the City Council directed staff to not enforce this provision of the HMC (see Attachment No. 3). Staff seeks comments, feedback, and direction from the Planning Commission on the issue of hand held signs now that the economy is showing signs of improvement.

COORDINATION AND PUBLIC REVIEW:

A work study with the Planning Commission was held on November 5, 2013, with a progress report presented to the Commission on November 19, 2013. The Commission requested that staff set up a meeting with the Chamber of Commerce and meet with business owners to discuss their concerns about temporary signage.

On November 26, 2013, staff met with members of the Hemet/San Jacinto Chamber of Commerce to discuss temporary signage issues, and to hear first hand from business owners their needs and expectations for temporary signage.

At the request of Commissioner Crimeni, staff published a notice of a Planning Commission Work Study on Friday, December 13, 2013 in the Press Enterprise Newspaper, to give more business owners in the community the opportunity to participate in the process. A second work study with the Planning Commission was then held on December 17, 2013, where staff was asked to bring forth a consolidated list of recommendations at a work study to be held on January 21, 2014.

CONCLUSION:

This is the third work study in the process to improve the effectiveness of temporary signage to benefit the business community, while protecting the interests of the City. The Planning Commission has had the

opportunity to review and provide comments and direction to City staff in order to provide recommendations to the City Council regarding temporary signage. In accordance with the Planning Commission's additional comments and direction from this work study, staff will begin to prepare amendments to the existing sign Ordinance as it relates to temporary signage for your review, discussion, and consideration at a future public hearing.

Respectfully submitted,



Emery Papp
Principal Planner

Reviewed by,



Deanna Elliano
Community Development Director

Attachments:

1. Existing City of Hemet Sign Code
2. Photo Examples of Sign Types
3. Memorandum from Richard Masyczek, concerning City Council Direction on Enforcement of Hand-Held Signs

Attachment No. 1

Existing City of Hemet
Sign Code

Planning Commission
Work Study of
January 21, 2014

- CODE
Chapter 90 - ZONING

ARTICLE XXXVI. SIGNS GENERALLY

ARTICLE XXXVI. SIGNS GENERALLY ¹⁹¹

Sec. 90-1241. Purpose of article.

Sec. 90-1242. Definitions.

Sec. 90-1243. Applicability.

Sec. 90-1244. General provisions.

Sec. 90-1245. Signs not requiring a sign permit.

Sec. 90-1246. Administration.

Sec. 90-1247. General location, height and area standards.

Sec. 90-1248. Design, material, construction and maintenance standards.

Sec. 90-1249. Signs permitted in all or multiple zones.

Sec. 90-1250. Signs generally permitted in residential zones.

Sec. 90-1251. Signs permitted in commercial zones.

Secs. 90-1252—90-1254. Reserved.

Sec. 90-1255. Signs permitted in church and institutional zones (S-1, I).

Secs. 90-1256—90-1260. Reserved.

Sec. 90-1261. Signs permitted in parking zones.

Secs. 90-1262—90-1270. Reserved.

Sec. 90-1271. Signs permitted in manufacturing zones (M-1 and M-2).

Sec. 90-1272. Signs for shopping centers and big box uses.

Sec. 90-1273. Signs for outdoor sales.

Sec. 90-1274. Future development signs.

Secs. 90-1275—90-1279. Reserved.

Sec. 90-1280. Prohibited signs.

Sec. 90-1281. Legal nonconforming signs.

Sec. 90-1282. Removal of signs.

Sec. 90-1283. Violation of article; penalty.

Sec. 90-1284. Appeals.

Secs. 90-1285—90-1310. Reserved.

Sec. 90-1241. Purpose of article.

The purposes and intent of these sign regulations include to:

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- (1) Regulate signs located on private property within the city and on property owned by public agencies other than the city and over which the city has zoning and land use regulatory power.
- (2) Implement the city's community design and safety standards as set forth in the city's general plan, specific plans, special districts, design guidelines and municipal code.
- (3) Maintain and enhance the city's appearance by regulating the design, character, location, number, type, quality of materials, size, illumination and maintenance of signs.
- (4) Serve the city's interests in maintaining and enhancing its visual appeal for residents, tourists and other visitors, by preventing the degradation of visual quality which can result from excessive and poorly designed, located or maintained signage.
- (5) Generally limit commercial signage to on-site locations in order to protect the aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs, while providing channels of communication to the public.
- (6) Limit the size and number of signs to levels that reasonably allow for the identification of a residential, public or commercial location and the nature of any such commercial business.
- (7) Encourage signs that are appropriate to the zoning district in which they are located and consistent with the permitted uses of the subject property.
- (8) Establish sign sizes in relationship to the scale of the parcel and building on which the sign is to be placed or to which it pertains.
- (9) Minimize the possible adverse effects of signs on nearby public and private property, including streets, roads and highways.
- (10) Protect the investments in property and lifestyle quality made by persons who choose to live, work or do business in the city.
- (11) Protect and improve pedestrian and vehicular traffic safety by balancing the need for signs that facilitate the safe and smooth flow of traffic (e.g., directional signs and on-site signs) without an excess of signage which may distract drivers or overload their capacity to quickly receive information.
- (12) Reduce hazardous situations, confusion and visual clutter caused by the proliferation, placement, illumination, animation and excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic.
- (13) Regulate signs in a manner so as to not to physically interfere with or obstruct the vision of pedestrian or vehicular traffic.
- (14) Avoid unnecessary and time consuming approval requirements for certain minor or temporary signs that do not require review for compliance with the city's building and electrical codes while limiting the size and number of such signs so as to minimize visual clutter.
- (15) Respect and protect the right of free speech by sign display, while reasonably regulating the structural, locational and other noncommunicative aspects of signs, generally for the public health, safety, welfare and specifically to serve the public interests in community aesthetics and traffic and pedestrian safety.
- (16) Enable the fair, consistent and efficient enforcement of the sign regulations of the city.
- (17) Regulate signs in a constitutional manner, which is content neutral as to noncommercial signs and viewpoint neutral as to commercial signs. All administrative interpretations and discretion is to be exercised in light of this policy and consistent with the purposes and intent stated in this section.

(Ord. No. 1751, § 3, 12-20-05)

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Sec. 90-1242. Definitions.

The following words, terms and phrases, when used in this article, will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means any sign which no longer advertises an approved use or activity being undertaken or existing upon the lot, parcel of land or premises on which the sign is located.

Banner sign means any sign printed or displayed upon cloth or other flexible material, with or without a frame.

Bulletin board sign means a sign that is characterized by changeable copy, letters symbols, or numerals used to announce a coming event attraction or used to convey a specific message related to the structure or use of the property on which the bulletin board is located.

Campaign sign means a sign that is designed to influence the passage or defeat of any measure on a ballot or to influence voters with respect to the nomination, election, defeat, or removal of a candidate from public office at any national, state, or local election.

Canopy means a fixed shelter of any material and of any length projecting from a building or structure and supported by columns or posts from the ground, or a freestanding shelter supported by columns and posts from the ground.

Canopy sign means a sign painted on or attached to the vertical or underneath side of, or erected on the roof surface of, a canopy.

Commercial message means any wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a commercial or industrial business, product, good, service or other commercial or industrial activity.

Commercial sign means any sign that is intended to attract attention to a commercial or industrial business, occupancy, product, good, service, or other commercial or industrial activity for a commercial or industrial purpose.

Construction sign means any sign or nameplate which relates only to individuals, businesses or firms directly connected with construction or development of a building, property or premises upon which such signs or nameplates are located.

Department means the planning department of the city.

Director means the director of the planning department or the director's designee.

Directional sign means a sign used to direct and control pedestrian or vehicular traffic and located on the same lot, parcel or premises as the use which it is intended to serve.

Double-faced sign means a sign that has two display surfaces, which are backed against each other or against the same supporting structure in such a manner that each display surface is designed to be viewed from a different direction.

Drive-in or drive-through restaurant means any building or structure in which food or drink are catered or served to the occupant of a vehicle where such occupant is not required to leave the vehicle for a rendered service or where the primary business activity consists of carryout food orders.

Erect means to build, construct, attach, place, suspend or affix to or upon any surface.

Freestanding sign means a sign standing directly upon the ground or having one or more supports standing directly upon the ground, and detached from any building or structure.

Frontage: Building frontage means the linear distance of a building utilized for one or more purposes, facing a street, mall, driveway or parking lot. Lot frontage means the linear distance of a site or separate

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portion of a site utilized for one or more purposes facing a street, mall, driveway or parking lot on property used in conjunction with that of the applicant.

Fuel pricing sign means a sign indicating the brand or trade name, method of sale, grade designation and price per gallon of gasoline or other motor vehicle fuel offered for sale on the premises, and such other information regarding fuel and service as may be required by law.

Future development sign means a sign indicating the future location of a building or use and the developer of such building or use.

General outdoor advertising sign means a sign that directs attention to a business, profession, product, commodity or service that is not the primary business, profession, commodity, product or service sold, manufactured, conducted or offered on the site on which the sign is located (i.e., a billboard). These signs do not include off-site real estate signs.

Gross mural area means the entire area of a mural painted or applied to a building or wall surface.

Hand-held sign means a sign that is held by or otherwise mounted on a person. For the purposes of this article, hand-held sign does not include a noncommercial sign.

Identification sign means any sign which is used to identify or advertise the occupant of a building, lot, premises or parcel or the merchandise or activity available at the building, lot, premises or parcel where the sign is located.

Illegal sign means: (a) Any sign originally erected or installed without first complying with all structural, locational, design, building, and electrical regulations in effect at the time of its construction or installation; (b) Any abandoned sign; (c) Any unsafe sign; (d) Any legal nonconforming sign that has not been removed following the expiration of any applicable amortization period provided in this code; and (e) Any sign that is in violation of the provisions of this article.

Incidental sign means a sign indicating credit cards accepted, trade affiliations, no solicitation, no trespassing and similar property-related matters.

Inflatable sign means a sign that is inflated by air or other gaseous matter.

Legal nonconforming sign means a sign that was originally erected or installed in compliance with all structural, locational, design, building, and electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this article.

Lighted sign means a sign which is illuminated either directly or indirectly by artificial light.

Marquee means a permanent cantilevered roof structure attached to and solely supported by a building wall, and which projects over a public right-of-way.

Marquee sign means a sign painted on or attached to the vertical or underneath side of, or erected on the roof surface of, a marquee.

Master sign program means a plan showing the location, dimensions, area, color, lighting and materials of all signs located on a single parcel or parcels, either under the same ownership or under the same planned development permit.

Minor identification sign means an identification sign that does not exceed four square feet in area and the copy does not exceed four inches in height.

Mobile sign means the use of a moving trailer, automobile, truck, or any other vehicle to display commercial or noncommercial messages primarily for advertising purposes unrelated to the principal use of such vehicle.

Monument sign means a low-profile sign which is mounted on the ground or on a low supporting base upon the ground and has no vertical supports or members which raise the sign display area above

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the ground such that the sign display area is visibly detached from the ground or the supporting base more than eight inches at any point.

Moving or flashing sign means any sign or other advertising medium that moves, flashes or blinks in an on and off manner, or gives the illusion of movement in any form, or that rotates, oscillates, shimmers or glitters, or gives the appearance thereof.

Mural means a pictorial illustration or graphic presentation painted on or applied to a building or wall. Colors will not be limited by subsection [90-1248\(a\)](#).

Noncommercial message means any wording, logo or other representations that does not directly or indirectly, name, advertise or calls attention to a commercial or industrial business, product, good, service or other commercial or industrial activity.

Noncommercial sign means a sign that does not name, advertise or call attention to a commercial or industrial business, commodity, product, good, service or other commercial or industrial activity for a commercial or industrial purpose.

Off-site sign means a commercial sign not located on the site of the business or entity indicated or advertised by the sign, or a commercial sign advertising a commodity, good, product, service or other commercial or industrial activity which originates on a site other than where the sign is maintained. For the purposes of this article, all signs with noncommercial messages are deemed to be "on-site," regardless of location.

On-site sign means any sign which directs attention to occupancy, business, commodity, good, product, service or other activity conducted, sold or offered upon the site where the sign is maintained. For the purposes of this article, all noncommercial messages are deemed to be "on-site," regardless of location.

Portable sign means a freestanding sign that is not permanently affixed, anchored or secured to either the ground or a structure on the premises it is intended to occupy, but does not include hand-held signs. For the purposes of this article, a portable sign does not include a noncommercial sign.

Projecting sign means any sign projecting more than 12 inches from the face of a building, structure, canopy or marquee.

Real estate sign means a sign announcing that the building, premises, parcel or portion thereof upon which the sign is located is for sale, lease or rent.

Roof sign means any sign supported by or attached to or projecting through the roof of a building or structure and projecting above the eave line or parapet wall of the building or structure.

Security warning sign means a sign used to announce a neighborhood watch security system.

Sign means any structure, device, letter, figure, character, poster, picture, trademark or reading matter which is used or designed to announce, declare, demonstrate, display or otherwise identify, advertise or attract the attention of the public. However, a sign does not include the following:

- (1) Official notices authorized by a court, public body or public officer.
- (2) Traffic, directional, warning or information signs authorized by federal, state or municipal authority.
- (3) The official flag, emblem or insignia of a government, public school or religious group or agency.
- (4) Memorial plaques or tablets, or cornerstones indicating the name of a building and the date of construction, when cut or carved into any masonry surface or when made of bronze or other incombustible material and made an integral part of the building or structure.
- (5) Signs within a building, except window signs.

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- (6) Signs on public school property.
- (7) Signs on street legal vehicles, license plates, license plate frames, registration insignia, including noncommercial messages, messages relating to the business or service of which the vehicle is an instrument or tool (not including general advertising that is unrelated to the principal use of such vehicle for such business or service) provided the vehicle is being used as an instrument or tool of the business and service and not primarily for advertising, and messages relating to the proposed sale, lease or exchange of a vehicle.

Sign face means that portion of a sign intended to be viewed from one direction at a time.

Subdivision sign means a sign erected and maintained within the boundaries of a recorded subdivision and indicating the name of the subdivision, the name of the contractor or subdivider, and the name of the owner or agent, and giving information regarding directions, prices or terms.

Temporary offsite real estate development sign means a sign advertising and directing the public to a subdivision or other real estate development project on premises other than those upon which the sign is located.

Temporary sign means any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, wood or other light materials, with or without frames, intended to be displayed for a limited period of time.

Time and temperature device means that portion of any sign, exclusive of any advertisement copy or advertising media, which may on a periodic basis change its character and appearance to provide information as to time of day or condition of the weather measured in degrees.

Unsafe sign means a sign posing an immediate peril or reasonably foreseeable threat of injury or damage to persons or property on account of the condition of the sign structure, its location, or its mounting mechanism.

Wall sign means any sign painted or otherwise marked on or attached parallel to the face of an exterior wall or on any exterior surface of any structure or building.

Window sign, permanent means a sign attached to or painted on a window designating the name or identifying the type of business conducted on the premises.

Window sign, temporary means a sign attached to or placed on or within three feet of the interior of a window. **Temporary** window signs do not include signs utilized as part of a window display of merchandise when such signs are incorporated within the display.

(Ord. No. 1751, § 3, 12-20-05)

Cross reference— Definitions and rules of construction generally, § 1-2; definitions pertaining to zoning, § 90-17.

Sec. 90-1243. Applicability.

This article regulates signs located on private property within all zoning districts of the city and on property owned by public agencies other than the city and over which the city has zoning and land use regulatory power. This article also applies to signs within public rights-of-way and other public property. Except where otherwise expressly provided in this article, all signs located in such areas of the city must be erected and maintained in conformity with this article.

(Ord. No. 1751, § 3, 12-20-05)

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Sec. 90-1244. General provisions.

- (a) *Sign permit required.* Except as otherwise expressly provided in this article, it is unlawful for any person to place, erect, structurally or electrically alter, change any commercial message, move or display any **temporary** or permanent sign without first obtaining a sign permit from the department in accordance with the provisions of this article. No sign permit is required for cleaning or other normal maintenance of a properly approved sign, unless a structural or electrical change is made.
- (b) *Owner's consent required.* The consent of the property owner or person in control or possession of the property is required before any sign may be erected on any private property within the city.
- (c) *Noncommercial signs.* Noncommercial signs are allowed wherever commercial signage is permitted on a site or building and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this article. A permit is required for a permanent noncommercial sign only when a permanent commercial sign has not been previously approved. For purposes of this article, all noncommercial messages are deemed to be "on-site," regardless of location.
- (d) *Substitution of noncommercial messages.* Subject to the consent of the property owner or person in control or possession of the property, a noncommercial message of any type may be substituted for all or part of the commercial or noncommercial message on any sign allowed under this article. No special or additional approval is required to substitute a noncommercial message for any other message on a permitted sign, provided the sign structure is already approved or exempt from the sign permit requirement and no structural or electrical change is made. When a noncommercial message is substituted for any other message, however, the sign is still subject to the same design, locational and structural regulations (e.g., color, materials, size, height, illumination, maintenance, duration of display, etc.), as well as all building and electrical code requirements that would apply if the sign were used to display a commercial message. In the event of any perceived or actual conflict between the general provisions of this subsection and any other specific provisions in this article, the provisions of this subsection will prevail.
- (e) *Substitution of commercial messages.* The substitution of one commercial message for another commercial message is not automatically allowed nor is the free substitution of a commercial message in a place where only a noncommercial message is allowed. In addition, no off-site commercial messages may be substituted for on-site commercial messages.
- (f) *Legal nature of sign rights and duties.* All rights, duties and responsibilities related to permanent signs attach to the land on which the sign is erected or displayed and run with the land or personal property. The city may demand compliance with this article and with the terms of any sign permit from the permit holder, the owner of the sign, the property owner or person in control or possession of the property, or the person erecting the sign.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1245. Signs not requiring a sign permit.

The following signs do not require a sign permit under [section 90-1246](#), nor will the area of such signs be included in the maximum area of signs permitted; provided, however, that each such sign must comply with all applicable requirements of this article. The intent of this section is to avoid unnecessary or time-consuming review procedures where certain permitted signs are minor or **temporary** or the erection of such sign does not require review for compliance with the city's building or electrical codes.

- (1) **Campaign signs.**
- (2) **Construction signs.**

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- (3) Hand-held noncommercial signs.
- (4) Incidental signs, provided that the maximum sign area for all such signs does not exceed two square feet per use or occupancy on a parcel.
- (5) Minor identification signs.
- (6) Real estate signs.
- (7) Temporary freestanding noncommercial signs permitted by subsection 90-1250(c).
- (8) Window signs.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1246. Administration.

- (a) *Purpose.* The purpose of a sign permit is to help ensure compliance with the provisions of this article, in particular, the provisions regulating the design, illumination, location, materials, number, size and type of sign.
- (b) *Sign permit application process.*
 - (1) Where specifically required by this article, an application for a sign permit must be made in writing on the form provided by the department and accompanied by any required materials, plans and exhibits and the required fee or bond established by city council resolution.
 - (2) The director will initially determine whether the application contains all the information and items required by the provisions of this article and may be deemed complete.
 - (3) All notices required by this article are deemed given upon the date any such notice is either deposited in the United States mail or the date upon which personal service of such notice is provided.
 - (4) No sign permit application will be accepted if:
 - a. The applicant has installed any sign on the site of the proposed sign in violation of the provisions of this article and, at the time of submission of the application, each such illegal sign has not been legalized, removed or included in the application.
 - b. There is any other existing code violation located on the site of the proposed sign(s) (other than an illegal sign that is not owned or controlled by the applicant and is located at a different business location on the site from that for which the approval is sought) that has not been cured at the time of the application.
 - c. The sign permit application is substantially the same as an application previously denied, unless: (i) 12 months have elapsed since the date of the last application, or (ii) new evidence or proof of changed conditions is furnished in the new application.
 - d. The applicant has not submitted for processing or obtained any applicable use permit or approval.
- (c) *Standard sign permit review process.*
 - (1) After receiving a complete sign permit application, the director will cause the application to be reviewed and render a written decision to approve or deny the application within ten business days.
 - (2) Determinations on sign permit applications are to be guided by the standards and criteria set forth in this article. An application will be approved whenever the proposed sign conforms to all

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design, size, height and other standards for signs subject to a permit requirement, as such requirements are set forth in this article.

- (3) An application may be granted either in whole or in part when more than one sign or location is proposed by an applicant. When an application is denied in whole or in part, the determination must be in writing and must specify the grounds for such denial.
- (d) *Sign permit review: master sign programs, special sign programs, modifications, and variances.*
 - (1) *Sign programs for planned developments.* Large scale development projects permitted under the planned community development (PCD), planned development overlay district (PUD) and specific plan (SP) zones may have uniform sign programs developed and approved which carry out the intent of such detailed plans. Uniform sign programs approved pursuant to this subsection will take precedence over other standards outlined in this article. Provisions for the review and approval of each uniform sign program will be the same as the provisions outlined in the planned development each uniform sign program is intended to support.
 - (2) *Special sign program for contiguous uses.* Notwithstanding any other provisions of this article, a group of three or more contiguous commercial uses occupying a site of less than five acres, or a group of three or more uses having common frontage upon a public street, mall or parking lot, may be permitted signage as specifically permitted in this subsection.
 - a. Where appropriate, applicants may submit detailed drawings to the department indicating an overall integral sign theme that may not specifically comply with all sections of this article regulating colors, height, locations and total allowable area. All sign programs developed under this concept will be required to receive approval of the director. All proposed revisions or alterations to a previously approved sign program will be resubmitted to the department and will be required to receive approval of the director before issuance of any permits.
 - b. Where the director deems appropriate under the provisions of this section, the director may allow modifications and variations of this article where such modifications and variations are within the intent and purpose of this article and lend themselves toward a more creative and harmonious signage program.
 - c. Signs or sign programs approved under this section will not be construed as a basis for the granting of variances to provisions of this article, nor for granting special privileges which are denied other applicants under this article.
 - d. No freestanding sign approved under this section may exceed 100 square feet in area per face.
 - (3) *Modifications.* The director may grant minor modifications from the permitted sign area, height or setback requirements of this article provided that no such modification exceeds ten percent of the applicable requirement. Before granting any such minor modification, the director must make the following findings:
 - a. The sign will not interfere with pedestrian or vehicular safety.
 - b. The sign will not be located so as to have a significant negative impact on the visibility or aesthetic appearance of any adjacent property.
 - c. The sign will generally be compatible with other on-site signs, the structure or development it identifies, and surrounding development.
 - (4) *Variances.* The planning commission may grant variances from the provisions of this article for the erection and maintenance of signs when difficulties, unnecessary hardship or results inconsistent with the general purpose of this article would otherwise occur and would deprive

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the owner of rights enjoyed by others. The application and review process for a sign variance will follow the applicable procedures set forth in Article XLV of [Chapter 90](#) of this Code.

- (e) *Permit fee; bond.* Prior to the issuance of a sign permit, the department must collect the fee of cash bond, if any, in accordance with the schedule approved by city council resolution.
- (f) *Time limit.* Signs authorized by a permit issued pursuant to this article must be erected within one year of the issuance of the permit, otherwise the approval will be null and void
- (g) *Revocation of a sign permit or other approval.* Subject to [section 90-1284](#), the director may revoke any permit or approval upon refusal of the permit [permi~~tee~~fee] or approval holder to comply with the provisions of this article after written notice of noncompliance and at least 15 days opportunity to cure.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1247. General location, height and area standards.

- (a) *Location standards.*
 - (1) Except as specifically provided in this article, no sign may be located upon or project over a public right-of-way.
 - (2) Except as specifically provided in this article, no sign may extend above the eave line or parapet or the lowest point on the sloping roof of the building on which it is located. Roof signs may not extend above the highest point on the building on which it is erected. No wall sign may extend beyond or project above the vertical or horizontal line of any exterior wall or portion of the structure upon which such sign is affixed.
 - (3) Signs must be designed and located so as not to interfere with the unobstructed clear view of the public right-of-way and nearby traffic regulatory signs or any pedestrian, bicyclist or motor vehicle driver.
 - (4) All signs authorized under this article must be placed on the side of the property facing on a public or private right-of-way, and may not be placed in such a manner that it is observable only over private property not used in conjunction with the property of the applicant.
 - (5) No sign may be erected in such a manner that any portion of its surface or supports is within six feet horizontally or 12 feet vertically of overhead electric conductors which are energized in excess of 750 volts.
 - (6) No sign over 42 inches in height may be erected at the intersection of any street or within the segment created by drawing an imaginary line between points 30 feet back from where the curb lines of the intersection quadrant intersect.
- (b) *Sign height.* Sign height will be measured using the greatest vertical measurement from grade level along the base of the sign structure to the highest point of the sign. Sign height will be measured from the elevation of the top of the curb fronting such sign when within ten feet of a street property line. When a sign is set back from a property line more than ten feet, sign height will be measured from the elevation of the ground level surrounding the base of the sign.
- (c) *Sign area.* The area of any sign as regulated by this article will be measured by computing the area within a maximum of eight straight lines enclosing the entire perimeter of a sign, including all text, emblems, arrows, ornaments or other sign media. Where the letters or characters of a sign are painted, mounted or otherwise attached to a panel which is of a color or material which contrasts with the color or material of the building upon which such panel is painted or mounted, the sign area will be the area of such panel. Where individual letters or characters are painted, mounted or

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otherwise attached directly to a wall or structure, the area of the sign will be measured by means of straight lines drawn around the perimeter of such letters or characters.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1248. Design, material, construction and maintenance standards.

Each permanent sign that requires a sign permit must comply with the following standards:

- (1) *Materials and colors.* All permanent signs must be constructed of durable materials that are compatible in appearance to the building supporting or identified by the sign. Sign colors and materials should be selected to be compatible with the existing building designs and should contribute to legibility and design integrity. No sign may contain more than five colors. Tints and shades of a color will be considered as one color. Black and white will be considered as colors.
- (2) *Relationship to buildings.* Each permanent sign located upon a site with more than one main building, such as a commercial, office or industrial complex must be designed to incorporate the materials common or similar to all buildings.
- (3) *Relationship to other signs.* Where there is more than one sign on a site or building, all permanent signs must have designs that similarly treat or incorporate the following design elements:
 - a. Type of construction materials;
 - b. Sign/letter color and style of copy;
 - c. Method used for supporting sign (e.g., wall or ground base);
 - d. Sign cabinet or other configuration of sign area;
 - e. Illumination; and
 - f. Location.
- (4) *Sign illumination.* Illumination from or upon any sign must be shaded, shielded, directed or reduced so as to minimize light spillage onto the public right-of-way or adjacent properties, and in no event may illumination be permitted to cause such excessive glare as to constitute a potential hazard to traffic safety. Externally illuminated signs must be lighted by screened or hidden light sources. All signs erected after January 9, 1987, must be installed with a time clock that is set to turn off all sign illumination, internal or external, between 11:00 p.m. and sunrise, except during such hours that the premises are open for business beyond such time limit.
- (5) *Construction.* Every sign, and all parts, portions and materials thereof, must be manufactured, assembled and erected in compliance with all applicable state, federal and city regulations including the city's building code and electrical code. Under no circumstances may a permanent sign have an exposed back.
- (6) *Maintenance.* Every sign and all parts, portions and materials must be maintained in good repair. The display surface of all signs must be kept clean, neatly painted, and free from rust, cracking, peeling, corrosion or other states of disrepair. This maintenance obligation includes the replacement of malfunctioning or burned-out lamps, replacement of broken faces, repainting of rust, chipped or peeling structures or faces within 15 days following written notification by the city.
- (7) *Removal of signs and restoration of building or property.* When there is a change or discontinuance of a business or occupancy such that a sign no longer properly identifies a place of business or occupancy, the sign must be removed or the name of the prior business or occupant either removed, or the sign face covered in a manner that blends with the building or

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supporting structure within 60 days of the change or discontinuance of a business or occupancy. Within 30 days of the removal of a sign from a building or from the grounds of the premises if a freestanding sign, the building or the grounds of the premises must be repaired and restored to remove any visible damage or blemish left by the removal of the sign.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1249. Signs permitted in all or multiple zones.

The following signs are permitted in all zones subject to the applicable regulations:

(1) *Campaign signs.*

- a. *Number.* Each parcel may have one **temporary** freestanding campaign sign for each political candidate or issue on each street frontage.
- b. *Area.* In agricultural, commercial, and industrial zones, no campaign sign may exceed 32 square feet in area per face. A campaign sign may be double-faced if it is placed perpendicular to the right-of-way. In residential areas, no campaign sign may exceed six square feet in total area per face and may be double-faced.
- c. *Height.* No freestanding campaign sign may exceed four feet in height.
- d. *Location.* Campaign signs may be placed in the front, side or rear yard of any parcel that fronts, sides or rears on a public street. No campaign sign may encroach into the public right-of-way.
- e. *Time limit.* All campaign signs must be removed within seven days following the election for which they are intended.
- f. *Lighting.* Campaign signs may not be illuminated.

(2) *Construction signs.*

- a. *Number.* Any parcel with construction activity is permitted one construction sign.
- b. *Area.* A construction sign may not exceed 32 square feet in area per face.
- c. *Height.* A freestanding construction sign may not exceed eight feet in height.
- d. *Location.* Construction signs must be parallel to a public right-of-way but may not encroach into the right-of-way.
- e. *Time limit.* A construction sign may not be erected until the issuance of any applicable building or grading permit. The sign must be removed upon completion of the construction activity and before issuance of a certificate of occupancy, if applicable, and in no event later than the expiration of the applicable building permit.
- f. *Lighting.* Construction signs may not be illuminated.

(3) *Directional signs.* Directional signs may be authorized and approved by the director when the director finds such signs are necessary in parking areas. Except as otherwise provided in this article, no directional sign may exceed four square feet in area or four feet in height.

(4) *Murals.*

- a. *Number.* A mural is permitted on each building frontage, except in residential zones where murals are not permitted. All existing signs on the frontage proposed for a mural must be removed prior to the commencement of a mural. The mural will take the place of all other

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signage on the same building frontage as a mural, except window and canopy signs in accordance with this article.

- b. *Area and height.* The mural may not extend beyond or project above the vertical or horizontal line of any wall or structure upon which the mural is painted or affixed. Any lettering, text, numerals or other similar identifications will be limited to a maximum of six percent of the gross mural area, or 100 square feet maximum, whichever is less, and must be within an area that can be enclosed by eight straight lines drawn around the perimeter of such lettering, text, numerals or other similar identification. The lettering, text, numerals or other similar identification must be painted on the surface or must be raised letters applied to the surface.
 - c. *Location.* Where the building face upon which a mural is proposed adjoins a building wall on an adjacent property, the bottom of the mural must be placed a minimum of one foot above the vertical line where the two walls meet. No portion of the mural may project more than six inches from the surface upon which the mural is painted or affixed are [where] prohibited.
 - d. *Lighting.* No internal illumination is permitted.
 - e. *Additional application requirements.* In addition to the procedures outlined in [section 90-1246](#), the applicant for a mural permit must also provide the following:
 - 1. An affidavit signed by the property owner, and notarized, giving the applicant permission to place the mural on the building.
 - 2. An agreement between the property owner and the city in a form reasonably acceptable to the city attorney whereby the property owner agrees to: (1) Restore chipping, fading, peeling, vandalism or other similar defects to mural quality within seven days of written notice from the city to correct such conditions, and (2) To comply with the requirements of subsection [90-1248\(g\)](#). No certificate of occupancy may be issued to a new tenant until the mural has been removed or a new permit for a mural has been issued.
- (5) *Real estate signs.*
- a. Parcels less than one acre in area are subject to the following regulations:
 - 1. *Number and area.* On each public street frontage, one wall-mounted or freestanding real estate sign is permitted, provided the sign does not exceed four square feet in area for each sign face. On a parcel zoned for a senior community, an additional two square feet of sign area is permitted indicating that the property is a "Senior Community 55+."
 - 2. *Height.* Freestanding real estate signs may not exceed six feet in height.
 - 3. *Location.* Freestanding real estate signs may be placed in front yard setback areas, provided such signs are not located within the corner cutback and not overlaying into the public right-of-way. For purposes of this section, "corner cutback" shall be defined by a line on a horizontal plane connecting two points along the front and street side property lines and forming a triangle. These points shall be measured 30 feet back from the intersection of the prolongation of the front and street side property lines. On lots where the driveway is adjacent to the rear yard of a neighboring lot, the "corner cutback" area shall be free and clear of visual obstructions in excess of 42 inches in height. The cutback lines shall be determined by measuring from the projection of the coterminous front and rear property line ten feet along the inside edge of the sidewalk and ten feet back from the street connecting the two points forming a 45-degree triangle.

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4. *Time limit.* All real estate signs must be removed within 15 days after the applicable property has been rented, leased or sold.
 5. *Lighting.* Real estate signs may not be illuminated.
- b. Parcels greater than one acre in area or which are located in a commercial or industrial zone are subject to the following regulations:
1. *Number and area.* On each public street frontage, one wall-mounted or freestanding real estate sign is permitted, provided the sign does not exceed 32 square feet in area for each sign face. On a parcel zoned for a senior community, an additional four square feet of sign area is permitted indicating that the property is a "Senior Community 55+."
 2. *Height.* Freestanding real estate signs may not exceed six feet in height.
 3. *Location.* Freestanding real estate signs may be placed in front yard setback areas, provided such signs are not located within the corner cutback and not overlaying into the public right-of-way. For purposes of this section, "corner cutback" shall be defined by a line on a horizontal plane connecting two points along the front and street side property lines and forming a triangle. These points shall be measured 30 feet back from the intersection of the prolongation of the front and street side property lines. On lots where the driveway is adjacent to the rear yard of a neighboring lot, the "corner cutback" area shall be free and clear of visual obstructions in excess of 42 inches in height. The cutback lines shall be determined by measuring from the projection of the coterminous front and rear property line ten feet along the inside edge of the sidewalk and ten feet back from the street connecting the two points forming a 45-degree triangle.
 4. *Time limit.* All real estate signs must be removed within 15 days after the applicable property has been rented, leased or sold.
 5. *Lighting.* Real estate signs may not be illuminated.
- (6) *Subdivision signs.*
- a. *[Number.]* An applicant may request up to three subdivision signs for any one subdivision project.
 - b. *Area.* Subdivision signs may not exceed 40 square feet in area per face.
 - c. *Height and location.* The location of each subdivision sign will be determined by the director. Subdivision signs may not extend above the height of any wall or fence to which it may be attached. If freestanding, such signs may not exceed six feet in height.
 - d. *Security.* A bond or similar security in an amount and form satisfactory to the city is required to be posted to guarantee removal of any approved subdivision signs.
 - e. *Time limits.* A subdivision sign must be removed no later than 18 months following recordation of the final subdivision map, provided that this time limit may be extended for up to six additional months by the director upon written request.
 - f. *Lighting.* Subdivision signs may not be illuminated.
- (7) *Window signs.* **Temporary** window signs may not exceed 50 percent of any single window or the total window area provided on the frontage on which the sign is displayed.
- (8) *Automobile service stations and drive-in restaurants.* For automobile service station uses and drive-in restaurants in all zones, the following regulations apply:

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- a. One freestanding lighted or unlighted, double-faced, identification sign not exceeding 50 square feet in area per face is permitted. Such sign may not exceed 25 feet in height.
- b. Two lighted or unlighted, single-faced identification canopy or wall signs not exceeding 50 square feet in combined area are permitted.
- c. The following additional signs are also permitted for automobile service station uses:
 1. One fuel pricing sign not to exceed 20 square feet per sign face, which may be part of a monument or freestanding sign.
 2. Three unlighted signs not exceeding four square feet in combined area, which indicate credit cards honored and trading stamps available on the premises.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1250. Signs generally permitted in residential zones.

- (a) *Signs based on usage.* In addition to any other applicable signage allowed under this article, in the R-A, R-1, R-2, R-3 and R-P zones on property subject to the designated uses, the following signs are permitted:
 - (1) *Residential-agricultural.* On property in agricultural use, one unlighted, double-faced sign not more than 16 square feet in area and not in excess of six feet in height may be permitted on each parcel.
 - (2) *Dwellings.* On all property utilized for residential purposes, one nameplate not exceeding two square feet in area may be permitted for each single-family dwelling unit, indicating the name of the occupant.
 - (3) *Multiple-family dwellings.* On property used for multiple-family dwellings, clubs and lodges, one or more wall or freestanding identification signs, lighted or unlighted, single- or double-faced, all of which total not more than 32 square feet in area for each separate street frontage. A freestanding identification sign may not exceed six feet in height.
 - (4) *Offices.* On property used for office purposes, one or more wall or freestanding identification signs may be permitted on each separate frontage. The signs may be lighted or unlighted, single- or double-faced, and all of which may not total more than one square foot in display area for each one linear foot of building frontage, or 100 feet, whichever is less. Freestanding signs may not exceed eight feet in height.
- (b) *Neighborhood/community identification signs.* Identification signs are permitted at the entrance to each neighborhood subject to the following regulations:
 - (1) *Number.* A freestanding or wall identification sign is permitted at each major street entrance to a designated neighborhood/community.
 - (2) *Area.* A sign may not exceed 20 square feet per sign face.
 - (3) *Height.* A freestanding sign may not exceed six feet in height.
 - (4) *Lighting.* A sign may be illuminated.
 - (5) *Special approval.* Specially designed neighborhood/community identification signs will be subject to planning commission approval.
- (c) *Residential subdivision signs.*
 - (1) *Banners and pennants.* In all subdivisions where an approved model home marketing complex is located, banners and pennants may be erected with or without advertisement to designate an

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open house or a sales office. The banners or pennants must be removed when the last phase of a subdivision is sold or until the sales office is closed or removed, whichever comes first. A cash deposit of \$200.00 with the city will be required to ensure the removal of any banners and pennants.

- (2) *Advertising flags.* A new subdivision may be permitted flags as part of its sign program subject to the following regulations:
 - a. *Number.* No more than six flagpoles are permitted, and only two flags are permitted on a pole. The applicant must also obtain a building permit for the erection of each flagpole.
 - b. *Height.* The maximum height of a flagpole is 25 feet.
 - c. *Location.* Flagpoles may be located at subdivision entry areas, model home marketing complexes, or at the subdivision sales office. Flagpoles may also be permitted along the perimeter of the subdivision beyond the entry statement. The flagpoles which are placed along the perimeter of the subdivision must be removed when the nearest house is occupied. All flagpoles on the perimeter of a subdivision must be spaced a minimum of 100 feet apart. Flagpoles placed along the perimeter must also have a 20-foot setback from any adjacent residentially-used property.
 - d. *Time limitation.* Flagpoles must be removed when the last phase of a subdivision is sold, or until the sales office is closed or removed, whichever comes first. A \$200.00 cash deposit for each flagpole, up to a maximum of \$600.00, must be deposited with the city to ensure the removal of the flagpoles. The developer may apply for an extension of up to six months subject to the approval of the director.
 - e. *Maintenance.* Flags must be inspected periodically by the developer and replaced when torn, tattered, or faded, or is otherwise no longer in attractive condition.
- (3) *[Alternative sign program.]* An alternative sign program may be proposed by the applicant, subject to approval of the planning commission.
- (d) *Security warning signs.*
 - (1) *Number.* A security warning sign is permitted at each major street entrance to a neighborhood.
 - (2) *Area.* A security warning sign may not exceed seven square feet in area and must be single-faced.
 - (3) *Height.* A freestanding security warning sign may not exceed six feet in height.
 - (4) *Location.* A security warning sign may be located in a public right-of-way subject to the issuance of an encroachment permit.
- (e) *Temporary freestanding noncommercial signs.*
 - (1) *Number.* Each parcel is permitted two temporary freestanding noncommercial signs at all times. Such signs are in addition to all other signage allowed in this article.
 - (2) *Area.* A temporary freestanding noncommercial sign may not exceed six square feet in area.
 - (3) *Height.* A temporary freestanding noncommercial sign may not exceed four feet in height.
 - (4) *Location.* Temporary freestanding noncommercial signs may be placed in the front yard or side yard of any property, provided that the signs do not encroach into any public right-of-way.
 - (5) *Lighting.* Temporary freestanding noncommercial signs may not be illuminated.
- (f) *Advertising flags at rental properties.* Flags used for advertising purposes are permitted at multiple-family rental complexes of 20 units or more subject to the following regulations.

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- (1) *Number.* For the first 100 feet of lot frontage, two flagpoles are permitted and one additional flagpole is permitted for each additional 50 feet of lot frontage. No more than two flags are permitted on a flagpole.
- (2) *Area.* A flag may not exceed six square feet in area.
- (3) *Height.* Flagpoles may not exceed 25 feet in height.
- (4) *Time limitation.* The maximum time period for flagpoles to display a flag with a commercial message is one year. The owner may apply for an extension of up to six months subject to the director's approval.
- (5) *Deposit.* A \$200.00 deposit for each flagpole, up to a maximum of \$600.00, will be collected at the issuance of the building permit to ensure the timely removal of flags with commercial messages.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1251. Signs permitted in commercial zones.

In addition to any other applicable signage allowed under this article, the following signage is permitted in commercial zones.

- (1) *Permitted sign area.* Each business in a commercial zone is permitted two square feet in sign area for each one linear foot of building frontage up to a maximum of 200 square feet in sign area. For the purposes of this section, only one face of a double-faced sign will be counted in determining total sign area.
- (2) *Primary sign types.* Subject to any additional regulations set forth in this section or article, the permitted sign area set forth in subsection (1) must be used in conjunction with one or more of the following sign types in all commercial zones: bulletin board signs, freestanding signs, monument signs, projecting signs or wall signs. For the purposes of this section, freestanding or monument signs are not permitted on lot frontages less than 60 feet in width.
- (3) *Special regulations.*
 - a. *Freestanding signs.* Freestanding signs may not exceed 25 feet in height or the height of the building to which the sign pertains, whichever is less.
 - b. *Marquee and under-canopy signs.* One marquee or under-canopy sign per business is allowed. The sign may not exceed one foot in height, and the lowest point of such sign may not be not less than eight feet above the public sidewalk. The sign may be double-faced, may not project beyond the outer edge or above the canopy or marquee, and must be stationary. All fluorescent lighting devices must be protected by shatterproof material. The size of a marquee sign will not be included in computing the total allowable sign area for the premises.
 - c. *Minor identification signs.* One minor identification wall or window sign is permitted in addition to any other signage permitted under this section.
 - d. *Monument signs.* One monument sign is permitted for each separate commercial frontage, which may be placed only in lieu of a freestanding sign on the same parcel. Monument signs may be placed in setback areas subject to the restrictions of subsection 90-16(f), pertaining to corner and driveway visibility, and may not exceed eight feet in height. The maximum sign area is 64 square feet.

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- e. *Permanent window signs.* Permanent window signs may not exceed 20 percent of the window area or a maximum of 25 square feet in total area. The restrictions contained in this subsection do not apply to **temporary** window signs.
 - f. *Projecting signs.*
 - 1. *Number.* Any single business or tenant with frontage on a public right-of-way is permitted one projecting sign along that public street. The projecting sign may exist instead of, but not in addition to, a freestanding sign, wall sign or roof sign.
 - 2. *Area.* A projecting sign may not exceed four square feet in area.
 - 3. *Location.* The projection over public property is limited to three inches for each linear foot of building frontage, measured from the nearest face of the building. No projecting sign may extend more than six feet from the face of the building and must be at least two feet back from the curblineline. Subject to the same maximum limits, projecting signs on corner properties are otherwise permitted a 20 percent increase in projection.
 - 4. *Height.* Projecting signs must have a minimum clearance of ten feet between the bottom of the sign and the ground. Signs may not extend above the vertical height of any exterior wall, fascia or roof, or any portion of the structure upon which the sign is attached.
 - 5. A projecting sign four square feet in area or less will not be included in computing total allowable sign area for the premises.
 - 6. An encroachment permit will also be required for any projecting sign that projects above a public right-of-way.
- (4) **Temporary special event signs.**
- a. The director may issue a permit for a temporary sign, subject to such conditions as the director may prescribe, for the advertising of special events and sales. This may include the use of banners, streamers, pennants and balloons.
 - b. A temporary special event sign permit may not exceed 30 continuous days.
 - c. A temporary special event sign may not be installed within 14 days from the expiration date of any previously approved temporary sign permit.
 - d. A separate permit fee must be paid for each type of portable advertising sign, except for banners which require the payment of a separate fee for each separate banner.
 - e. **Balloons.** Balloons larger than three square feet will be classified as "large balloons," and must meet the following requirements in order to be granted a temporary special event sign permit:
 - 1. **Zones.** Large balloons are permitted in the C-1, C-2, and C-M zones only.
 - 2. **Number.** Only one large balloon is permitted at any one time on a site.
 - 3. **Height.** Any large balloon must be maintained so that its highest point is no more than 20 feet above the roof line of the applicable premises. The maximum height of the balloon may not exceed 55 feet. When the premises lies within the Hemet-Ryan Airport Areas of Risk I, the balloon height may not exceed 35 feet. All large balloons must be maintained at least 20 feet below any overhead utility line.
 - 4. **Separation.** No new permit will be granted for a large balloon within 1,000 feet or three blocks, whichever is greater, from any other large balloon.

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5. *Time limitation.* A temporary special event sign permit may be issued for a large balloon for not more than 15 days in any 90-day period.
 - (5) *Time and temperature devices.* Time and temperature devices will not be considered as part of the sign area under subsection (1) above unless there is a commercial message. No time and temperature device may exceed 24 square feet in area per face.
- (Ord. No. 1751, § 3, 12-20-05)

Secs. 90-1252—90-1254. Reserved.

Sec. 90-1255. Signs permitted in church and institutional zones (S-1, I).

In addition to any other applicable signage allowed under this article, the following signage is permitted in church and institutional zones (S-1, I) or for a church or institutional use located in a residential zone.

- (1) *Permitted sign area.* Each church or institutional use is permitted on each separate frontage, one and one-half square feet of area for each one linear foot of frontage up to a maximum of 100 square feet in area. For the purposes of this section, only one face of a double-faced sign will be counted in determining total sign area.
- (2) *Primary sign types.* Subject to any additional regulations set forth in this section or article, the permitted sign area set forth in subsection (a) must be used in conjunction with one or more of the following sign types: bulletin board signs, freestanding signs, monument signs or wall signs. For the purposes of this section, freestanding or monument signs are not permitted on lot frontages less than 60 feet in width.
 - a. *Height.* The maximum height of any freestanding sign is 25 feet, or the height of the building to which the sign pertains, whichever is less.
 - b. *Lighting.* Only wall or monument signs may be illuminated.

(Ord. No. 1751, § 3, 12-20-05)

Secs. 90-1256—90-1260. Reserved.

Sec. 90-1261. Signs permitted in parking zones.

- (a) Where rates are charged in P zones, the following signs are permitted for parking lots and parking structures:
 - (1) *Number.* Pay parking lots and structures are permitted one freestanding or wall identification sign identifying the lot or operator and referring to the availability and charges for parking spaces on the parking lot or in the parking structure.
 - (2) *Area.* For each three linear feet of frontage on a public street there is permitted one square foot in sign area per sign face.
 - (3) *Height.* The sign may not exceed 15 feet in height.
 - (4) *Lighting.* The sign may be lighted only during the hours that the parking lot or parking structure is open for business.

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- (5) *Directional signs.* The director may also approve such number of lighted or unlighted, single- or double-faced directional signs as may be necessary for safe pedestrian and vehicular movement. The directional signs may not exceed six square feet in area per sign face and 15 feet in height.
- (b) Where rates are not charged in P zones, the following signs are permitted for parking lots and parking structures:
 - (1) *Number.* Free parking lots or structures are permitted one freestanding identification sign on each side of the premises fronting on a public street.
 - (2) *Area.* The sign may not exceed four square feet in area per sign face.
 - (3) *Height.* The sign may not exceed six feet in height.
 - (4) *Lighting.* The sign may be illuminated.
 - (5) *Directional signs.* The director may also approve such number of lighted or unlighted, single- or double-faced directional signs as may be necessary for safe pedestrian and vehicular movement. The directional signs may not exceed four square feet in area per sign face or six feet in height.

(Ord. No. 1751, § 3, 12-20-05)

Secs. 90-1262—90-1270. Reserved.

Sec. 90-1271. Signs permitted in manufacturing zones (M-1 and M-2).

In addition to any other applicable signage allowed under this article, the following signage is permitted in manufacturing zones M-1 and M-2.

- (1) *Permitted sign area.* Each business is permitted on each separate street, mall or parking lot commercial frontage, one and one-half square feet of area for each one linear foot of frontage up to a maximum of 100 square feet in area. For the purposes of this section, only one face of a double-faced sign will be counted in determining total sign area.
- (2) *Primary sign types.* Subject to any additional regulations set forth in this section or article, the permitted sign area set forth in subsection (1) above must be used in conjunction with one or more of the following sign types: bulletin board signs, freestanding signs, monument signs or wall signs. For the purposes of this section, freestanding or monument signs are not permitted on lot frontages less than 60 feet in width.
 - a. *Height.* The maximum height of any freestanding sign is 25 feet, or the height of the building to which the sign pertains, whichever is less.
 - b. *Lighting.* Only wall or monument signs may be illuminated.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1272. Signs for shopping centers and big box uses.

The following on-site signs for primary identification are permitted in shopping centers and for big box uses and supersede the regulations under sections [90-1251](#) and [90-1271](#).

- (1) *Number.* One lighted or unlighted double-faced, freestanding sign is permitted for each separate street frontage as shown in the following table:

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Shopping Center/Big Box Uses (Gross Floor Area)	Maximum Sign Area (in square feet)	Maximum Height (in feet)
Less than 30,000	Per requirements of section 90-1251	25
30,000 to 69,900	150	30
70,000 to 140,999	250	40
150,000 or more	300	45

- (2) *Additional signage for shopping centers.* Each building frontage, whether in-line or freestanding, is permitted a wall sign or signs totaling not more than two square feet of area for each one linear foot of building frontage up to a maximum of 200 square feet.
- (3) *Additional signage for big box uses.* Big box uses may be permitted a wall sign or signs totaling not more than 1.4 square feet of display area for each one linear foot of building frontage.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1273. Signs for outdoor sales.

Only the following on-site signs for primary identification are permitted for plant nurseries, mobile home sales and similar outdoor sales uses not involving showrooms or large offices:

- (1) **General types.** Each business is permitted one wall, roof or projecting sign on each separate commercial frontage.
- (2) **Area.** The permitted sign area for each sign is two square feet for each one linear foot of lot frontage up to a maximum of 200 square feet.
- (3) One freestanding, lighted or unlighted, double-faced identification sign may be included in the sign area under subsection (2). The maximum height of any such sign is 16 feet, except as specifically approved by conditional use permit where it can be demonstrated that the 16-foot height limitation precludes the effectiveness of the sign's purpose for identification.
- (4) One low-silhouette monument sign per separate commercial frontage may be included in the sign area under subsection (2), which sign may be placed only in lieu of a freestanding sign on the same site. Monument signs may be placed in setback areas subject to the restrictions of subsection 90-16(f), pertaining to corner and driveway visibility, provided that the height does not exceed eight feet and the sign area does not exceed 64 square feet.

(Ord. No. 1751, § 3, 12-20-05)

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Sec. 90-1274. Future development signs.

Future development signs for an approved shopping center or industrial park are permitted as follows:

- (1) One lighted or unlighted, double-faced, freestanding sign is permitted for each separate street frontage as shown in the following table:

SIGNS PERMITTED ON VACANT PARCELS

Acreage of Property (acres)	Size of Sign (square feet)	Maximum Height of Sign (feet)
0—5	64	<u>12</u>
5—10	96	<u>12</u>
10—20	128	14
20 or more	160	<u>16</u>

- (2) All future development signs must be removed from the property 18 months after approval of the sign by the city, or on the issuance of an occupancy permit for a structure within the shopping center or industrial park, whichever comes first.
 - (3) All future development signs must be placed a minimum of 25 feet from the property line.
- (Ord. No. 1751, § 3, 12-20-05)

Secs. 90-1275—90-1279. Reserved.

Sec. 90-1280. Prohibited signs.

The following signs are prohibited in all zones:

- (1) Banner signs, bunting, streamers, pennants and flags, except as specifically permitted in subsections 90-1250(c) and (f) or those flags excluded as "signs" under section 90-1242
- (2) Devices projecting or otherwise reproducing the image of a sign or message on any surface or object.
- (3) General outdoor advertising signs, except legal nonconforming signs as permitted in subsection 90-1281(c).
- (4) Hand-held commercial signs, except as permitted under subsections 90-1250(c)(3) and 90-1251(4).
- (5) Inflatable signs, except balloons as permitted under subsection 90-1251(4).

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- (6) Mobile signs.
 - (7) Moving and flashing signs.
 - (8) Off-site signs.
 - (9) Portable commercial signs.
 - (10) Roof signs.
 - (11) Signs located in such a manner to constitute a potential traffic hazard or obstruct the view of any authorized traffic sign or signal device, or designed to resemble or conflict with any authorized traffic control sign.
 - (12) Signs emitting audible sounds, odors or particulate matter.
- (Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1281. Legal nonconforming signs.

- (a) *Generally.* In order to limit the number and extent of legal nonconforming signs created by the adoption of this article, it is the intent to permit nonconformities to continue until they are removed, but not to encourage their survival. Therefore, a sign existing before the effective date of the original ordinance codified in this article (August 28, 1984), or existing on the date of any amendment to this article or a zone change or annexation to the city, may be used in accordance with other provisions of this article, provided that no such legal nonconforming sign may be enlarged, expanded, extended, altered, moved, reestablished after abandonment, or restored after destruction, except that the text or sign face of a legal nonconforming sign may be changed as long as there is no change in area or sign structure.
- (b) *Special circumstances.* In accordance with California Business and Profession Code § 5499, no legal nonconforming sign will be required to be removed on the sole basis of its height or size if special topographic circumstances would result in a material impairment of visibility of the sign or the owner's or user's ability to adequately and effectively continue to communicate to the public through the use of the sign. The owner or user may maintain the sign at the premises and at a location necessary for continued public visibility at the height or size at which the sign was previously lawfully erected pursuant to all applicable codes, regulations and permits. Any such sign will be deemed to be in conformance with this article.
- (c) *Legal nonconforming general outdoor advertising signs.* Existing legal nonconforming general outdoor advertising signs may be relocated when the following requirements are met:
 - (1) Proof that the existing sign was legally erected.
 - (2) A conditional use permit has been approved in accordance with sections [90-42](#) through [90-42.11](#) of this Code. Prior to approval of the conditional use permit, an additional finding must be made by the approving authority that the removal and relocation of the general outdoor advertising sign fulfills a public purpose. In furtherance of that requirement, the conditional use permit must include a requirement that the sign be made available for use by the city for civic advertising purposes, at no charge, for up to a maximum of 30 calendar days per year, on such terms as may be set forth in the conditional use permit.
 - (3) The existing sign must be removed prior to erecting a new sign.
 - (4) If the existing sign was double-faced, then its replacement may be double-faced. However, in no case may the sign area exceed 300 square feet per face. The maximum height of the sign may not exceed 25 feet. In addition, existing single-faced signs currently located within the D-1

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and D-2 (Downtown) zone districts may be relocated outside of the D-1 and D-2 zone districts with a double-faced sign.

- (5) The relocated sign may not be illuminated unless the original sign was illuminated.
- (6) If the sign is illuminated, the illumination must be turned off no later than 10:00 p.m.
- (7) There may be no moving parts or electrification of the sign.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1282. Removal of signs.

- (a) *Unsafe signs.* Any unsafe sign may be removed by the city without prior notice. Alternatively, the director may issue a notice of violation and give the permit holder, property owner or person in possession and control of the property up to 15 days to cure the violation.
- (b) *Illegal signs.*
 - (1) *Permanent.* Any illegal permanent sign must be removed or brought into conformity by the permit holder, property owner, or person in possession and control of the property following written notice from the director. Such notice must specify the nature of the violation, order the cessation thereof and require either the removal of the sign or the execution of remedial work in the time and in the manner specified by the notice. The time for removal or repair may not be less than 15 days from the date of mailing the notice.
 - (2) *Temporary.* Any temporary sign posted or otherwise affixed in violation of this article may be removed by the city. The city employee or agent removing the sign will immediately attempt to notify the owner of the sign, if such owner can be ascertained.
- (c) *Abatement of signs.* All signs erected or maintained in violation of the provisions of this article are hereby declared to be a public nuisance, and may be removed at the direction of the city manager whenever the permit holder, property owner, or person in possession or control of the property fails to comply with an order of the director requiring compliance with this article. The city may abate any such sign in the manner set forth in Article II of [Chapter 30](#) of this Code.
- (d) *Retrieval of removed signs.* Any person desiring to retrieve a sign removed by the city may do so upon the payment of an administrative fine for each sign. The amount of such fine will be set by resolution of the city council. In lieu of paying such administrative fine, a person may retrieve a sign upon signing a promise to appear citation issued to such person. If a person wishes to contest the fact that a sign was placed in violation of this article prior to paying the fine or signing the citation, the person has the right to an administrative hearing before the director. If the director finds that the sign was lawfully posted, the director will cause the return of the sign without an administrative penalty or the issuance of a citation.
- (e) *Disposal of removed signs.*
 - (1) *Permanent.* No permanent sign that has been removed and stored by the city may be released until the administrative fine and any other penalties have been paid. If a sign remains unclaimed for a period of 30 days after notice of removal is sent to the permit holder, property owner, or person in possession and control of the property, it will be deemed to be unclaimed personal property and may be disposed of in accordance with the law.
 - (2) *Temporary.* Any temporary sign removed by the city may be considered abandoned if it is not retrieved within 15 days after the date of such removal and may be disposed of by the city without liability therefor to any person.

(Ord. No. 1751, § 3, 12-20-05)

ARTICLE XXXVI. SIGNS GENERALLY

Sec. 90-1283. Violation of article; penalty.

Any person, whether a principal, agent, employee or other person, violating or causing the violation of any of the provisions of this article will be guilty of an infraction, and upon conviction thereof may be punished by:

- (1) A fine not exceeding \$50.00 for a first violation.
- (2) A fine not exceeding \$100.00 for a second violation.
- (3) A fine not exceeding \$250.00 for each additional violation within one year.

Such person will be deemed guilty of a separate offense for each and every day during any portion of which any violation of this article is committed or continued by such person, and will be punished as provided in this section.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1284. Appeals.

Any person aggrieved by a decision of the director made pursuant to the provisions of this article has the right to appeal such decision to the design review board as follows:

- (1) *Appeal of director's decision.* Any decision made pursuant to the provisions of this article by the director will become final upon the expiration of 30 days from the date such decision is served on the applicant, unless an appeal to the design review board is filed prior to the expiration of such period of time. If such appeal is timely filed, all action will be stayed until the appeal is finally decided.
- (2) *Procedure.* Any appeal brought pursuant to this section will be submitted on an application form to be provided by the department, and must be filed with the department. All portions of the application must be substantially completed. Each application on appeal must be verified. If the application form is not sufficiently completed, the department will return such application to the applicant, indicating the portions requiring additional completion. If the application is not returned to the department within ten days of the time mailed, the appeal will be deemed waived. The director will initiate an investigation of each of the points covered in the application, and will prepare recommendations for consideration by the design review board. An appeal hearing must be set before the board within 30 days of receipt of the appeal unless the applicant agrees to a continuance. The applicant must be notified of the hearing date not less than ten days before such hearing date.
- (3) *Hearing by design review board.* The design review board will hear the testimony of the applicant, the recommendation of the secretary, and other testimony deemed relevant. The decision of the design review board must be rendered and provided to the applicant not more than 15 days from the date of the conclusion of the hearing.
- (4) *Appeal to city council.* The decision of the design review board will become final upon the expiration of 15 days from the date of mailing to the applicant, unless an appeal to the city council is filed prior to the expiration of such period of time. If such appeal is timely filed, all action will be stayed until the appeal is finally decided. Upon receipt of the appeal, the city clerk will set the appeal for public hearing before the city council within 30 days unless the applicant agrees to a continuance. The city clerk will notify the applicant of the date of the hearing not less than ten days before such hearing date. The city council will review all decisions made in the case and hear other testimony deemed relevant. The decision of the city council must be in the form of a resolution and will be final.

- CODE
Chapter 90 - ZONING

ARTICLE XXXVI. SIGNS GENERALLY

(5) *Judicial review.* Any person dissatisfied with the final action taken by the city council may seek prompt judicial review of such decision pursuant to California Code of Civil Procedure § 1094.8.

(Ord. No. 1751, § 3, 12-20-05)

Secs. 90-1285—90-1310. Reserved.

FOOTNOTE(S):

--- (19) ---

Editor's note— Section 2 of Ord. No. 1751, adopted Dec. 12, 2005, repealed art. XXXVI, in its entirety and section 3 of said ordinance enacted similar provisions to read as herein set out. Former art. XXXVI derived from Ord. Nos. 844 and 865; §§ 24200—24245 of the 1985 Code; and additional amendatory legislation, the history of which can be found in the Code Comparative Table located at the back of this volume. ([Back](#))

Cross reference— Buildings and building regulations, ch. 14; Uniform Sign Code, § 14-121 et seq.; streets and sidewalks, ch. 66. ([Back](#))

Attachment No. 2

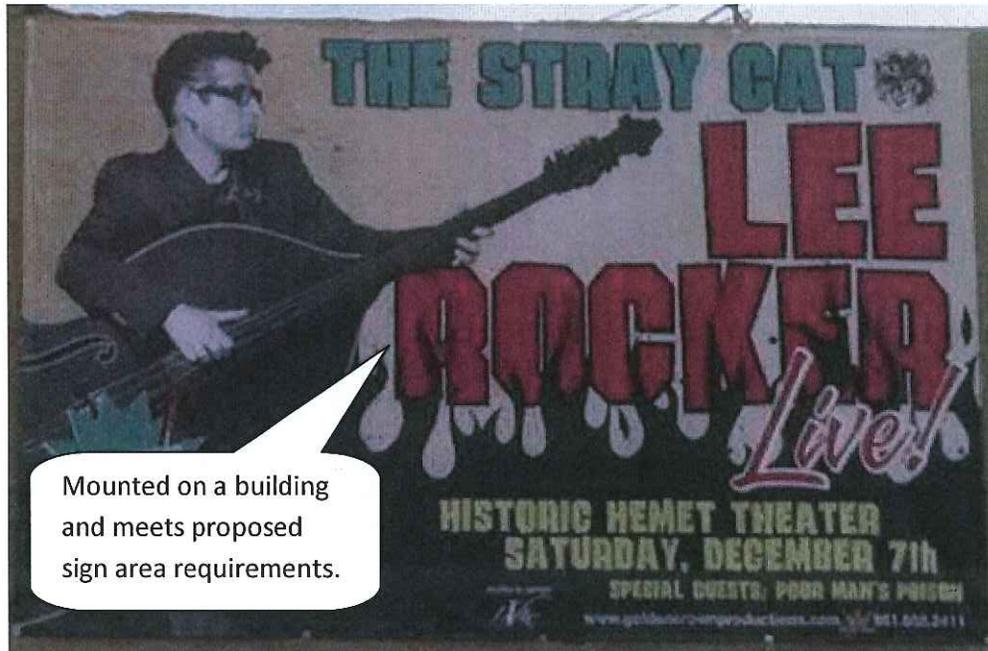
Photo Examples of
Sign Types

Planning Commission
Work Study of
January 21, 2014

Banner Signs



Community Event Signs



Pennants and Bunting



Strung from one point to another. Intended to attract attention to an event



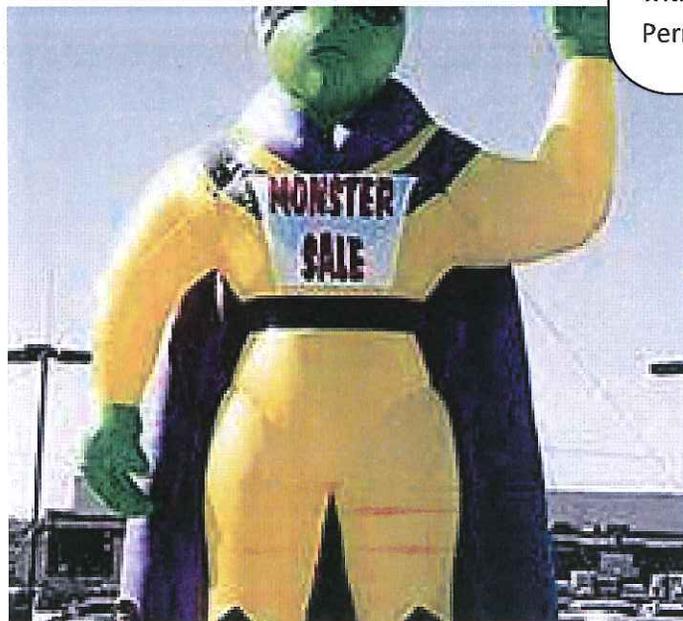
May be used and considered as holiday decorations. No permit required if no message.



Balloons



Large "character" balloons are not discussed in the HMC and are not currently permitted. Other large balloons are permitted with a Temporary Sign Permit for a Large Balloon.



Window Signs, Picture Tint



Painted window signs that cover more than 50% of a window are not currently permitted or proposed.



Graphic or Picture tint is not currently permitted. However, up to 50% has been proposed as part of the overall window signage.

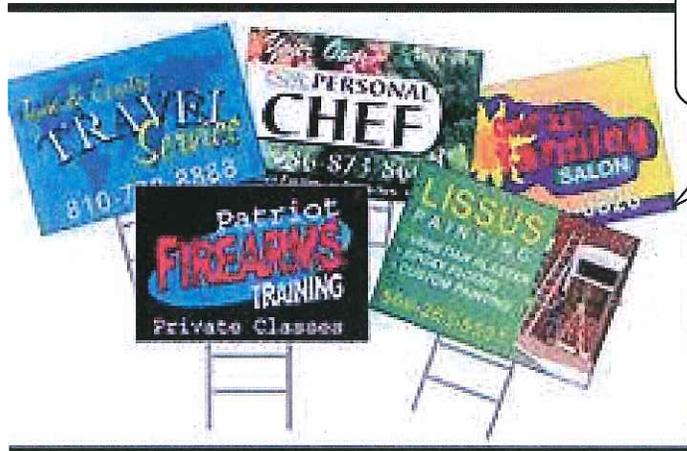
Other Types of Signs

Cane Signs



Cane signs are not currently permitted. Proposed regulations will allow number and placement at discretion of CDD only in conjunction with a grand opening or special event permit, to avoid clutter.

Stake Signs



Staff does not support allowing this type of signage. They lend themselves to clutter and litter.

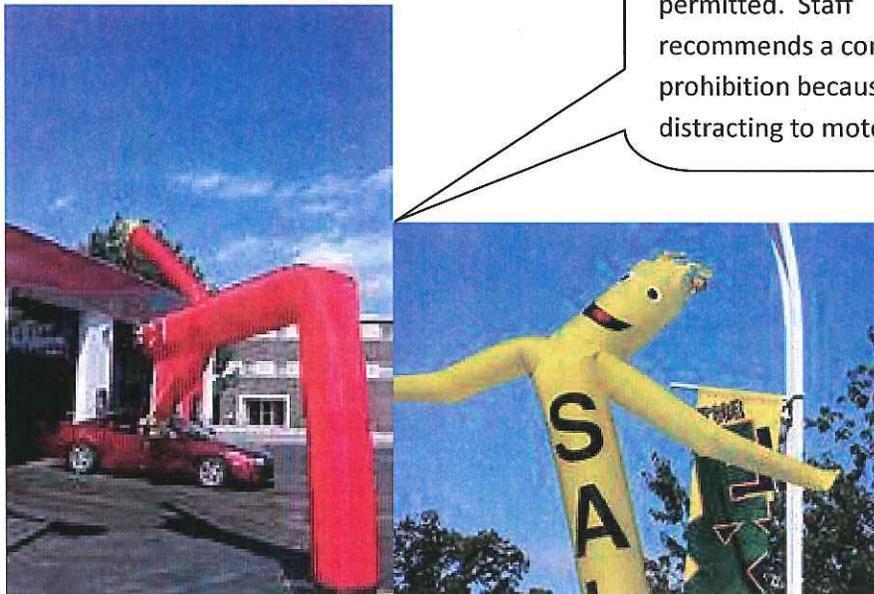
Menu and "A" Frame Signs

Portable menu signs are not currently permitted. Proposed regulations will allow one per business for eating places and Downtown businesses.



Animated/Inflatable Signs

These signs are not currently permitted. Staff recommends a continued prohibition because they are distracting to motorists.



Promotional Poster Frame Signs

This type of sign has been allowed under separate permits. Consider allowing them as part of project approval or master sign program.



"Open House" Real Estate Signs

This type of sign is currently not permitted except on private property with the owner's permission. Placement should not block ADA path of travel or interfere with visibility.

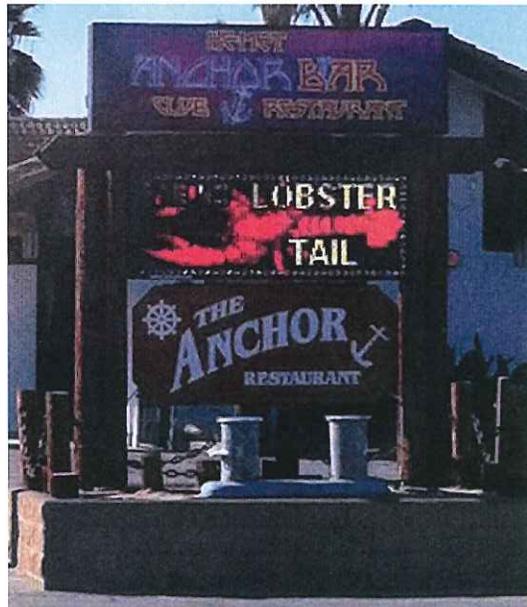


LED Display Board Signs (For Civic Purposes)



These signs display static messages that change copy automatically on a timed basis. The transitions do not fade in or out, scroll, blink, flash, or simulate movement in any way.

LED Display Board (For Commercial Purposes – Single Tenant)



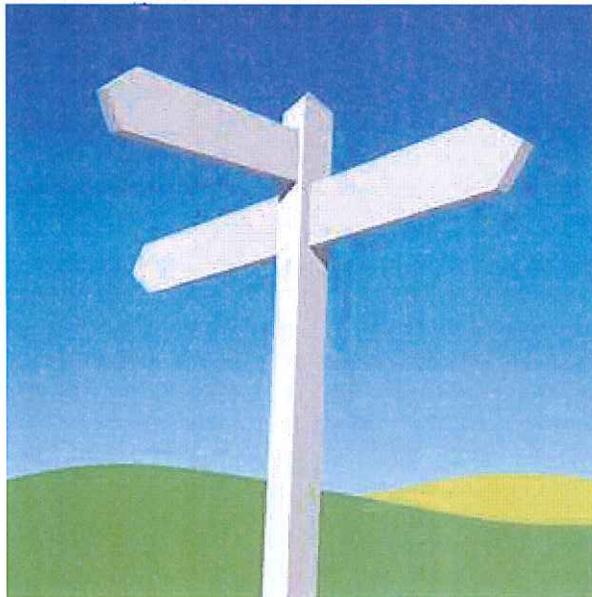
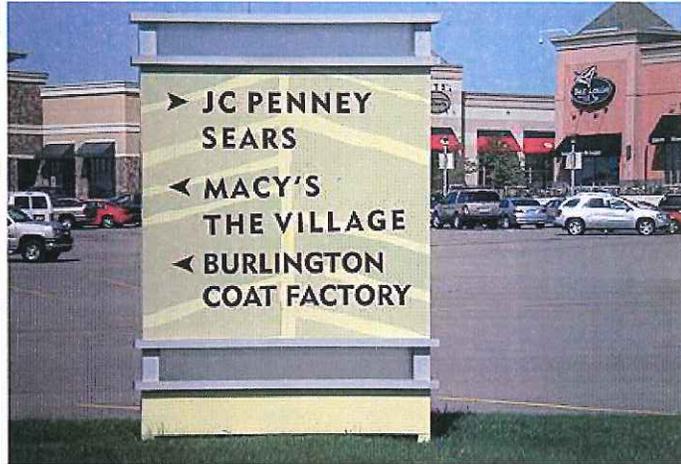
This single tenant sign was erected without proper permits. It does not meet current HMC requirements for signage. The LED display board is animated and does not meet the proposed criteria for changeable copy.

LED Display Board (For Commercial Purposes – Multiple Tenant)



This multiple tenant freestanding sign was erected with proper permits in the City of Canyon Lake. This sign is representative of how an existing freestanding multi tenant sign could be retrofitted to accommodate an LED panel. Changeable copy allows signage access to all tenants in a center. The LED display board is not animated and does meets the proposed criteria for changeable copy.

On-Site Directional Signage

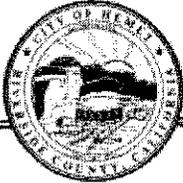


Directional signage is encouraged to be creative by design, but functional and effective to promote wayfinding. Any such signage should be incorporated into a master sign program for a commercial center.

Attachment No. 3

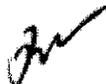
Memorandum Concerning
Enforcement of Hand-
Held Signs

Planning Commission
Work Study of
January 21, 2014



Memorandum

TO: Planning and Code Staff

FROM: Richard Masyczek 

DATE: February 10, 2009

SUBJECT: Hand Held Signs

On February 10, 2009, the City Council informally directed staff NOT to enforce the hand held sign provisions of the sign ordinance. Based on this direction, hand held signs and mascots are NOT to be cited or have any code enforcement taken against them. The Council also directed staff to permit hand held signs and mascots in the public right of way as long as:

1. They are on the sidewalk or parkway area (not in the street!!!).
2. They do not create an obstruction to pedestrian or vehicular movement (e.g. standing in the way of pedestrians and not allowing them to pass).
3. They do not interfere with visibility to motorists (e.g. standing right next to a driveway and blocking drivers view from ingress or egress).

The City Council did not revoke the ordinance, rather they just directed that we not enforce the ordinance for an unspecified time.

Please begin implementation of this directive immediately and continue implementation until otherwise directed.

Thanks



Richard Masyczek
Planning Director