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PLANNING  **COMMISSION**

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MEETING MINUTES

11 **DATE: OCTOBER 20, 2015**

CALLED TO ORDER: 6:00 P.M.

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13 **MEETING LOCATION:** City Council Chambers
14 450 East Latham Avenue
15 Hemet, CA 92543

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1. CALL TO ORDER:

PRESENT: Chairman John Gifford, Commissioners Tami Wilhelm, Greg Vasquez, and Vince Overmyer

ABSENT: (With Notice) Vice Chairman Michael Perciful

Invocation and Flag Salute: Chairman John Gifford

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2. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of September 15, 2015

It was **MOVED** by Commissioner Tami Wilhelm and **SECONDED** by Commissioner Vince Overmyer to **ADOPT** the Minutes of the September 15, 2015 Hemet Planning Commission Meeting.

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

AYES: Chairman John Gifford and Commissioners Tami Wilhelm, Vince Overmyer and Greg Vasquez.

ABSENT: Vice Chair Michael Perciful

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3. PUBLIC COMMENTS: (None)

PUBLIC HEARING ITEMS

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4. ZONING ORDINANCE AMENDMENT (ZOA) NO. 15-006 (METAL STORAGE CONTAINERS) - A city-initiated ordinance amending certain sections of Chapter 90 (Zoning Ordinance) of the City of Hemet Municipal Code to update provisions related to the use of metal shipping containers for storage on properties in the City of Hemet. **(Continued from the September 15, 2015 Planning Commission Meeting).**

1 **Project Information:**

2
3 Applicant: City of Hemet
4 Location: Citywide
5 Planner: H.P. Kang, Principal Planner
6

7 (PowerPoint presentation by Planner H.P. Kang.)
8

9 In answer to a question by Commissioner Wilhelm, CDD Elliano outlined possible
10 solutions to questions posed at the former meeting where this issue was considered.
11 The differences between industrial and commercial zones were outlined, including
12 proposed grandfathering and hardship exemptions.
13

14 Chairman Gifford asked if the Chamber had been notified of the provisions and
15 approaches being taken in the commercial and industrial zones. He also suggested
16 that the staff report be more inclusive and questioned what the differences were
17 between the commercial and industrial zones.
18

19 CDD Elliano said there had been a packet sent out to them and also some phone
20 calls. But the information had not as yet been sent by the Chamber to their members,
21 so a meeting will be set in the future to gain their input and give them further
22 explanation. She mentioned that aesthetics were a major concern in the commercial
23 sector. In the industrial areas storage containers are more commonly used and are
24 less of an aesthetics issue. They are also permitted by code in industrial areas,
25 although for temporary use. Staff is attempting to somehow achieve balance.
26

27 Commissioner Overmyer wanted to know about the residential component and if that
28 would be included.
29

30 Planner Kang said that there is an ordinance being worked on for single-family
31 residential as separate from the commercial and industrial. It addresses moving
32 containers, pods, and construction.
33

34 Commissioner Overmyer wanted to know how long the permit would last, and Planner
35 Kang replied that the temporary permit lasts for 90 days, after which if a situation
36 arises where more time is needed, the director has the authority to extend the period.
37 The permanent permit will be in effect during the business operation.
38

39 Commissioner Wilhelm asked about the means of getting the information about the
40 ordinances out to the public so they could comply in a timely manner.
41

42
43 Planner Kang explained they are working with the Chamber and hoping to get the
44 information out that way and by whatever other means they must take.
45

46 Chairman Gifford announced the continuation of the public hearing and asked if there
47 were speakers from the audience who wished to be heard. There being none, he
48 asked that it be brought back to the Commission for further comments. He noted that
49 in reference to the containers in residential areas, what is enjoyable to some is a
50 nuisance to others. What is the recourse of the city if nothing is included in the
ordinance to address these issues?

1 CDD Elliano explained that they are postponing the residential ordinance because at
2 this point, it has not been a large issue. Such things as storage sheds from Lowes or
3 Home Depot must be less than 120 square feet and cargo containers are not
4 permitted. In Ag zones and lots of larger size there are more considerations, and
5 these will be addressed in the future ordinance.

6
7 Commissioner Overmyer commented that the hardship criteria should be nailed down
8 so the city is not accused of being unfair.

9
10 Commissioner Wilhelm suggested that as new Specific Plans come forward for the
11 commercial zone, the applicants be advised that they can't use metal containers, so
12 they must plan for storage space in their initial plan.

13
14 CDD Elliano agreed, but stated they can still apply for a temporary seasonal unit, but
15 not a permanent permit.

16
17 Chairman Gifford also suggested that the safety issues, such as electricity and ADA
18 requirements be considered carefully. He asked if there was a motion to continue this
19 item.

20
21 It was **MOVED** by Commissioner Greg Vasquez and **SECONDED** by Commissioner
22 Vince Overmyer to **CONTINUE** the Public Hearing to the November 19, 2015 Hemet
23 Planning Commission Meeting.

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

26
27 **AYES:** Chairman John Gifford and Commissioners Tami Wilhelm, Vince
28 Overmyer and Greg Vasquez.

29 **ABSENT:** Vice Chair Michael Perciful
30

31 **5. EXTENSION OF TIME NO. 15-002 FOR TENTATIVE TRACT MAP NO. 33858 -**

32 A request for a three (3) year extension of time for a previously approved Tentative
33 Tract Map No. 33858 for the subdivision of 9.58 acres into 37 single family
34 residential lots with a minimum lot size of 7,200 square feet, located on south side
35 of Eaton Avenue between Sanderson Avenue and Kirby Street.
36

37 **Project Application Information:**

38
39 Applicant: Steve Krasovec-Desert Ice Holdings
40 Project Loc: South side of Eaton Ave., between Sanderson Ave. and
41 Kirby St.

42 APN: 444-190-001

43 Site Area: 9.58 acres
44

45 (PowerPoint presentation by Planner Carole Kendrick)
46

47 Chairman Gifford noted that the request centers on storm runoff issues that were not
48 anticipated in the prior requirements for the tract map. He wanted to know what
49 changes were being requested and when the changes would go into effect.
50

1 Planner Kendrick said her understanding was they intended to submit a revised map
2 before the present map was to expire; however, there were problems meeting the new
3 standards and getting new studies prepared to today's standards for the new map and
4 that they would have to come in with a new application.
5

6 City Engineer Latino said he did not know the exact dates that the updates to those
7 standards have changed because they're constantly evolving. He said the current
8 map has already been approved and technically they can go out and build as it stands
9 today. With the revised map, once you review the map and do a new application, you
10 have to bring it to new standards. They became aware of the new standards when
11 they came in for the pre-application of the new map.
12

13 Planner Kendrick explained that the applicant doesn't own the property yet because
14 it's still in escrow, but the original owner has signed the application. The applicant is
15 trying to keep his options open.
16

17 There was further discussion about the timing of the extension and the possibility of a
18 one-year, two-year or three-year extension. Staff felt the one-year extension was
19 reasonable. When the new map is submitted, its clock will start with the initial two-
20 year window for them to record the map and three one-year extensions, so that map
21 will have five years when it comes forward, with the updated conditions of approval to
22 current standards.
23

24 Commissioner Overmyer felt two years should be given.
25

26 The applicant, Wayne Vaughn, CEO of Desert Ice Holdings, explained the reasons for
27 the revisions to the map, including changes because of constraints, grading
28 standards, retention basins, etc. He said he has been working on the revisions for 15
29 months, and it's much harder to get a map done than it used to be. He is asking for a
30 three-year extension, although he did not think it would take three years to complete.
31

32 Chairman Gifford asked when he knew he would have to make the changes.
33

34 Mr. Vaughn replied about 16 months ago they were told the city didn't want retention
35 basins anymore on their main streets and in the subdivisions. He stated they have
36 gone through four separate designs, raising and lowering streets and pads to make it
37 work. He said it is his intention to close escrow once he gets the map and the
38 engineering of the street and grading and everything approved.
39

40 Commissioner Vasquez and Overmyer asked about the extension time limit and the
41 cost to reapply, and Planner Kendrick replied that she felt the applicant was very close
42 to submitting the revised map and that it could be processed and brought before the
43 Planning Commission well before a year. The cost would be \$900-\$1,000 for
44 resubmittal.
45

46 Chairman Gifford opened the public hearing, but no speakers came forward.
47

48 Commissioner Vasquez felt the one-year extension was adequate for what needed to
49 be done; Commissioner Overmyer was willing to extend for two or three years;
50

1 Commissioner Wilhelm supported the one-year extension because she felt staff was
2 anxious to work with the applicant to get this accomplished in a timely manner; and
3 Chairman Gifford said he was on the fence, but would entertain a motion.
4

5 It was **MOVED** by Commissioner Greg Vasquez and **SECONDED** by Commissioner
6 Tami Wilhelm to **APPROVE** Planning Commission Resolution Bill 15-020 approving
7 Extension of Time No. 15-002 for a one-year extension for Tentative Tract Map No.
8 33858 subject to the findings and conditions of approval and direct staff to file a Notice
9 of Determination with the County Clerk.
10

11 The **MOTION** was carried by the following vote:
12

13 **AYES:** Chairman John Gifford and Commissioners Tami Wilhelm, Vince
14 Overmyer and Greg Vasquez

15 **ABSENT:** Vice Chair Michael Perciful
16

17 **DISCUSSION ITEMS**

18 **6. SUMMARY UPDATE REGARDING 2015 STATE LEGISLATION:**

19
20 CDD Elliano reported on a number of new bills passed by the State Legislature,
21 including the following:
22

23
24 SB 379 is a General Plan-related bill dealing with safety elements within the General
25 Plan, including now requiring in 2017 what's called a local hazard mitigation plan
26 addressing climate adaptability and resiliency strategies, which is the next phase of
27 the climate action plans. These include reduction of greenhouse gas emissions. This
28 is a State unfunded mandate.
29

30
31 Another bill is the Community Revitalization and Investment Bill, one of the few bills
32 surviving as the post-RDA Redevelopment Agency. The city or county would have to
33 establish a governing board. Through tax increments you can rehabilitate
34 infrastructure, issue bonds, adopt a community revitalization and investment plan and
35 provide assistance to businesses. Then there is a bill in regard to Density Bonus Law,
36 which restricts cities and counties in denying density bonuses because of parking
37 restrictions. This is a shift in the direction of utilizing mass transit and walking
38 communities.
39

40 AB 1164 forbids a city or county from increasing any regulation that prohibits drought-
41 tolerant landscaping, artificial turf or artificial grass. The city cannot impose fines for
42 ~~people who have a brown lawn.~~ It also prohibits HOAs or common interest
43 subdivisions from imposing regulations that do not allow drought-tolerant landscaping.
44

45 City Attorney Jex explained AB 52, a new requirement for all projects that have a
46 General Plan Amendment attached, unless they are exempt from CEQA review. The
47 steps are a Native American tribe will send a general letter to the city requesting
48 notification of a non-exempt project; the city then sends such notification and asks if
49 the tribe wants a consultation; the tribe has 30 days to respond or not to respond; if
50 they don't respond in 30 days, there is no consultation.

1 The next bill is AB 243 establishing the Department of Food and Agriculture as the
2 licensing and regulatory authority for medical marijuana cultivation or growing of
3 medical marijuana. If the city does not have an ordinance in place regarding
4 prohibition of cultivation of marijuana and wishes to have one, it must be in place by
5 March 1, 2016.
6

7 AB 266 creates a new Bureau of Medical Marijuana Regulation whose authority it is to
8 issue state licenses for medical marijuana dispensaries and to later develop
9 regulations for those dispensaries.
10

11 The last bill establishes some standards for physicians recommending medical
12 marijuana and includes discipline for doctors who are recommending excessive
13 amounts.
14

15 Even though the governor signed these three bills regarding medical marijuana, it still
16 preserves local control and the ability of cities to completely prohibit medical marijuana
17 dispensaries if the city wishes to.
18

19 Further discussion among Commission Members ensued, with CDD Elliano notifying
20 them that the city needs to enact an ordinance prohibiting the cultivation of medical
21 marijuana by the March deadline, so a draft ordinance will come to them by the
22 second meeting in November.
23

24 **7. CITY ATTORNEY REPORT:** (Nothing to report)
25

26 **8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**
27

28 **A. Report on actions from the September 22 and October 13, 2015 City**
29 **Council Meetings**
30

31 CDD Elliano reported that at the September 22 meeting, the city's water district
32 established new water rates and sewer rates to better respond to the drought, as well
33 as a groundwater management plan, that had not been updated for quite a while.
34 There was also an emergency item for a structure called the Potato Shed, which
35 needed to be demolished and cleaned up. There is evidence of asbestos and lead
36 materials and the city is working with the insurance company to see if there is any
37 potential to allocate some insurance funds for it. It has been fenced and "No
38 Trespassing" signs put up, but transients continue to get into the space.
39

40 At the October 13th meeting, there was a resolution approved for a User Fee Update.
41 It allocates existing overhead costs to that fee system based on the adopted budget.
42 They're fairly modest increases, and they will be in place December 14, 2015.
43

44 The Council approved the zoning ordinance amendment regarding outdoor vehicle
45 sales display pennants by a 3 to 2 vote, with Councilmember Raver and Pro Tem
46 Wright voting in opposition. Fire Chief Scott Brown brought forward a proposal for an
47 alternative 911 pilot project with AMR and three skilled nursing facilities in an effort to
48 free up firefighters for more critical emergency tasks.
49
50

1 There was also a report on steps being taken to bolster the city's financial health. At
2 present, that deficit is \$2 million as opposed to the former \$5 million, but other steps
3 are being considered to bring it to zero by 2020.
4

5 **B. Joint City Council Planning Commission Workshop on the Downtown**
6 **Specific Plan November 3, 2015**
7

8 CDD Elliano reported that the November 3 Planning Commission meeting is being
9 allocated for a City Council/Planning Commission workshop on the Downtown Specific
10 Plan to begin at 6 p.m. It intended to achieve consensus on land use, parks and open
11 spaces, and street scape design, before the consultant team gets into the details of
12 the Specific Plan text.
13

14 **C. LAFCO hearing for ANNEXATION 14-001, October 22, 2015.**
15

16 Hemet's annexation of approximately 1,000 acres to the southwest is now to be heard
17 at the October 22nd meeting of LAFCO.
18

19 **9. PLANNING COMMISSIONER REPORTS:**
20

- 21 **A. Chairman Gifford (Nothing to report.)**
- 22 **B. Vice Chair Perciful (Absent.)**
- 23 **C. Commissioner Overmyer (Nothing to report.)**
- 24 **D. Commissioner Wilhelm reported on Boo At The Bowl, a \$5 entrance fee for**
25 **a not overly-scary environment for parents and children.**
- 26 **E. Commissioner Vasquez (Nothing to report.)**
27

28 **10. FUTURE AGENDA ITEMS:**
29

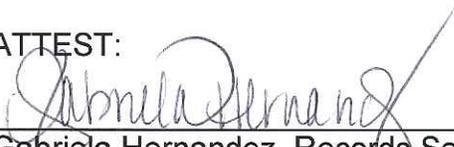
- 30 **A. Work Study: Drought tolerant landscape requirements.**
- 31 **B. Zoning Ordinance Amendments**
- 32 **C. New Development Applications**
- 33 **D. Planning Commission Requests**
34

35 **11. ADJOURNMENT**
36

37 It was unanimously agreed to adjourn the meeting at 7:46 p.m. to the joint meeting of
38 the City of Hemet City Council and the City of Hemet Planning Commission scheduled
39 for **November 3, 2015 at 6:00 p.m.** to be held at the City of Hemet Council Chambers
40 located at 450 E. Latham Avenue, Hemet, CA 92543.
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43
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45 
46 _____
47 John Gifford, Chairman
48 Hemet Planning Commission

49 **ATTEST:**

50 

Gabriela Hernandez, Records Secretary
Hemet Planning Commission