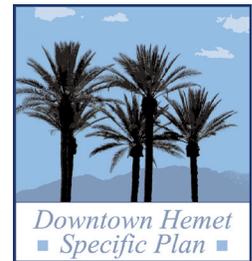


CHAPTER 3

Specific Plan Zoning and Administration



A. Introduction

The City of Hemet completed an update to its General Plan in 2012 (City of Hemet 2030 General Plan). A major focus of the update was to apply a Mixed Use land use designation to a majority of the Downtown area to:

- “Provide for a mix of residential and compatible office and retail/service uses integrated as a cohesive development, or such uses developed side-by-side in a manner that encourages interaction between uses,” and
- “Facilitate the creation of mixed use higher intensity environments that offer opportunities for people to live, work and shop within a compact area” (City of Hemet 2030 General Plan).

The General Plan seeks to strengthen the economic vitality and aesthetic character of Downtown through establishment of the mixed use designation. In addition, the mixed use designation will facilitate transit oriented development around the future transit station.

This Specific Plan is the means to implement the General Plan. As such, a large portion of the Downtown Hemet Specific Plan area is zoned to allow for a mix of uses to create opportunities for development that integrate commercial and residential uses. This type of zoning is conducive to creating projects that support transit and walkability.



- Specific Plan Boundary
- BNSF Railway
- Future Transit Mobility Hub (approximate location)
- Downtown Village (DV)
- Transit Oriented District (TOD)
- Hemet Stock Farm (HSF) - PCD*
- Office Professional - Mixed Use (OP-MU)
- Downtown Commercial (DC)
- Single Family Residential (SFR)
- Mixed Residential (MR)
- Institutional (I)
- Open Space - Recreation (OS-R)

*Requires a Planned Community Development Application

FIGURE 3-1
Specific Plan Zones

DOWNTOWN HEMET SPECIFIC PLAN

5 minute walk (1,200')

0' 500' 1,000' 1,500' 2,000'

B. Establishment of Specific Plan Zones

The Downtown Hemet Specific Plan establishes zoning for parcels within the Specific Plan boundary as identified in Figure 3-1. The zones for the Specific Plan area are:

- Downtown Village (DV)
- Transit Oriented District (TOD)
- Hemet Stock Farm (HSF)
- Office Professional - Mixed Use (OP-MU)
- Downtown Commercial (DC)
- Single Family Residential (SFR)
- Mixed Residential (MR)
- Institutional (I)
- Open Space (OS)

The Institutional (I) Zone and Open Space (OS) Zone are existing zoning designations within Chapter 90 (Zoning) of the Hemet Municipal Code (HMC). Refer to Chapter 90, Article XXXV of the HMC for use regulations and development standards that apply to the Institutional Zone. Refer to Chapter 90, Article XXXIII (Open Space Zone) of the HMC for use regulations and development standards that apply to the Open Space Zone.

Chapter 4 of this Specific Plan provides use regulations, development standards and design guidelines for the Mixed Use and Commercial Zones. Chapter 5 provides use regulations, development standards and design guidelines for the Residential Zones.

C. Applicability and Conformity of Development

No construction, modification, addition, or placement of any building or structure shall occur, nor shall any new use commence on any lot, on or after the effective date of this Specific Plan that is not in conformity with the provisions of this Specific Plan. If the Community Development Director determines that an existing use or structure in the Specific Plan area is an existing nonconforming use that does not have to be brought into conformance with the Specific Plan, the regulations and standards of Chapter 90 (Zoning), Article II, Division 2 (Nonconformities) of the Hemet Municipal Code (HMC) shall apply.

The provisions of this Specific Plan shall not apply to development projects for which a complete application has been received by the appropriate City office on or before the effective date of this Specific Plan. However, applicants for such projects may elect to comply with the provisions herein in lieu of the former provisions. Applications for projects whose entitlements and/or permits have expired or were denied will be required to conform to this Specific Plan.

Where general provisions of the Zoning Code are inconsistent with this Specific Plan, the standards and regulations of the Specific Plan shall prevail and supersede the applicable provisions of the Zoning Code. Any issue not specifically covered in the Specific Plan shall be subject to Chapter 90 (Zoning) of the HMC.

D. Processing and Permits

Application requirements and permit types as identified in Chapters 4 and 5 of this Specific Plan and as noted in Chapter 90 of the HMC shall be followed. All required permits shall be obtained before the proposed use, or any structures related to the proposed use, are constructed, otherwise established or put into operation. No permit shall be issued by the City unless the proposed project complies with all applicable provisions of this Specific Plan and Chapter 90 of the HMC as noted, and all other federal, state and local codes. Nothing in this Specific Plan eliminates the need for obtaining any permit, approval, or entitlement required by other provisions of the HMC; or complying with the regulations of any City department; or complying with any county, regional, state or federal agency.

E. Site Development Review

Notwithstanding the processing and permit requirements noted in Section F, all projects in the Downtown Hemet Specific Plan area shall file an application for Site Development Review pursuant to Section 90-48 of the HMC, except as noted herein. Site Development Review is intended to ensure that development projects and improvements are well designed, compatible in terms of scale and aesthetics with the surrounding area, and consistent with the goals, policies and standards contained in the City's General Plan and this Specific Plan. The following are exceptions and additions to Section 90-48 of the HMC:

1. **Applicability.** All façade improvements, new buildings and structural additions within the Downtown Hemet Specific Plan area shall be subject to Site Development Review, and reviewed for compliance with the zoning regulations, development standards and design guidelines contained in this Specific Plan.
2. **Review of applications and approving authority.** The review of applications and approving authority shall be as follows:
 - a) **Site Development Review by the Planning Commission.** The Planning Commission shall be responsible for the review of downtown projects, with the exception of single family residences, that involve the construction of new buildings, or substantial reconstruction, modifications, additions or exterior remodeling of existing buildings. Substantial reconstruction or

modification shall mean an improvement up to 30 percent or more of the square footage of the original structure. The Planning Commission shall have the authority to impose reasonable conditions, and may approve, modify or deny the application, subject to the findings contained herein.

- b) **Minor Site Development Review by the Director.** The Community Development Director, or designee, shall be the approving authority for the administrative review of facade improvements and minor exterior modifications or reconstruction of less than 30 percent or more of the square footage of the original structure. Administrative review shall also apply to new single family development, exterior alterations and additions. The Director may impose reasonable conditions and act to approve, modify or deny the proposed project, subject to the findings contained herein.

3. Findings required. Upon approval of a Downtown Project Review permit application, the following findings shall be made by the approving authority:

- a) That the proposed downtown project is in accord with the goals, development standards and design guidelines of this Specific Plan and the purposes and regulations of the zone in which the site is located; and
- b) That the proposed development or improvement is consistent with the goals, policies and programs of the General Plan; and
- c) That the proposed development or improvement is consistent with the applicable standards and design guidelines in this Specific Plan, applicable sections of Chapter 90 of the HMC, and other applicable adopted plans; and
- d) The design, scale, height, and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing and future developments, will not create traffic or pedestrian hazards, and will not otherwise have a negative impact on the aesthetics, health, safety or welfare of uses or properties within the downtown area; and
- e) The design of the proposed project is compatible with the character of the surrounding area, will enhance the appearance of the downtown through quality architecture, building materials, color and detailing, and will provide a desirable and attractive environment for the occupants and patrons of the proposed use.

4. Appeals. Appeals may be made as follows:

- a) **Appeals to the City Council.** An appeal of the Planning Commission's determination regarding Downtown Project Review may be made to the City Council. The appeal shall be filed within ten calendar days of the Planning Commission's decision by filing a letter of appeal and payment of the applicable fee with the Planning Division. The City Council may affirm, modify or reverse the Planning Commission's determination,

making findings as required by this Specific Plan. The decision of the City Council shall be final.

- b) **Appeals to the Planning Commission.** An appeal of the Community Development Director's determination regarding a Minor Downtown Project Review may be made to the Planning Commission. The appeal shall be filed within ten calendar days of the Director's decision by filing a letter of appeal and payment of the applicable fee with the Planning Division. The Planning Commission may affirm, modify or reverse the Director's determination, making findings as required by this Specific Plan.

F. Other Applicable Zoning Regulations

In addition to the requirements contained in Chapters 4 and 5 of this Specific Plan, regulations contained in Chapter 90 (Zoning) of the HMC may also apply. It is the responsibility of the property owner to comply with all standards of this Specific Plan and Chapter 90 the HMC as applicable.