

CHAPTER 3

Specific Plan Zoning and Administration



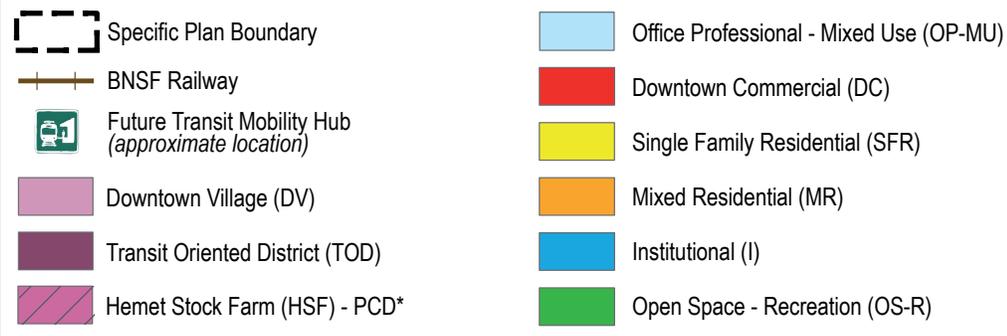
A. Introduction

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).

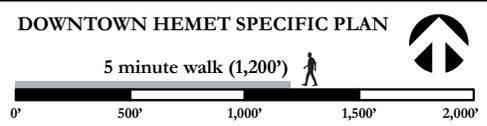
The General Plan seeks to strengthen the economic vitality and aesthetic character of Downtown through establishment of the mixed use designation. In addition, the mixed use designation will facilitate transit oriented development around the future transit station.

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.



*Requires a Planned Community Development Application

FIGURE 3-1
Specific Plan Zones



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) or other applicable sections 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.

Required entitlement applications for specific land uses are noted in Table 4-1 for the Mixed Use and Commercial Zones, and in Table 5.1 for the Residential Zones within the Specific Plan. The allowable uses are either permitted by right (P), permitted by an Administrative Use Permit (A) that is approved by the Community Development Director, or permitted subject to a Conditional Use Permit (C) approved by the Planning Commission. Additional entitlement applications that may apply to a specific project include Tentative Tract or Parcel Maps, Variances, Specific Plan Amendments, or General Plan Amendments. The application requirements and procedures for the processing these entitlements (if required) are contained in Chapter 90 of the HMC.

E. Site Development Review (SDR)

Notwithstanding the processing and permit requirements noted in Section D and Section F of this Chapter, 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 procedures and application requirements for Site Development Review Applications shall be as set forth in Section 90-48 of the HMC, except for the following provisions:

1. **Applicability.** All façade improvements, new buildings and structural additions within the Downtown Hemet Specific Plan area shall be subject to Site Development Review by either the Planning Commission (Major Site Development Review) or the Community Development Director (Minor Site Development Review) in accordance with the following Table 3-1, and reviewed for compliance with the zoning regulations, development standards and design guidelines contained in this Specific Plan. The review of applications and approving authority shall be as follows:

Table 3-1: Site Development Review Requirements

Project Type	Major SDR - Planning Commission Review	Minor SDR - Community Development Director Review
Commercial, Office, Institutional, and Industrial		
a. New construction	X	--
b. Exterior remodels and additions of more than 2,000 sq.ft or 30% of the floor area, whichever is greater	X	--
c. Exterior remodels and additions of less than 2,000 sq.ft. or 30% of the total floor area	--	X
d. Façade enhancements or renovations	--	X
Multi-family Residential		
a. New construction	X	--
b. Additions of more than 5 units	X	--
c. Additions of less than 5 units	--	X
d. Conversions of existing single family residential to multi-family residential	--	X
e. Façade enhancements and renovations	--	X
Single Family Residential		
a. New construction of more than 4 units	X	--
b. New construction of less than 4 units	--	X
c. Exterior remodels, renovations and additions to existing homes of over 30% of the floor area	--	X
Other Uses		
a. New construction or conversion of public or quasi-public facilities, community centers, churches, private schools, indoor or outdoor commercial recreation facilities	X	--
b. Remodels, room additions, or façade enhancements to public or quasi-public facilities, community centers, churches, private schools, indoor or outdoor commercial recreation facilities	--	X

2. **Hearing and Public Notice Procedure.** The procedures for review and public hearings of Site Development Reviews shall be pursuant to HMC Section 90-48.4 with the exception that the Minor Site Development Review does not require a public hearing and notice.
3. **Findings required.** Upon approval of a Site Development Review 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.
 - f) The project incorporates sustainable design features such as energy or water quality conservation, non-motorized or multi-modal transportation opportunities, alternative energy sources, complete streets, bike or walking pathways, drought tolerant and shade oriented landscaping features, or other sustainable design components consistent with the Specific Plan guidelines and intent.

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) and other Chapters of the HMC shall also apply unless expressly superseded by the provisions of this Specific Plan. It is the responsibility of the property owner to comply with all standards of this Specific Plan and the HMC as applicable.