

AGENDA

REGULAR MEETING OF THE HEMET PLANNING COMMISSION

City Council Chambers

450 East Latham Avenue, Hemet CA 92543

March 18, 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: Vice Chairman Vasquez

2. APPROVAL OF MINUTES:

A. Minutes of the March 4, 2014 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. ZONING ORDINANCE AMENDMENT (ZOA) NO.14-002 (Banners in Public Property)

DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding a Zoning Ordinance Amendment to modify Chapter 90, amending Section 90-1316 of the Hemet Municipal Code to allow the City Engineer to approve special event sign permits for banners above city streets, in lieu of City Council approval.

APPLICANT: City of Hemet
Jorge Biagioni, Engineering Director (presentation by Deanna Robertson,
Engineering Department)
Deanna Elliano, Community Development Director

LOCATIONS: Citywide

Recommended Action:

That the Planning Commission:

1. **Adopt Resolution Bill No. 14-005** (Attachment No. 1), recommending that the City Council *APPROVE* Zoning Ordinance Amendment No. 14-002, amending Section 90-1316 of the Hemet Municipal Code regarding the installation of banners above public streets.

DEPARTMENT REPORTS

5. **CITY ATTORNEY REPORTS:** *Verbal report from the Assistant City Attorney on items of interest to the Planning Commission.*
6. **COMMUNITY DEVELOPMENT DIRECTOR REPORTS:** *Verbal reports from Community Development Director Elliano*
 - A. Report on actions from the March 11, 2014 City Council Meeting.
7. **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
8. **FUTURE AGENDA ITEMS:**
 - A. CUP for 7 Days Market
 - B. Jasmine Gardens CUP Extension of Time
 - C. Regent Properties – Ramona Creek SP, TTM and DEIR
 - D. General Plan Consistency Zoning Program – Phase II
 - E. Zone Text Amendment for Temporary Signs

- 9. ADJOURNMENT:** To the meeting of the City of Hemet Planning Commission scheduled for ***April 1, 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).

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PLANNING  *COMMISSION*

MEETING MINUTES

DATE: MARCH 4, 2014 **CALLED TO ORDER: 6:02 P.M.**

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

1. CALL TO ORDER:

PRESENT: Chairman John Gifford, Vice Chairman Greg Vasquez, and Commissioners Rick Crimeni, Vince Overmyer and Michael Perciful
ABSENT: None

Invocation and Flag Salute: Chairman John Gifford

2. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission meeting of February 18, 2014

It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Vice Chair Greg Vasquez to **APPROVE** the Minutes of the Planning Commission meeting of February 18, 2014.

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. SPECIFIC PLAN AMENDMENT NO. 14-001 (McSWEENEY FARMS) A request for Planning Commission review and recommendation to the City Council for Specific

1 Plan Amendment 14-001 to modify the use of Planning Area 35 of McSweeny
2 Farms Specific Plan No. 01-02 from an equestrian center to a private park and
3 consideration of a Notice of Determination that the project is consistent with the
4 Final Environmental Impact Report (FEIR) that was adopted for the underlying
5 project, Specific Plan No. 01-02. The McSweeny Farms Specific Plan is located
6 east of State Street, north of Newport Road and south of Gibbel Road.

7
8 OWNER: McSweeny Recovery Acquisition
9 APPLICANT: Patrick Parker - Raintree Investments
10 PLANNER: Carole L. Kendrick, Assistant Planner
11 LOCATIONS: East of State Street, north of Newport Road, and south of
12 Gibbel Road
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14 (PowerPoint presentation by Asst. Planner Kendrick)
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16 Planner Kendrick indicated her presentation covered both Items 4 and 5 on the
17 agenda, and that updated conditions had been passed out to Commission members.
18

19 Chairman Gifford asked if the current residents are aware of the changes from
20 equestrian center to park area, and Planner Kendrick indicated it was her
21 understanding that the plan had been presented to the HOA and was accepted by
22 them as the preferred plan. In addition, all the residents in the Specific Plan have
23 received the public hearing notice.
24

25 Chairman Gifford also inquired if the park was private, for use of the residents only,
26 and if the maintenance of the park would be taken care of by the HOA.
27

28 Planner Kendrick replied that was her understanding.
29

30 Commissioner Crimeni asked about the as-yet undeveloped lots that were to be
31 available for equestrian homes, how many horses could be maintained per lot, and if
32 there were horse trails around those properties. Planner Kendrick advised the
33 equestrian lots in Planning Areas 25, 26, and 27 allow up to 4 horses. The equestrian
34 lots in Planning Areas 21 – 24 follow the existing Hemet Municipal Code.
35

36 Vice Chair Vasquez indicated it was his original understanding that Valley Wide would
37 maintain the park and wondered if they would take it over later.
38

39 CDD Elliano explained it was originally anticipated that the master developer would
40 own the property and Valley Wide would maintain and operate the equestrian center.
41 However, when Valley Wide was contacted, they were not aware this was in the
42 Specific Plan, and they did not currently maintain any other equestrian facilities, so this
43 would be something new to them and outside their expertise with parks. There is no
44 written obligation for Valley Wide to maintain the property. Evidently, it was an idea or
45 concept that was presented when the Specific Plan was approved, but there was no
46 implementing agreement.
47

48 Chairman Gifford asked if these changes would affect the rest of the equestrian
49 properties or those planned for in the future, with Planner Kendrick answering they
50 would not.

1 Commissioner Perciful expressed his concern that, like another park on the property,
2 use of it would be delayed for years. He wondered if the HOA takeover would expedite
3 the park's use by the residents.

4
5 Commissioner Crimeni asked if the HOA fees would go up because of their
6 maintenance of the park, and Chairman Gifford questioned further when the fees would
7 commence. Would they start collecting the fees in relation to when it's going to be
8 built.

9
10 Chairman Gifford opened the public hearing for both agenda items 4 and 5 so the
11 questions could be answered by the applicant.

12
13 Patrick Parker, who represents Raintree Investments, indicated the property is owned
14 by a company known as McSweeney Recovery Acquisition. He continued to give the
15 history and background of the financial intricacies of the distressed property and their
16 hopes for the future development of what he named Phase 2 and Phase 3, with
17 Woodside as the guest builder because Lennar sold their interest to Woodside.

18
19 He indicated that his company probably bought the property two years too early,
20 hoping the market would recover sooner, but there is movement in the right direction
21 now, with Woodside now operating at 225 homes, with completion of Phase 1 at 310.
22 When there are 310 homes, hopefully around this time next year, the community will
23 have a lot more money and more things can be done. At a meeting held with the
24 residents, it seemed their feeling was a private park would better suit their needs than
25 an equestrian center at this time. There is hope of maintaining the great trail system
26 around McSweeney and connect Newport Road to South Village Loop. When the HOA
27 is ready to take on the maintenance of the park, Raintree, or a builder, will build it.

28
29 Some of the changes to the conditions in the Specific Plan reflect how things were
30 done in the past and the way they are done now. These changes should improve the
31 Plan. Mr. Parker indicated his excitement for the future of this part of Hemet and
32 thanked the city for their assistance during difficult times.

33
34 Chairman Gifford wanted to know what the park would look like because there are
35 many ways it could go, especially since it will be maintained by the HOA.

36
37 Mr. Parker indicated that some other group, not the city or HOA, would build it, and
38 hopefully the HOA would maintain it. He indicated that an equestrian center would be
39 cheaper, but they want a park that will accommodate all residents. Also, if it's open to
40 the public, code enforcement becomes an issue. He did not feel that they would have
41 to increase HOA fees if the building projections are met.

42
43 Chairman Gifford asked Mr. Parker if he agrees with the conditions outlined by the
44 Planning Department, and Mr. Parker said he did.

45
46 Randy Terrey, 3444 Night Shade Street, Hemet, around the corner from the proposed
47 park, indicated a concern regarding parking spaces available for park users and what
48 kind of lighting is planned for night-time use of the park.

49
50 CDD Elliano stated the design would be submitted to the Planning Commission after it
has been vetted by the HOA members. It would be brought as a Site Development
Review.

1 Chairman Gifford assured Mr. Terrey that he would have input as an HOA member
2 when the developer brings the item to their meetings. He also asked if Mr. Terrey had
3 any objections to a park rather than an equestrian center. Mr. Terrey indicated a park
4 was fine with him.

5
6 Chairman Gifford closed the public hearing and asked for a motion on this item.

7
8 It was **MOVED** by Commissioner Vince Overmyer and **SECONDED** by Commissioner
9 Rick Crimeni to **ADOPT** Resolution Bill 14-003 (Attachment No. 1) recommending
10 **APPROVAL** to the City Council of Specific Plan Amendment No. 14-001 to the
11 McSweeney Farms Specific Plan (SP 01-02), with the amendment of Condition No. 6 to
12 replace "Planning Division" with "Planning Commission."

13
14 The **MOTION** was carried by the following vote:

15
16 AYES: Chairman John Gifford, Vice Chairman Greg Vasquez, and
17 Commissioners Michael Perciful, Vince Overmyer and Commissioner
18 Rick Crimeni
19 NOES: None

20
21 **5. MINOR AMENDMENT TO FINAL TRACT MAP NOS. 32529 AND 33961 (MAP 14-**
22 **001)** A proposed amendment to Final Tract Map Nos. 32529 and 33961 to modify
23 Condition of Approval No. 25 of Final Tract Map No. 32529 and Condition of
24 Approval No. 26 of Final Tract Map No. 33961 regarding the construction milestone
25 for Planning Area No. 35 of McSweeney Farms Specific Plan and other minor
26 changes to insure consistency with the Specific Plan, and consideration of a Notice
27 of Determination that the project is consistent with a Final Environmental Impact
28 Report (FEIR) that was adopted for the underlying project, Specific Plan No. 01-02.
29 The McSweeney Farms Specific Plan is located east of State Street, north of
30 Newport Road and south of Gibbel Road.

31
32 OWNER: McSweeney Recovery Acquisition
33 APPLICANT: Patrick Parker - Raintree Investments
34 PLANNER: Carole L. Kendrick, Assistant Planner
35 LOCATIONS: East of State Street, north of Newport Road, and south of
36 Gibbel Road
37

38 It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner
39 Vince Overmyer to **ADOPT** the revised conditions of approval for Final Map Nos.
40 32529 and 33961; and direct Staff to update Tentative Tract Map No. 32529 and 33961
41 files with the updated conditions of approval, with the amendment of Condition No. 6 to
42 replace "Planning Division" with "Planning Commission."

43
44 The **MOTION** was carried by the following vote:

45
46 AYES: Chairman John Gifford, Vice Chairman Greg Vasquez, and
47 Commissioners Michael Perciful, Vince Overmyer and Commissioner
48 Rick Crimeni
49 NOES: None

1 **6. FIRST AMENDMENT TO DEVELOPMENT AGREEMENT NO. 14-001 FOR THE**
2 **McSWEENEY FARMS SPECIFIC PLAN (DAA 14-001)** A proposed amendment to
3 Development Agreement No. 04-001 between the City of Hemet and McSweeney
4 Recovery Acquisition to extend the existing McSweeney Farms (SP 01-02)
5 Development Agreement No. 04-001 for a period of four (4) years, other minor
6 revisions or updates and consideration of a Notice of Determination that the project
7 is consistent with a Final Environmental Impact Report (FEIR) that was adopted for
8 the underlying project, Specific Plan No. 01-02. The McSweeney Farms Specific
9 Plan is located east of State Street, north of Newport Road and south of Gibbel
10 Road.

11
12 OWNER: McSweeney Recovery Acquisition
13 APPLICANT: Patrick Parker - Raintree Investments
14 PLANNER: Carole L. Kendrick, Assistant Planner
15 LOCATIONS: East of State Street, north of Newport Road, and south of Gibbel
16 Road

17
18 (PowerPoint presentation by Assistant Planner Carole Kendrick)

19
20 Chairman Gifford asked if the applicant has indicated why seven years (to 2021) is the
21 right number.

22
23 Planner Kendrick explained that there was no development in the project for three
24 years due to the downturn of the economy, and they are asking for four years. CDD
25 Elliano said that staff was comfortable with that time period.

26
27 Chairman Gifford opened the public hearing.

28
29 Mr. Parker indicated he does not know if seven is the perfect number because so much
30 depends on the economy, but he indicated Phase 2 is blocked out and ready to go for
31 a 100+ lot kind of builder. He is hoping that Phase 3 will draw a high-end builder, as
32 the lots are bigger and have incredible views, so they want to take advantage of that
33 when the market improves to the level that can support a higher end development.

34
35 With no other participants wanting to speak, Chairman Gifford closed the public
36 hearing and asked for a motion.

37
38 It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner
39 Vince Overmyer to **ADOPT** Resolution Bill No. 14-004 recommending approval to the
40 City Council of Development Agreement No. 14-001 to the McSweeney Farms
41 Development Agreement No. 04-001.

42
43 The **MOTION** was carried by the following vote:

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45 AYES: Chairman John Gifford, Vice Chairman Greg Vasquez, and
46 Commissioners Michael Perciful, Vince Overmyer and Commissioner
47 Rick Crimeni

48 NOES: None
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DEPARTMENT REPORTS

7. CITY ATTORNEY REPORTS: Assistant City Attorney Jex did not have anything to report.

8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

A. Report on actions from the February 25, 2014 City Council Meeting

CDD Elliano reported that the IT Department has made some major changes in terms of the city's computer systems, as well as Outlook and Windows 2010 and received recognition. Also, the deputy city manager, HR director and IT director Rita Conrad is leaving. An interim finance director has been appointed until new personnel are hired.

9. PLANNING COMMISSIONER REPORTS:

- A. Chairman Gifford (Nothing to report)
- B. Vice Chair Vasquez (Nothing to report)
- C. Commissioner Perciful (Nothing to report)
- D. Commissioner Overmyer wondered about rumors of park closures in Hemet.

CDD Elliano reported that Western and Gibbel Parks are each being closed for one day a week to allow a special task force of Hemet PD, working with Public Works, to clear the parks of debris so the parks can be mowed and cleaned.

E. Commissioner Crimeni commented on the new Alessandro performing this year and giving a new interpretation at the Ramona Bowl. He urged everyone to go.

10. FUTURE AGENDA ITEMS:

- A. CUP for Multi-tenant office building
- B. Regent Properties - Ramona Creek SP, TTM and DEIR
- C. General Plan Consistency Zoning Program - Phase II
- D. Zone Text Amendment for Temporary Signs.

11. ADJOURNMENT:

It was unanimously agreed to adjourn the meeting at 7:09 p.m. to the regular meeting of the City of Hemet Planning Commission Meeting scheduled for **March 18, 2014 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, CA 92543.

John Gifford, Chairman
Hemet Planning Commission

ATTEST:

Melissa Couden, Records Secretary
Hemet Planning Commission



Staff Report

TO: Honorable Chairman and Members of the Planning Commission

FROM: Deanna Elliano, Community Development Director
Jorge Biagioni, Engineering Director/City Engineer

DATE: March 18, 2014

RE: **ZONING ORDINANCE AMENDMENT (ZOA) NO. 14-002 (Banners in Public Property)**: A request for Planning Commission review and recommendation to the City Council regarding a Zoning Ordinance Amendment to modify Chapter 90, amending Section 90-1316 of the Hemet Municipal Code to allow the City Engineer to approve special event sign permits for banners above city streets, in lieu of City Council approval.

RECOMMENDED ACTION:

That the Planning Commission:

Adopt Planning Commission Resolution Bill No.14-005, recommending that the City Council approve Zoning Ordinance Amendment No. 14-002, amending Section 90-1316 of the Hemet Municipal Code regarding the installation of banners above public streets.

BACKGROUND:

The original ordinance, adopted by the City Council on March 23, 1999, allows the installation of banners, flags, emblems, bunting, or other similar devices upon or over any public street, sidewalk, or other public street in the city for festivals and events that are deemed to be of community-wide benefit, subject to the City Council's approval. The applications for these banners are processed by the Engineering Department, and placed on the City Council agendas for approval.

The City currently has two locations for the installation of banners on Florida Avenue, west of Kirby Street, and east of Harvard Street. Because the nature of Florida Avenue as a State Route (SR-74), it requires the City to obtain an annual encroachment permit from the State's Department of Transportation (Caltrans) to place the banners. Cal Trans has specified conditions as to the types of non-profit events that can be advertised, and these requirements are part of the banner permit application. The purpose of the proposed zoning ordinance amendment is to streamline the process for the public and community groups, so that they do not need to wait for the item to be placed on a Council agenda for approval.

PROPOSED ORDINANCE DESCRIPTION:

The proposed Ordinance will transfer the approval authority from the City Council to the City

Engineer, making the authorization of new banners a ministerial action that can be accomplished much quicker than the current practice. The text of the proposed Ordinance is included as Attachment No. 1A to this staff report.

The proposed ordinance accomplishes the following:

1. Provides the City Engineer with the authority to approve the requests for installation of banners.
2. Streamlines the approval process for the placement of banners, over public streets, because it will no longer require the preparation of staff reports and consideration by the Council.

COORDINATION AND PUBLIC REVIEW:

On March 6, 2014, the City published a notice in the Press Enterprise of the holding of a public hearing before the Planning Commission at which the amendment to the City's zoning ordinance would be considered. The text of the proposed ordinance was prepared by the City Attorney's office.

At the time this staff report was prepared, no public comments on the draft ordinance had been received.

CONSISTENCY WITH ADOPTED GOALS, PLANS, AND PROGRAMS:

The proposed ordinance is in conformance with the adopted 2030 General Plan for the City, and does not conflict with any policies or programs in any other element of the General Plan. The proposed ordinance also serves to further the following two Land Use Policies in the General Plan:

1. Policy LU-7.16 – Special Events *“Collaborate with local business organizations to establish special events that attract residents and visitors to the Historic Downtown core.”*
2. Policy LU-12.4 – Tourism Venues and Events *“Promotes tourism venues including museums, cultural establishments and activities, entertainment, recreational and sporting events, and conventions that attract visitors to Hemet and the Valley.”*

CEQA REVIEW AND COMPLIANCE:

The City has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act (“CEQA”) under section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed Zoning Ordinance Amendment 14-002 will have a significant effect on the environment due to the fact that the ordinance amendment is limited in scope to changing the approval authority to the City Engineer for permitting banners across public streets.

Prepared by:



Jorge Biagioni
Engineering Director/City Engineer

Reviewed by:



Dearna Elliano
Community Development Director

ATTACHMENTS:

1. Planning Commission Resolution Bill No. 14-005
Exhibit 1A – Proposed City Council Ordinance Bill No. 14-011

Attachment 1

**Planning Commission
Resolution Bill No. 14-005**



CITY OF HEMET
Hemet, California

PLANNING COMMISSION
RESOLUTION BILL NO. 14-005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING ORDINANCE AMENDMENT NO. 14-002, AN ORDINANCE AMENDING SECTION 90-1316(D) OF ARTICLE XXXVII "SIGNS" (PUBLIC PROPERTY) OF THE HEMET MUNICIPAL CODE.

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

WHEREAS, on March 6, 2014, the City gave public notice by publishing notice in the Press Enterprise of the holding of a public hearing at which the amendment to the City's zoning ordinances would be considered; and

WHEREAS, on March 18, 2014 the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the proposed amendment to the City's zoning ordinance and at which time the Planning Commission considered the proposed amendment to the City's zoning ordinance; and

WHEREAS, the City has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed Zoning Ordinance Amendment 14-002 will have a significant effect on the environment due to the fact that the ordinance amendment is limited in scope to changing the approval authority to the City Engineer for permitting banners across public streets; and

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

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

Planning Commission Resolution Bill No. 14-005
ZONING ORDINANCE AMENDMENT NO. 14-002
Installation of Banners on City Streets

1
2 **SECTION 1: ENVIRONMENTAL FINDINGS**
3

4 The Planning Commission, in light of the whole record before it, including but not limited
5 to, the City's Local CEQA Guidelines and Thresholds of Significance, the direction of
6 the Planning Commission at its meeting on March 18, 2014 and documents
7 incorporated therein by reference, and any other evidence (within the meaning of Public
8 Resources Code Sections 21080(e) and 21082.2) within the record or provided at the
9 public hearing of this matter, hereby finds and determines as follows:

10 The City has analyzed this proposed project and has determined that it is exempt from
11 the California Environmental Quality Act ("CEQA") under section 15061(b)(3) of the
12 CEQA Guidelines because it can be seen with certainty that there is no possibility that
13 the proposed Zoning Ordinance Amendment 14-002 will have a significant effect on the
14 environment due to the fact that the ordinance amendment is limited in scope to
15 changing the approval authority to the City Engineer for permitting banners across
16 public streets; and
17

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

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

- 21 1. *The zoning ordinance amendment is in conformance with the latest adopted general*
22 *plan for the City.*
23

24 The proposed zoning ordinance amendment is in conformance with the latest
25 adopted general plan for the City in that adopting a permitting process for banners
26 installed across public streets does not conflict with any allowable uses in the land
27 use element and does not conflict with any policies or programs in any other element
28 of the general plan. This Ordinance is also in conformance with several objectives
29 of the City's General Plan, including:
30

- 31 1. Policy LU-7.16 – Special Events *“Collaborate with local business organizations to*
32 *establish special events that attract residents and visitors to the Historic Downtown*
33 *core.”*
34
35 2. Policy LU-12.4 – Tourism Venues and Events *“Promotes tourism venues including*
36 *museums, cultural establishments and activities, entertainment, recreational and*
37 *sporting events, and conventions that attract visitors to Hemet and the Valley.”*

38
39 **SECTION 3: PLANNING COMMISSION ACTIONS**
40

41 The Planning Commission hereby takes the following actions:

Planning Commission Resolution Bill No. 14-005
ZONING ORDINANCE AMENDMENT NO. 14-002
Installation of Banners on City Streets

1. The Planning Commission approves Resolution Bill No. 14-005 recommending that the City Council adopt the proposed Ordinance which is attached hereto and incorporated herein by reference as Exhibit "A."

PASSED, APPROVED AND ADOPTED this 18th day of March, 2014, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

John Gifford, Chairman
Hemet Planning Commission

ATTEST:

Melissa Couden, Records Secretary
Hemet Planning Commission

Planning Commission Resolution Bill No. 14-005
ZONING ORDINANCE AMENDMENT NO. 14-002
Installation of Banners on City Streets

Exhibit 1A

**Proposed City Council
Ordinance Bill No. 14-011**



**CITY OF HEMET
Hemet, California
ORDINANCE BILL NO. 14-011**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HEMET, CALIFORNIA, AMENDING SECTION 90-1316 OF THE
HEMET MUNICIPAL CODE REGARDING SPECIAL EVENT SIGN
PERMITS FOR BANNERS ABOVE CITY STREETS.**

WHEREAS, Section 90-1316(b) allows signs to be erected on public property for certain "eligible events" (Ramona Pageant, Winter Visitors, the Weekend and the Jaycee's Christmas Parade) and other events approved by the City Council; and,

WHEREAS, Section 90-1316(d) provides that permits to erect signs on public property for special events will "generally" be processed by the Engineering Department and approved by the City Council regarding the allowable events in accordance with Section 90-1316; and,

WHEREAS, the City Council wants to amend Section 90-1316(b) and (d) to expressly allow the City Engineer to approve permits to install banners above City streets for any community event that meets the application criteria and CalTrans conditions, if applicable.

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

SECTION 1: AMENDMENT OF SECTION 90-1316(B).

Section 90-1316(b) of the Hemet Municipal Code is amended to read as follows:

"(b) Eligible events and festivals include the Ramona Pageant, Winter Visitors, the Weekend and the Jaycee's Christmas Parade. In addition, based upon evidence submitted on a case-by-case basis, upon application to the city, the city engineer or director, as appropriate, may find and determine that other festivals and events have a community-wide benefit and participation and are therefore eligible."

SECTION 2: AMENDMENT OF SECTION 90-1316(D).

Section 90-1316(d) of the Hemet Municipal Code is amended to read as follows:

"(d) Applications for a public property sign approval will be processed in the manner provided in section 90-1246 using the form supplied by the director, except that applications to install a banner above a city street shall be processed by the engineering department and approved by the city engineer in accordance with application requirements approved by the engineering department, as reviewed by the city attorney, and such conditions of the city's encroachment permit issued by the California Department of Transportation as are applicable. Any decisions by the director or city engineer may be appealed as provided in section 90-1284. The application must include a map showing the location where the proposed signage is to be installed, the contemplated dates during which

1 such signage will remain on or over any public property in the city, a chart or drawing
2 showing that the signage will not interfere with traffic or the safety of persons using such
3 public property. In addition, the applicant must provide proof of general liability
4 insurance in such reasonable form and amounts as may be required by the city attorney
5 and must also execute an indemnification and hold harmless agreement in such
6 reasonable form as may be approved by the city attorney."

5 **SECTION 3: SEVERABILITY.**

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

10 **SECTION 4: EFFECTIVE DATE.**

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

13 **SECTION 5: PUBLICATION.**

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

17 **INTRODUCED** at the regular meeting of Hemet City Council on _____ 2014.

18 **APPROVED AND ADOPTED** this ___ day of _____ 2014.

20 _____
21 **Larry Smith, Mayor**

22 **ATTEST:**

APPROVED AS TO FORM:

24 _____
25 **Sarah McComas, City Clerk**

24 _____
25 **Eric S. Vail, City Attorney**

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State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Ordinance was introduced and first read on the ___ day of _____ 2014, and had its second reading at the regular meeting of the Hemet City Council on the ___ day of _____, 2014, and was passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sarah McComas, City Clerk