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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: May 21, 2013

CALLED TO ORDER: 6:04 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 Michael Perciful, Vince Overmyer, and Rick Crimeni

ABSENT: None

Invocation and Flag Salute: Vice Chairman Vasquez

2. APPROVAL OF MINUTES:

There were no Minutes on the agenda for approval.

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. ZONING ORDINANCE AMENDMENT (ZOA) NO. 13-001 (HOUSING ELEMENT COMPLIANCE) CONTINUED PUBLIC HEARING FROM THE MAY 7, 2013 MEETING

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

DESCRIPTION: A request for Planning Commission review and recommendation regarding amendments to Hemet Municipal Code Chapter 90 (Zoning Ordinance)

1 to satisfy State housing element law and bring the zoning ordinance into
2 compliance with the General Plan Housing Element Programs in regard to
3 Emergency Shelters, Farmworker Housing, removing age restrictions in the Small
4 Lot Residential Zone, and renaming and adding applicability guidelines to the
5 Senior Housing Overlay Zone.

6
7 (PowerPoint presentation by Planner Nancy Gutierrez)

8
9 Chairman Gifford asked if the senior housing signage was just for new areas or
10 retroactive for existing as well.

11
12 Planner Gutierrez explained that it was for any housing development that has active
13 CC&R's which establish the community as senior housing.

14
15 CDD Elliano further explained that an issue was with the display of banners for senior
16 housing, when the senior housing requirements weren't actually being met. The
17 signage provides clarification.

18
19 City Attorney McEwen noted the federal law requirement which specifies that 80
20 percent of the units, whether occupied or not, be designated as senior.

21
22 Chairman Gifford inquired regarding the process of converting senior to non-senior
23 housing.

24
25 Planner Gutierrez outlined the steps as follows: 1) a permit request must be submitted
26 and approved by the Planning Commission; 2) a number of conditions must be met; 3)
27 the proposed use has to be in accord with the objectives of the chapter; 4) the new
28 uses have to be consistent with the General Plan; 5) the project has to comply with all
29 parking requirements of the Municipal Code; 6) the applicant has to pay all the required
30 fees; 7) the conversion must not be in conflict with the intent or requirements of any
31 financial institution; and 8) all required notices must be given and CEQA requirements
32 complied with.

33
34 Vice Chairman Vasquez asked if there was anything specific in the code regarding
35 signage verbiage or materials used.

36
37 Planner Gutierrez indicated the signage code has specifications on size, type of
38 materials, and zoning requirements where the senior housing project is located. The
39 City cannot require a developer to build a senior project. If a developer wants to build
40 one, the City can support and provide incentives for that, but cannot require them by
41 virtue of zoning a parcel solely for senior housing. The only thing the City can do is
42 offer incentives, such as density bonuses.

43
44 Commissioner Crimeni asked if all cities are required to have emergency shelters,
45 because he understands that Murrieta, Menifee and Temecula do not have them.

46
47 Planner Gutierrez explained that each city is required to allow an emergency shelter to
48 be permitted by right in at least one zone within the city.

49
50 CDD Elliano further reported that every city has to permit them by right, without a
conditional use permit, in at least one zone. Hemet is recognizing and grandfathering it

1 as a permitted use in the C-1 zone, and by CUP, in the C-M zone. She added that
2 Temecula and Murrieta's zoning codes actually allow them in more locations than what
3 we are suggesting with this ordinance.
4

5 Commissioner Crimeni asked about remodeling or changing a location.
6

7 Planner Gutierrez outlined the requirements for remodeling as those listed in the
8 particular zone. State law allows cities to govern for emergency shelters and cannot
9 require anything but the eight provisions that are required by state law. If they fail to
10 meet those requirements, alter the size of the building, terminate their use for six
11 months, violate their maximum capacity, then they have to meet the other provisions.
12 In regard to Valley Restart, it allows for five single men, women, and family rooms.
13

14 Chairman Gifford opened the public hearing.
15

16 Ms. Robin Lowe (no address given) asked for clarification about the rules for the
17 county and cities regarding senior housing and school fees.
18

19 City Attorney McEwen explained that two pieces of legislation had been reviewed –
20 one at the federal level that lowered the threshold for what constitutes a seniors-only
21 project. The rule now says that a development can be deemed "senior" if 80 percent of
22 the units are occupied by people over age 55.
23

24 CDD Elliano explained that in the conversion ordinance, it would require a payment of
25 school fees as well as any other fees previously omitted for a project to convert from
26 senior to non-senior housing. The ordinance is enforced by the Planning Division.
27 Such a conversion is a financial disincentive. She also clarified that federal law and
28 Title 25 addresses mobile home parks, which have specific exemptions as well as their
29 own laws, regulations and protections for senior housing.
30

31 Ms. Donna Banks (4451 East Florida, Hemet) asked if the city was restricted to just
32 one shelter.
33

34 CDD Elliano explained that there is only one shelter at a specific location that's allowed
35 to be grandfathered. Any other shelter would have to be in the Commercial-
36 Manufacturing zone and would require a CUP.
37

38 Ms. Banks asked if there was a way to require restrictions that would allow only
39 residents from Hemet/San Jacinto to utilize the shelter, and stop the overflow from
40 Temecula and other communities that don't provide shelters.
41

42 CDD Elliano reported that Temecula has stepped up their emergency shelter
43 requirements and allows them in far more zones than does Hemet. They are trying to
44 take care of their own homeless population.
45

46 Ms. Lowe asked if the city has plans or a process that would be published to give park
47 residents advance warning if a mobile home park was proposing to convert to non-
48 senior housing.
49

50 CDD Elliano advised that this would be governed by Title 25, with different rules for
conversion.

1
2 The public hearing was closed by Chairman Gifford, who thanked staff and the City
3 Attorney for providing a comprehensive presentation.

4
5 Commissioner Crimeni stated he was pleased that Hemet can keep their senior
6 housing and the shelter.

7
8 Commissioner Overmyer asked about the conversion issue, which would incur school
9 fees and other fees. He wondered if there were any other teeth the city could put in
10 place to make it more difficult to convert.

11
12 City Attorney McEwen explained that the city's ability is restricted under state and
13 federal laws. There are ways to offer incentives on the front end and ways to
14 disincentivize on the back end, which puts other financial consequences into place. He
15 is sure the bases are covered in the ordinance.

16
17 CDD Elliano noted that staff had examined it as best they could to find and add every
18 available means possible without violating state law.

19
20 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner
21 Perciful to **ADOPT** Planning Commission Resolution Bill No. 13-011 recommending
22 **APPROVAL** to the City Council of Zoning Ordinance Amendment 13-001 (Ordinance
23 Bill No. 13-016).

24
25 The **MOTION** was carried by the following vote:

26
27 **AYES:** Chairman Gifford, Vice Chairman Vasquez, and Commissioners Perciful,
28 Overmyer, and Crimeni

29 **NOES:** None

30 **ABSTAIN:** None

31 **ABSENT:** None

32
33 *(Adopted Planning Commission Resolution No. 13-006.)*

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37 **PUBLIC MEETING ITEMS**

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39 **5. SITE DEVELOPMENT REVIEW NO. 13-003 (WOODSIDE HOMES AT**
40 **MCSWEENEY FARMS SPECIFIC PLAN)**

41
42 **APPLICANT:** Woodside O56, LP

43 **LOCATION:** Southeast corner of State Street and South Village Loop

44 **PLANNER:** Carole Kendrick, Contract Planner

45
46 **DESCRIPTION:** A request for Planning Commission review and approval of a Site
47 Development Review application for the design of 40 single-family residential homes
48 within Tract No. 32717-3 (Glenwood) and consideration of a Notice of Determination
49 that the project is consistent with an Environmental Impact Report (EIR) that was
50 adopted for the underlying project, Specific Plan No 01-02. The proposed project is
located at the southeast corner of State Street and South Village Loop within
Planning Area 20 of the McSweeney Farms Specific Plan (SP No. 01-02).

(PowerPoint presentation by Planner Carole Kendrick.)

A number of questions were asked by Commissioners regarding the present situation, amenities, and Home Owner Association (HOA) fees.

CDD Elliano and Planner Kendrick collectively outlined the existing Specific Plan, the status of the master developer, and the recreational amenities still required to be provided in Phase 1.

Commissioner Perciful stated that he would like to have Condition No. 36 added, requiring installation of smoke detectors and carbon monoxide detectors in compliance with Building Code Section 315.

Trent Heiner (2906 Overboard Drive, Menifee), approached the lectern as the project applicant. He expressed thanks to the Planning staff for their help and overview on the 40 unfinished lots. He indicated great interest in moving forward and noted that the current product is selling well, with three more phases to complete before they run out of lots. He advised the Commission that the HOA management company had been notified about tonight's public hearing and that they are supportive of the project. They are also appreciative of the pocket park in Planning Area 10, which was recently completed.

Chairman Gifford asked if the design and approach to this Planning Area 20 was the same as Planning Area 10.

Mr. Heiner responded that some of the conditions require compliance with the current building code, so there are fire sprinklers and possibly carbon monoxide detectors, as well, to which he has no objections.

Chairman Gifford closed the public hearing and stated his feeling that this project was moving in the right direction with its provisions for amenities. He suggested that volume is the solution to the situation there, and the more that can be developed and successfully sold the easier it will be to put the other amenities in place. The products seem consistent with what was originally approved, and he has no objections to the project.

Commissioner Perciful stated that he was very encouraged by the project.

When asked by Commissioner Crimeni what the HOA dues provide for, staff indicated that they paid for maintenance of the smaller parks, security, Wi-Fi and common area maintenance.

It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner Crimeni to **ADOPT** Planning Commission Resolution Bill No. 13-010 **APPROVING** Site Development Review No. 13-003 with the changes to Condition No. 30, adding Lot Nos. 5, 6, 10, 13, and 16, removing Lot No. 1, and revising Lot No. 31 to be a three-foot setback instead of five-feet, and also adding Condition No. 36 to include CO₂ detectors.

1 The **MOTION** was carried by the following vote:
2

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

5 **NOES:** None

6 **ABSTAIN:** None

7 **ABSENT:** None
8

9 *(Adopted Planning Commission Resolution No. 13-007.)*
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DEPARTMENT REPORTS

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14 **6. CITY ATTORNEY REPORTS:** (No report given)
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17 **7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**
18

19 **A. Summary report regarding City Council Meeting of May 14, 2013**
20

21 CDD Elliano reported that the only item of interest to the Planning Commission at the
22 May 14th City Council meeting was with regards to the Planning Commission's action in
23 denying Conditional Use Permit No. 12-007 for the Hemet Jewelry & Loan pawnshop.
24 The applicant appealed the Planning Commission's denial and the appeal hearing was
25 held before the Council on May 14th. There was considerable discussion, and the end
26 result was a continuation to the June 11th Council meeting. There seemed to be a split
27 on the Council. Some were in favor of putting a business in a vacant building, but
28 others were concerned about the gateway and impression of Florida Avenue. Staff will
29 present any additional information that is requested by the Council. No public
30 attendees opposed to the item were present.
31

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33 **8. HEMET ROCS CITIZEN ADVISORY COMMITTEE:** (None)
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35

36 **9. PLANNING COMMISSIONER REPORTS:** (None)
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38

39 **10. FUTURE AGENDA ITEMS:**
40

- 41 A. Multi-Family Zoning Ordinance Compliance Updates for the Housing
42 Element on June 4th
- 43 B. General Plan Consistency Zoning Updates
- 44 C. General Plan Annual Report
- 45 D. Workstudy for Proposed 2014-2021 Housing Element Update in July
- 46 E. Workstudy for Proposed Ramona Creek Specific Plan on June 4th
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1 **11. ADJOURNMENT:**

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3 It was unanimously agreed to adjourn the meeting at 7:15 p.m. to the regular meeting
4 of the City of Hemet Planning Commission scheduled for **June 4, 2013 at 6:00 p.m.** to
5 be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue,
6 Hemet, CA 92543.
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14 _____
15 John Gifford, Chairman
16 Hemet Planning Commission

17 **ATTEST:**

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21 _____
22 Nancie Shaw, Records Secretary
23 Hemet Planning Commission
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