

CITY OF WILDOMAR
PLANNING COMMISSION AGENDA

6:30 P.M. – REGULAR MEETING

JULY 6, 2016

Council Chambers
23873 Clinton Keith Road, Suite 106



Veronica Langworthy, Chairman
Stan Smith, Vice-Chairman
John Lloyd, Commissioner
Kim Strong, Commissioner

Matthew C. Bassi
Planning Director

Erica L. Vega
Assistant City Attorney

WILDOMAR PLANNING COMMISSION REGULAR MEETING AGENDA JULY 6, 2016

ORDER OF BUSINESS: Public session of this regular meeting of the Planning Commission begin at 6:30 p.m.

REPORTS: All agenda items and reports are available for review at: Wildomar City Hall, 23873 Clinton Keith Road, Suite #201, and on the City's website at <http://www.cityofwildomar.org/planning-commission-minutes.asp>. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours.

PUBLIC COMMENTS: Prior to the business portion of the agenda, the Planning Commission will receive public comments regarding any items or matters within the jurisdiction of the Commission. The Chairman will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a Public Comment Card available at the Chamber door. The completed form is to be submitted to the Secretary prior to an individual being heard. Lengthy testimony should be presented to the Commission in writing (15 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

ADDITIONS/DELETIONS: Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Commission.

CONSENT CALENDAR: Consent Calendar items will be acted on by one roll call vote unless Commission members, staff, or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

RIGHT TO APPEAL: Any decision of the Planning Commission may be appealed to the City Council provided the required appeal application and filing fee are submitted to the City Clerk ten (10) calendar days after the Planning Commission's action.

PLEASE TURN ALL DEVICES TO VIBRATE/MUTE/OFF FOR THE DURATION OF THE MEETING. YOUR COOPERATION IS APPRECIATED.

CALL TO ORDER – REGULAR MEETING - 6:30 P.M.

ROLL CALL

FLAG SALUTE

PUBLIC COMMENTS

This is the time when the Commission receives general public comments regarding any items or matters within the jurisdiction that **do not** appear on the agenda. State law allows the Commission to only talk about items that are listed on the agenda. **Speakers are allowed to raise issues not listed on the agenda; however, the law does not allow the Commission to discuss those issues during the meeting.** After hearing the matter, the Chairman will turn the matter over to the Planning Director who will put you in contact with the proper Staff person. Each speaker is asked to fill out a Public Comments Card available at the Chamber door and submit the card to the Secretary. **Lengthy testimony should be presented to the Commission in writing (15 copies) and only pertinent points presented orally.** The time limit established for public comments is three minutes per speaker. Prior to taking action on any item that is on the agenda, the public will be permitted to comment at the time it is considered by the Commission.

APPROVAL OF THE AGENDA AS PRESENTED

The Planning Commission to approve the agenda as it is herein presented, or, if it is the desire of the Commission, the agenda can be reordered, added to, or have items tabled at this time.

1.0 CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Commission, the Public, or Staff request to have specific items removed from the Consent Calendar for separate discussion and/or action.

1.1 Minutes – May 18, 2016 Special Meeting:

RECOMMENDATION: Staff recommends that the Planning Commission approve the Minutes as submitted.

1.2 Minutes – June 1, 2016 Regular Meeting:

RECOMMENDATION: Staff recommends that the Planning Commission approve the Minutes as submitted.

2.0 PUBLIC HEARINGS

2.1 Zoning Ordinance Amendment No. 16-03:

Planning Commission review of a Categorical Exemption and an amendment to Chapter 17.72 (C-1/C-P zone) and Chapter 17.76 (C-P-S zone) of the Wildomar Municipal Code relating to Micro-Craft Breweries.

RECOMMENDATION:

The Planning Department recommends the Planning Commission take the following actions:

1. Adopt a Resolution entitled:

PC RESOLUTION NO. 2016-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) OF CEQA AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 16-03 AMENDING CHAPTER 17.72 (C-1/C-P ZONE) AND CHAPTER 17.76 (C-P-S ZONE) OF THE WILDOMAR MUNICIPAL CODE RELATING TO MICRO-BREWERIES

2.2 Zoning Ordinance Amendment No. 16-04:

Planning Commission review of a Categorical Exemption and an amendment to Chapter 17.252 (Sign Regulations) of the Wildomar Municipal Code relating to electronic message signage for commercial shopping centers in the C-1/C-P and C-P-S zones adjacent to Interstate 15.

RECOMMENDATION:

The Planning Department recommends the Planning Commission take the following actions:

1. Adopt a Resolution entitled:

PC RESOLUTION NO. 2016-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) AND SECTION 15311(A) OF THE CEQA GUIDELINES AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 16-04 AMENDING CHAPTER 17.252 (SIGN REGULATIONS) OF THE WILDOMAR MUNICIPAL CODE RELATED TO ELECTRONIC MESSAGE SIGNAGE FOR COMMERCIAL RETAIL SHOPPING CENTERS IN THE C-1/C-P AND C-P-S ZONES ADJACENT TO INTERSTATE 15 FREEWAY

3.0 GENERAL BUSINESS

- There are no General Business Items for this Agenda.

PLANNING COMMISSION COMMUNICATIONS

PLANNING DIRECTOR REPORT

ASSISTANT CITY ATTORNEY REPORT

FUTURE AGENDA ITEMS

ADJOURNMENT

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person that requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting, may request such modification, accommodation, aid or service by contacting the City Clerk either in person or by phone at 951/677-7751, no later than 10:00 a.m. on the day preceding the scheduled meeting.

I, Matthew C. Bassi, Planning Director, do certify that on or before July 1, 2016 by 5:00 p.m., a true and correct copy of this agenda was posted at the three designated posting locations:

- 1) Wildomar City Hall, 23873 Clinton Keith Road
- 2) U.S. Post Office, 21392 Palomar Street
- 3) Wildomar Library, 34303 Mission Trail



Matthew C. Bassi
Planning Director



AGENDA SECTION 1.0

CONSENT CALENDAR ITEMS



**CITY OF WILDOMAR
OFFICIAL PLANNING COMMISSION MEETING MINUTES
FOR THE SPECIAL MEETING OF MAY 18, 2016**

CALL TO ORDER

The special meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Langworthy at 6:30 P.M. at Wildomar City Council Chambers.

ROLL CALL

Present: Veronica Langworthy Chairman, Stan Smith Commissioner, Dan Bidwell Commissioner, John Lloyd, Commissioner

Staff Present Matthew Bassi, Planning Director
Dan York, Assistant City Manager / Public Works Director
Mark Teague, Planning Manager
Alfredo Garcia, Assistant Planner
Erica Vega, Assistant City Attorney

Absent: None

FLAG SALUTE

Chairman Langworthy led the flag salute.

PUBLIC COMMENT:

Kenneth Mayes resident, provided public comment.

PLANNING COMMISSION COMMUNICATIONS

None.

APPROVAL OF AGENDA AS SUBMITTED

Commissioner Lloyd motioned to approve the agenda as submitted by staff. The motion was seconded by Commissioner Bidwell. Motion Carried, 4-0. The following vote resulted:

AYES: LANGWORTHY, SMITH, BIDWELL, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

1.0 CONSENT CALENDAR

1.1 Minutes – April 6, 2016 Regular Meeting

RECOMMENDATION: Staff recommends that the Planning Commission approve the Minutes as submitted.

Commissioner Bidwell motioned to approve the agenda as submitted by staff. The motion was seconded by Commissioner Lloyd. Motion Carried, 4-0. The following vote resulted:

AYES: LANGWORTHY, SMITH, BIDWELL, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

2.0 PUBLIC HEARINGS

2.1 Clinton Keith Retail Project (PA No. 15-0013):

Planning Commission review and consideration of a Mitigated Negative Declaration / Mitigation Monitoring and Reporting Program, Conditional Use Permit and Plot Plan for the development of an approximate 40,120 square-foot commercial/retail center with a 7-Eleven gas station located at the northeast corner of George Avenue and Clinton Keith Road (APN: 362-250-003).

Director Bassi made a presentation to the Planning Commission.

John Abassi, project architect made a presentation to the Planning Commission.

Chairman Langworthy open the public hearing.

Ken Mayes, resident, provided public comment.

With no further public comments, Chairman Langworthy closed the public hearing and asked for Commission discussion on the agenda item.

Commissioner Lloyd expressed his concerns with the northern setback of Building D with respect to the property line.

Commissioner Smith expressed the same concerns.

Director Bassi responded to the Commissioners comments.

Chairman Langworthy re-opened the public hearing.

Assistant City Manager Dan York provided additional responses to the Commissioner comments.

John Abassi, project architect, provided additional responses to the Commissioner comments.

Chairman Langworthy closed the public hearing.

With no further Commission discussion, Chairman Langworthy asked for a motion to adopt PC Resolution No. 2016-14 entitled:

PC RESOLUTION NO. 2016-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING & REPORTING PROGRAM FOR THE CLINTON KEITH RETAIL PROJECT (PLANNING APPLICATION NO. 15-0013) LOCATED AT THE NORTHEAST CORNER OF GEORGE AVENUE AND CLINTON KEITH ROAD (APN: 362-250-003)

A Motion was made by Commissioner Smith and seconded by Commissioner Lloyd .

The **Motion** carried 4-0, with the following vote resulted:

AYES: LANGWORTHY, SMITH, BIDWELL, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Chairman Langworthy asked for a motion to adopt PC Resolution No. 2016-15 entitled:

PC RESOLUTION NO. 2016-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (PLANNING APPLICATION NO. 15-0013) TO ALLOW BEER AND WINE SALES AT A GAS STATION AND APPROVAL OF A PLOT PLAN (PLANNING APPLICATION NO. 15-0013) TO DEVELOP A 40,120 SQUARE-FOOT COMMERCIAL/RETAIL CENTER WITH FULL SITE IMPROVEMENTS, SUBJECT TO CONDITIONS LOCATED AT THE NORTHEAST CORNER OF GEORGE AVENUE AND CLINTON KEITH ROAD (APN: 362-250-003)

A Motion was made by Commissioner Smith and seconded by Commissioner Lloyd .

The **Motion** carried 4-0, with the following vote resulted:

AYES: LANGWORTHY, SMITH, BIDWELL, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

3.0 GENERAL BUSINESS ITEMS:

3.1 Planning Commission Training:

A presentation by the Planning Department on Senate Bill 743 (SB 743) related to implementation of transportation measures as part of the CEQA process, and Senate Bill 18 (SB 18) / Assembly Bill 52 (AB 52) related to Tribal Consultation and CEQA review.

Planning Manager Mark Teague made a presentation to the Planning Commission about 743.

Commissioner Smith provided comments to staff's presentation.

Assistant City Manager Dan York provided additional comments to Mark Teague's presentation.

Commissioner Smith provided additional comments on this subject matter.

Chairman Langworthy provided additional comments.

Commissioner Lloyd provided additional comments.

Assistant City Manager Dan York provided responses to the Commissioner's comments.

Assistant City Attorney Erica Vega, provided a presentation to the Planning Commission on SB18 / AB52.

Commissioner Smith provided comments on this subject matter.

Director Bassi provided additional information on this subject matter.

With no further discussion, Chairman Langworthy closed the agenda item.

3.2 Election of a New Vice-Chairman:

The Planning Commission election a new Vice-Chairman for the remainder of the 2016 calendar year in accordance with Section 2 of the City of Wildomar Planning Commission Bylaws.

Director Bassi announced that Commissioner Brown has resigned as Vice-Chairman from the Planning Commission.

A Motion was made by Chairman Langworthy to elect Stan Smith as Vice-Chairman and seconded by Commissioner Lloyd .

The **Motion** carried 4-0, with the following vote resulted:

AYES: LANGWORTHY, SMITH, BIDWELL, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Commission Communications

Chairman Langworthy announced the Memorial Day event at the Cemetery.

Planning Director Report

Director Bassi announced that there will be a Planning Commission meeting on June 1st.

Assistant City Attorney Report

None.

Future Agenda Items

*Research Parking requirements.

ADJOURNMENT

Chairman Langworthy adjourned the May 18, 2016 Special Planning Commission meeting at 8:12 P.M.

Matthew C. Bassi
Planning Director/Minutes Secretary



**CITY OF WILDOMAR
OFFICIAL PLANNING COMMISSION MEETING MINUTES
FOR THE REGULAR MEETING OF JUNE 1, 2016**

CALL TO ORDER

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Langworthy at 6:30 P.M. at Wildomar City Hall, Council Chambers.

ROLL CALL

Present: Veronica Langworthy Chairman, Stan Smith, Vice-Chairman,
John Lloyd, Commissioner

Staff Present Matthew Bassi, Planning Director
Dan York, Assistant City Manager / Public Works Director
Mark Teague, Planning Manager
Alfredo Garcia, Assistant Planner
Erica Vega, Assistant City Attorney

Absent: None

FLAG SALUTE

Vice-Chairman Smith led the flag salute.

PUBLIC COMMENT:

Kenneth Mayes , resident, provided public comment.

PLANNING COMMISSION COMMUNICATIONS

Chairman Langworthy announced that there are two open vacancies for the Planning Commission and encourage people to apply if interested.

APPROVAL OF AGENDA AS SUBMITTED

Vice Chairman Smith motioned to approve the agenda as submitted by staff. The motion was seconded by Commissioner Lloyd. Motion Carried, 3-0. The following vote resulted:

AYES: LANGWORTHY, SMITH, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

1.0 CONSENT CALENDAR

None

2.0 PUBLIC HEARINGS

2.1 Baxter Village Mixed-Use Project (PA No. 14-0002):

Planning Commission review of the “Baxter Village Mixed-Use” development project consisting of an Environmental Impact Report, General Plan Amendment, Change of Zone, Tentative Tract Map, and Plot Plan located at the northwest corner of the Baxter Road and I-15 Freeway (APN: 367-180-015 & 367-180-043).

Director Bassi made a presentation to the Planning Commission.

Planning Manager Mark Teague expanded upon the CEQA discussion of Director Bassi’s presentation.

Assistant City Attorney Vega reminded the Commission that the evenings vote will need to unanimous in order for the item to move forward.

Vice Chairman Smith provided comment on the agenda item.

Chairman Langworthy open the public hearing.

Eric Flodine, applicant representative made a presentation to the Planning Commission.

Assistant City Manager Dan York, responded to the applicants request to amend PC Resolution 2016-20, to revise Public Works conditions 49 and 50.

Director Bassi clarified that the request to amend PC Resolution 2016-20 were Engineering conditions and not Planning conditions.

Ken Mayes, resident, provided public comment.

Kristen Lloyd, resident, with donated time by Jessica Lloyd, Alyssa Lloyd and George Cambero for a total of 12 minutes made a presentation to the Planning Commission.

Jeff Rosen, Pastor at Cornerstone Church, provided public comment.

George Taylor, resident, provided public comment.

Joseph Morabito, resident, provided public comment.

With no further public comments, Chairman Langworthy closed the public hearing and asked for Commission discussion on the agenda item.

Vice Chairman Smith provided additional comments related to the Brown House.

Commissioner Lloyd provided comments on the structural integrity of the Brown House as a result of reviewing the structural report prepared by the historical society.

Chairman Langworthy commented that the future of the Brown House is a matter between the Historical Society and the Applicant.

With no further Commission discussion, Chairman Langworthy asked for a motion to adopt PC Resolution No. 2016-16 entitled:

PC RESOLUTION NO. 2016-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT (SCH# 2014121047), INCLUDING ADOPTION OF FINDINGS OF FACT, STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE BAXTER VILLAGE MIXED-USE PROJECT (PLANNING APPLICATION NO. 14-0002) CONSISTING OF A GENERAL PLAN AMENDMENT, CHANGE OF ZONE, TENTATIVE TRACT MAP (TTM 36674) AND PLOT PLAN ON APPROXIMATELY 35.48 ACRES LOCATED AT THE NORTHWEST CORNER OF BAXTER ROAD AND I-15 FREEWAY (APN: 367-180-015 & 367-180-043)

A Motion was made by Chairman Langworthy and seconded by Vice-Chairman Smith.

The **Motion** carried 3-0, with the following vote resulted:

AYES: LANGWORTHY, SMITH, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Chairman Langworthy asked for a motion to adopt PC Resolution No. 2016-17 entitled:

PC RESOLUTION NO. 2016-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF A GENERAL PLAN AMENDMENT (PLANNING APPLICATION NO. 14-0002) TO CHANGE THE EXISTING LAND USE DESIGNATION ON APPROXIMATELY 35.48 ACRES FROM MIXED USE PLANNING AREA (MUPA) TO MEDIUM HIGH DENSITY RESIDENTIAL (MHDR), VERY HIGH DENSITY RESIDENTIAL (VHDR) AND COMMERCIAL RETAIL (CR) TO ACCOMMODATE BAXTER VILLAGE MIXED-USE PROJECT (PLANNING APPLICATION NO. 14-0002) LOCATED AT THE NORTHWEST CORNER OF BAXTER ROAD AND I-15 FREEWAY (APN: 367-180-015 & 367-180-043)

A Motion was made by Vice-Chairman Smith and seconded by Commissioner Lloyd.

The **Motion** carried 3-0, with the following vote resulted:

AYES: LANGWORTHY, SMITH, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Chairman Langworthy asked for a motion to adopt PC Resolution No. 2016-18 entitled:

PC RESOLUTION NO. 2016-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF A CHANGE OF ZONE (PLANNING APPLICATION NO. 14-0002) TO REMOVE THE MIXED-USE OVERLAY DISTRICT FROM THE ENTIRE SITE AND TO CHANGE THE EXISTING ZONING DESIGNATION ON A PORTION OF THE SITE FROM SCENIC HIGHWAY COMMERCIAL (C-P-S) TO R-3 (GENERAL RESIDENTIAL) AND TO R-4 (PLANNED RESIDENTIAL) TO ACCOMMODATE BAXTER VILLAGE MIXED-USE PROJECT (PLANNING APPLICATION NO. 14-0002) LOCATED AT THE NORTHWEST CORNER OF BAXTER ROAD AND I-15 FREEWAY (APN: 367-180-015 & 367-180-043)

A Motion was made by Vice-Chairman Smith and seconded by Commissioner Lloyd.

The **Motion** carried 3-0, with the following vote resulted:

AYES: LANGWORTHY, SMITH, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Chairman Langworthy asked for a motion to adopt PC Resolution No. 2016-19 entitled:

PC RESOLUTION NO. 2016-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NO. 36674 (PLANNING APPLICATION NO. 14-0002) TO SUBDIVIDE APPROXIMATELY 35.48 ACRES INTO 85 LOTS TO ACCOMMODATE BAXTER VILLAGE MIXED-USE PROJECT (PLANNING APPLICATION NO. 14-0002) LOCATED AT THE NORTHWEST CORNER OF BAXTER ROAD AND I-15 FREEWAY (APN: 367-180-015 & 367-180-043)

A Motion was made by Chairman Langworthy and seconded by Vice-Chairman Smith.

The **Motion** carried 3-0, with the following vote resulted:

AYES: LANGWORTHY, SMITH, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Chairman Langworthy asked for a motion to adopt PC Resolution No. 2016-20 entitled:

PC RESOLUTION NO. 2016-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF PLOT PLAN (PLANNING APPLICATION NO. 14-0002) TO DEVELOP THE BAXTER VILLAGE MIXED-USE PROJECT CONSISTING OF THE DEVELOPMENT OF A 75,000 SQUARE-FOOT COMMERCIAL RETAIL CENTER, 70 SINGLE FAMILY DWELLING UNITS AND 204 MULTI-FAMILY APARTMENTS ON APPROXIMATELY 35.48 ACRES LOCATED AT THE NORTHWEST CORNER OF BAXTER ROAD AND I-15 FREEWAY (APN: 367-180-015 & 367-180-043)

A Motion was made by Vice-Chairman Smith and seconded by Chairman Langworthy, including changes to Public Works conditions 49 and 50.

The **Motion** carried 3-0, with the following vote resulted:

AYES: LANGWORTHY, SMITH, LLOYD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

3.0 GENERAL BUSINESS ITEMS:

3.1 General Plan/Housing Element Annual Progress Report:

A report on the City's progress in meeting its share of the Housing Element's Regional Housing Needs Assessment (RHNA).

Director Bassi made a presentation to the Planning Commission.

Commissioner Lloyd asked Director Bassi regarding the RHNA numbers.

Planning Manager Mark Teague provided further clarification regarding Director Bassi's presentation.

With no further discussion, Chairman Langworthy asked for public comments. With no public comments, Chairman Langworthy closed the agenda item.

Planning Director Report

None.

Assistant City Attorney Report

None.

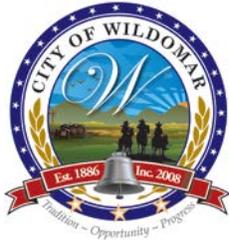
Future Agenda Items

None

ADJOURNMENT

Chairman Langworthy adjourned the June 1, 2016 regular Planning Commission meeting at 7:59 P.M.

Matthew C. Bassi
Planning Director/Minutes Secretary



CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item #2.1
PUBLIC HEARING
Meeting Date: July 6, 2016

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director

SUBJECT: Zoning Ordinance Amendment No. 16-03:
Planning Commission review of a Categorical Exemption and an amendment to Chapter 17.72 (C-1/C-P zone) and Chapter 17.76 (C-P-S zone) of the Wildomar Municipal Code relating to Micro-breweries.

STAFF REPORT

RECOMMENDATION:

The Planning Department recommends the Planning Commission take the following action:

1. Adopt a Resolution entitled:

PC RESOLUTION NO. 2016-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 16-03 AMENDING CHAPTER 17.72 (C-1/C-P ZONE) AND CHAPTER 17.76 (C-P-S ZONE) OF THE WILDOMAR MUNICIPAL CODE RELATING TO MICRO-BREWERIES

BACKGROUND / DESCRIPTION:

The Planning Department is proposing a code amendment to the Wildomar Municipal Code to allow micro-breweries as a permitted use in the C-1/C-P and C-P-S commercial zones. The amendment is being brought forward for Planning Commission consideration under the direction of the City Council.

Specifically, the amendment would allow micro-breweries (otherwise known as small beer manufacturers per the state's Department of Alcoholic Beverage Control) in the C-1/C-P and C-P-S zones as a permitted use in an existing building. A copy of the draft Ordinance is provided for Commission consideration (Attachment A, Exhibit 1).

DISCUSSION:

The City Council has directed staff to bring forth this code amendment in effort to address inquiries they've received from interested business owners in this specialty area of service. Currently, micro-breweries are not listed as a permitted or conditionally permitted use in C-1/C-P or C-P-S zones. The proposed amendment would allow micro-breweries in the C-1/C-P and C-P-S zones located in an existing/enclosed building, or an as extension to an existing restaurant (i.e., pizza parlor, etc.) provided the appropriate alcohol license is obtained from the state Department of Alcohol Beverage Control (ABC). According to the ABC, there are two main license types for micro-breweries as follows:

- 1) A Type 23 license (referred to as brew pubs and micro-breweries) allows the licensee to produce up to 60,000 barrels of beer per year with or with out a bona-fide restaurant, and with sales for on-site or off-site consumption.
- 2) A Type 75 license (referred to restaurant with brew pub) allows the licensee to produce up to 5,000 barrels of beer per year for on-site consumption in association with a bona-fide restaurant. Also allows the sale of beer for off-site consumption.

Staff contacted Elsinore Valley Municipal Water District (EVMWD) to verify what water impacts, if any, exist with micro-breweries. According to EVMWD, there are two existing micro-breweries in their water district service area that range between 24,000 to 160,000 gallons of water/month. EVMWD has stated that these two businesses do not create impacts to water usage and will continue to provide "water will-serve" for micro-breweries within their district service area (a copy of this discussion is provided in Attachment B). In a second verbal discussion with EVMWD, it was conveyed to staff that the amount of water used by micro-breweries under the proposed ordinance is similar to other commercial uses like car washes and laundromats. Car washes and laundromats are both permitted uses in the C-1/C-P and C-P-S zones.

The specific changes proposed by staff would allow micro-breweries in the C-1/C-P zone as a permitted use with production limited to no more than 15,000 barrels/year, and with a conditional use permit if production exceeds 15,000 barrels/year.

17.72.010.A.96

"Micro-brewery/brew pub" requiring a Type 23 ABC license allowing the licensee to produce beer with or with out a bona-fide restaurant, and with sales for on-site or off-site consumption. Production is limited to no more than 15,000 barrels/year."

17.72.010.A.97

"Micro-brewery/brew pub" requiring a Type 75 state ABC license allowing the licensee to produce beer for on-site consumption in association with a bona-fide restaurant, and which allows the sale of beer for off-site consumption. Production is limited to no more than 5,000 barrels/year."

17.72.010.C.18

“Micro-brewery/brew pub” requiring a Type 23 ABC license allowing the licensee to produce beer with or without a bona-fide restaurant, and with sales for on-site or off-site consumption with production exceeding 15,000 barrels/year.”

The specific changes proposed by staff would also allow micro-breweries in the C-P-S zone as a permitted use with production limited to no more than 15,000 barrels/year, and with a conditional use permit if production exceeds 15,000 barrels/year.

17.76.010.A.101

“Micro-brewery/brew pub” requiring a Type 23 ABC license allowing the licensee to produce beer with or without a bona-fide restaurant, and with sales for on-site or off-site consumption. Production is limited to no more than 15,000 barrels/year.”

17.76.010.A.102

“Micro-brewery/brew pub” requiring a Type 75 state ABC license allowing the licensee to produce beer for on-site consumption in association with a bona-fide restaurant, and which allows the sale of beer for off-site consumption. Production is limited to no more than 5,000 barrels/year.”

17.76.010.B.24

“Micro-brewery/brew pub” requiring a Type 23 ABC license allowing the licensee to produce beer with or without a bona-fide restaurant, and with sales for on-site or off-site consumption with production exceeding 15,000 barrels/year.”

Due to the small nature of this type of use, staff believes micro-breweries will be compatible with other commercial uses either as an individual use or associated with an existing restaurant, such as a pizza parlor. Like other commercial uses, micro-breweries will provide jobs and sales tax revenue for the city....something that is encouraged in our General Plan. It will also meet a current demand for this type of commercial service.

Staff is recommending Commission support of this amendment for the following reasons.

1. Under the current C-1/C-P and C-P-S zones, there are similar uses more or equally intensive as small micro-breweries that do not require a CUP (i.e., bars, lounges and restaurants). Thus, this use would be compatible with other permitted commercial uses in the same zone. Larger micro-breweries are also similar to these permitted uses, but staff is recommending a CUP to ensure that conditions are placed on the use to ensure compatibility with surrounding uses.
2. The micro-brewery is a use that is consistent with the policies and intent of the commercial retail land use and zoning designations as outlined in the General Plan. There is nothing a small microbrew producer would be doing as part of its operations that would necessitate additional/special conditions so long as the use

is located within an existing building. Any micro-brewery that proposes new construction would be required to obtain a plot plan approval from the City.

3. Micro-breweries licensees are regulated by ABC. If they don't comply with ABC regulations, they could face fines or a loss of their license. This existing regulatory framework guarantees that they will conduct business in a systemic and responsible manner.

As a point of reference, staff researched how our adjacent city neighbors regulate micro-breweries. As Table 1 below demonstrates, there is a mix of requirements ranging from allowing these uses as "permitted by right" to requiring a Conditional Use Permit (CUP).

Table 1 - Microbreweries Survey

<u>City Agency</u>	<u>Land Use Requirement/Process</u>
City of Menifee	Breweries, distilleries, and wine making facilities with on-site tasting rooms and sales for off-site consumption, are allowed by right in the Economic Development Corridor.
City of Lake Elsinore	Micro-breweries are allowed to manufacture only in industrial zones with a "Tenant Improvement." Interpretation of the Community Development Director to determine the entitlement process needed on a case by case basis.
City of Murrieta	Micro-breweries are allowed in Commercial zones by right as an auxiliary use, such as a restaurant. A Minor CUP is needed in the Industrial zones.
City of Temecula	Micro-breweries are allowed in the Commercial zones by right and allowed in the Light Industrial zone subject to a CUP.
City of Perris	Micro-breweries are allowed in the Commercial & Industrial zones subject to a CUP.

ENVIRONMENTAL DISCUSSION:

In accordance with the requirements of the California Environmental Quality Act (Public Resources Code § 21000, et seq. ("CEQA")), a review of the potential environmental impacts was conducted by the Planning Department for Zoning Ordinance Amendment No. 16-03. This evaluation indicated no potential for significant impacts on the environment. First, micro-breweries (with or without food sales/tasting rooms) are similar to other typical commercial uses in the C-1/C-P or C-P-S zones that involve an ABC license. As these uses are permitted by right in these zones, CEQA would not apply to the establishment of these permitted uses. Second, Elsinore Valley Municipal Water District (EVMWD) was consulted to verify what, if any, impacts a micro-brewery could have on water usage. According to EVMWD (email dated May 16, 2016), there

are two (2) existing micro-breweries in their district service area, with water usage ranging from 24,000 to 160,000 gallons/month. EVMWD issued will serve letters for these micro-breweries, and concluded that micro-breweries will not create impacts on water. In a second verbal discussion with EVMWD, it was conveyed to staff that the amount of water used by micro-breweries under the proposed ordinance would not exceed that of similar commercial uses like car washes and laundromats, which are allowed by right in the C-1/C-P and C-P-S zones.

Given these factors, ZOA No. 16-03 meets the criteria for a general rule exemption from CEQA pursuant to Section 15061(b)(3). This section states that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. As a result, the Planning Department recommends that the Planning Commission recommend the City Council make a determination that Zoning Ordinance Amendment No. 16-03 has no potential to negatively impact the environment.

FINDING OF FACT – ZOA NO. 16-03:

In accordance with the provisions of Chapter 17.280 of the Zoning Ordinance, the Planning Department is recommending the Planning Commission consider the following finding in support of a recommendation to the City Council for approval of Zoning Ordinance Amendment No. 16-03.

- A. The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance.

The proposed amendment is consistent with the General Plan in that microbreweries locating in the C-1/C-P (General Commercial) and C-P-S (Scenic Highway Commercial) zones meet the intent of providing a variety of commercial and retail uses in these zones. Both the C-1/C-P and C-P-S zones are intended to promote and attract commercial and retail activities, services and jobs for local Wildomar residents. Allowing micro-breweries in these zone districts will further strengthen the City's economic base while meeting a market demand.

PUBLIC NOTICING:

In accordance with Chapter 17.04 of the Wildomar Municipal Code, the Planning Department, on June 24, 2016, published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of the public hearing to be held by the Planning Commission for Zoning Ordinance Amendment No. 16-03. As of the date of this report, staff has not received any public comments on the proposed amendment.

Respectfully Submitted,
Matthew C. Bassi
Planning Director

Reviewed By,
Erica L. Vega
Assistant City Attorney

ATTACHMENTS:

- A. PC Resolution No. 2016-21
Exhibit 1 – Draft Council Ordinance
- B. EVMWD Water Consumption Letter

ATTACHMENT A

PC Resolution No. 2016-21

PC RESOLUTION NO. 2016-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 16-03 AMENDING CHAPTER 17.72 (C-1/C-P ZONE) AND CHAPTER 17.76 (C-P-S ZONE) OF THE WILDOMAR MUNICIPAL CODE RELATING TO MICRO-BREWERIES

WHEREAS, the Planning Commission has proposed to the City council an amendment to Chapter 17.72 (C-1/C-P zone) and Chapter 17.76 (C-P-S zone) of the Wildomar Municipal Code relating to Micro-breweries; and

WHEREAS, in accordance with Section 17.280 of the Wildomar Municipal Code, the City of Wildomar Planning Commission has the authority to take action on, and make a recommendation to the City Council, for approval of Zoning Ordinance Amendment No. 16-03; and

WHEREAS, in accordance with the Wildomar Municipal Code, the Planning Department, on June 24, 2016, published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of a public hearing set for June 1, 2016 regarding Planning Commission review of Zoning Ordinance Amendment No. 16-03; and

WHEREAS, in accordance with Wildomar Municipal Code, the City of Wildomar Planning Commission conducted the duly noticed public hearing on July 6, 2016, at which time interested persons had an opportunity to testify in support of, or opposition to Zoning Ordinance Amendment No. 16-03, and at which time the Planning Commission received public testimony concerning Zoning Ordinance Amendment No. 16-03, and has made a recommendation to the City Council regarding said amendment.

NOW THEREFORE, the Planning Commission of the City of Wildomar, California does hereby resolve, determine and order as follows:

SECTION 1. ENVIRONMENTAL DETERMINATION.

In accordance with the requirements of the California Environmental Quality Act (Public Resources Code § 21000, et seq. ("CEQA")), a review of the potential environmental impacts was conducted by the Planning Department for Zoning Ordinance Amendment No. 16-03. This evaluation indicated no potential for significant impacts on the environment. First, micro-breweries (with or without food sales/tasting rooms) are similar to other typical commercial uses in the C-1/C-P or C-P-S zones that involve an ABC license. As these uses are permitted by right in these zones, CEQA would not apply to the establishment of these permitted uses. Second, Elsinore Valley Municipal Water District (EVMWD) was consulted to verify what, if any, impacts a micro-brewery could have on water usage. According to EVMWD (email dated May 16,

2016), there are two (2) existing micro-breweries in their district service area, with water usage ranging from 24,000 to 160,000 gallons/month. EVMWD issued will serve letters for these micro-breweries, and concluded that micro-breweries will not create impacts on water. In a second verbal discussion with EVMWD, it was conveyed to staff that the amount of water used by micro-breweries under the proposed ordinance would not exceed that of similar commercial uses like car washes and laundromats, which are permitted by right in the C-1/C-P and C-P-S zones.

Given these factors, ZOA No. 16-03 meets the criteria for a general rule exemption from CEQA pursuant to Section 15061(b)(3). This section states that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. As a result, the Planning Commission recommends the City Council make a determination that Zoning Ordinance Amendment No. 16-03 has no potential to negatively impact the environment.

SECTION 2. REQUIRED ZOA FINDING.

In accordance with the provisions of Chapter 17.280 of the Zoning Ordinance, the Planning Commission hereby makes the following finding in support of a recommendation to the City Council for approval of Zoning Ordinance Amendment No. 16-03.

- A. The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance.

The proposed amendment is consistent with the General Plan in that microbreweries locating in the C-1/C-P (General Commercial) and C-P-S (Scenic Highway Commercial) zones meet the intent of providing a variety of commercial and retail uses in these zones. Both the C-1/C-P and C-P-S zones are intended to promote and attract commercial and retail activities, services and jobs for local Wildomar residents. Allowing micro-breweries in these zone districts will further strengthen the City's economic base while meeting a market demand.

SECTION 3. PLANNING COMMISSION ACTION.

Based on the foregoing finding, and on substantial evidence in the whole of the record, the Planning Commission hereby adopts PC Resolution No. 2016-21 recommending City Council approval of an Ordinance, attached hereto and incorporated herein by reference as Exhibit 1, approving Zoning Ordinance Amendment No. 16-03.

PASSED, APPROVED AND ADOPTED this 6th day of July, 2016 by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Veronica Langworthy
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Erica L. Vega
Assistant City Attorney

EXHIBIT 1

Draft City Council Ordinance for ZOA No. 16-03

DRAFT ORDINANCE NO. _____

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 16-03 AMENDING CHAPTER 17.72 (C-1/C-P ZONE) AND CHAPTER 17.76 (C-P-S ZONE) OF THE WILDOMAR MUNICIPAL CODE RELATING TO MICRO-BREWERIES

WHEREAS, the City Council has decided to amend Chapter 17.72 (C-1/C-P zone) and Chapter 17.76 (C-P-S zone) of the Wildomar Municipal Code relating to Microbreweries; and

WHEREAS, in accordance with Section 17.280 of the Wildomar Municipal Code, the City Council has the authority to take action on Zoning Ordinance Amendment No. 16-03; and

WHEREAS, the Planning Commission held a public hearing on July 6, 2016 for Zoning Ordinance Amendment No. 16-03, and adopted PC Resolution No. 2016-21 recommending City Council approval of Zoning Ordinance Amendment No. 16-03; and

WHEREAS, in accordance with the Wildomar Municipal Code, the Planning Department, on _____, 2016, published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of a public hearing set for on _____, 2016 regarding Zoning Ordinance Amendment No. 16-03; and

WHEREAS, in accordance with Wildomar Municipal Code, the City Council conducted a duly noticed public hearing on _____, 2016, at which time interested persons had an opportunity to testify in support of, or opposition to Zoning Ordinance Amendment No. 16-03, and at which time the Planning Commission received public testimony concerning Zoning Ordinance Amendment No. 16-03, and has made a recommendation to the City Council regarding said amendment.

THE CITY COUNCIL OF THE CITY OF WILDOMAR HEREBY DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA/ENVIRONMENTAL DETERMINATION.

In accordance with the requirements of the California Environmental Quality Act (Public Resources Code § 21000, et seq. ("CEQA")), a review of the potential environmental impacts was conducted by the Planning Department for Zoning Ordinance Amendment No. 16-03. This evaluation indicated no potential for significant impacts on the environment. First, micro-breweries (with or without food sales/tasting rooms) are similar to other typical commercial uses in the C-1/C-P or C-P-S zones that

involve an ABC license. As these uses are permitted by right in these zones, CEQA would not apply to the establishment of these permitted uses. Second, Elsinore Valley Municipal Water District (EVMWD) was consulted to verify what, if any, impacts a micro-brewery could have on water usage. According to EVMWD (email dated May 16, 2016), there are two (2) existing micro-breweries in their district service area, with water usage ranging from 24,000 to 160,000 gallons/month. EVMWD issued will serve letters for these micro-breweries, and concluded that micro-breweries will not create impacts on water. In a second verbal discussion with EVMWD, it was conveyed to staff that the amount of water used by micro-breweries under the proposed ordinance would not exceed that of similar commercial uses like car washes and laundromats, which are permitted by right in the C-1/C-P and C-P-S zones.

Given these factors, ZOA No. 16-03 meets the criteria for a general rule exemption from CEQA pursuant to Section 15061(b)(3). This section states that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. As a result, the Planning Commission recommends the City Council make a determination that Zoning Ordinance Amendment No. 16-03 has no potential to negatively impact the environment.

SECTION 2. REQUIRED ZOA FINDING.

In accordance with the provisions of Chapter 17.280 of the Zoning Ordinance, the City Council, upon recommendation of the Planning Commission, hereby makes the following finding for approval of Zoning Ordinance Amendment No. 16-03.

- A. The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance.

The proposed amendment is consistent with the General Plan in that microbreweries locating in the C-1/C-P (General Commercial) and C-P-S (Scenic Highway Commercial) zones meet the intent of providing a variety of commercial and retail uses in these zones. Both the C-1/C-P and C-P-S zones are intended to promote and attract commercial and retail activities, services and jobs for local Wildomar residents. Allowing micro-breweries in these zone districts will further strengthen the City's economic base while meeting a market demand.

SECTION 3: AMENDMENT TO THE ZONING ORDINANCE

Chapter 17.72.010 (C-1/C-P zone) of the City of Wildomar Municipal Code is hereby amended to add the following uses to the list of permitted uses in enclosed buildings:

17.72.010.A.96

"Micro-brewery/brew pub" requiring a Type 23 ABC license allowing the licensee to produce beer with or with out a bona-fide restaurant, and with sales for on-site or off-site consumption. Production is limited to no more than 15,000 barrels/year."

17.72.010.A.97

“Micro-brewery/brew pub” requiring a Type 75 state ABC license allowing the licensee to produce beer for on-site consumption in association with a bona-fide restaurant, and which allows the sale of beer for off-site consumption. Production is limited to no more than 5,000 barrels/year.”

17.72.010.C.18

“Micro-brewery/brew pub” requiring a Type 23 ABC license allowing the licensee to produce beer with or with out a bona-fide restaurant, and with sales for on-site or off-site consumption with production exceeding 15,000 barrels/year.”

SECTION 5: **AMENDMENT TO THE ZONING ORDINANCE**

Chapter 17.76.010 (C-P-S zone) of the City of Wildomar Municipal Code is hereby amended to add the following use to the list of uses permitted in enclosed buildings:

17.76.010.A.101

“Micro-brewery/brew pub” requiring a Type 23 ABC license allowing the licensee to produce beer with or with out a bona-fide restaurant, and with sales for on-site or off-site consumption. Production is limited to no more than 15,000 barrels/year.”

17.76.010.A.102

“Micro-brewery/brew pub” requiring a Type 75 state ABC license allowing the licensee to produce beer for on-site consumption in association with a bona-fide restaurant, and which allows the sale of beer for off-site consumption. Production is limited to no more than 5,000 barrels/year.”

17.76.010.B.24

“Micro-brewery/brew pub” requiring a Type 23 ABC license allowing the licensee to produce beer with or with out a bona-fide restaurant, and with sales for on-site or off-site consumption with production exceeding 15,000 barrels/year.”

SECTION 5. **SEVERABILITY.**

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

SECTION 6 **EFFECTIVE DATE.**

This ordinance shall take effect thirty (30) days after its passage by the City Council.

SECTION 7. PUBLICATION.

The city clerk is directed to certify the adoption of this ordinance and cause it to be published in the manner required by law.

SECTION 8. CITY CLERK ACTION

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

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2016

Bridgette Moore
Mayor

APPROVED AS TO FORM:

ATTEST:

Thomas D. Jex
City Attorney

Debbie A. Lee, CMC
City Clerk

ATTACHMENT B

EVMWD Water Consumption Letter

From: [Jason Dafforn](#)
To: [Matthew Bassi](#)
Cc: [Dan York](#)
Subject: RE: Micro Breweries
Date: Monday, May 23, 2016 2:24:19 PM

Hi Matt,

Those numbers are not a problem for EVMWD. Thanks!

Jason

From: Matthew Bassi [mailto:mbassi@cityofwildomar.org]
Sent: Monday, May 16, 2016 4:31 PM
To: Jason Dafforn <jdafforn@evmwd.net>
Cc: Dan York <dyork@cityofwildomar.org>
Subject: RE: Micro Breweries

Thanks Jason. So these amounts are not a problem with EVMWD?

Matthew C. Bassi
Planning Director

City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595
Work: 951-677-7751 x213
Fax: 951-698-1463

City Hall Hours:
Monday - Thursday
8:00 a.m. - 5:00 p.m.

Reminder: City Hall is Closed Friday's

All e-mail to and from the City of Wildomar may be considered public information and may be disclosed upon request.

From: Jason Dafforn [mailto:jdafforn@evmwd.net]
Sent: Monday, May 16, 2016 2:39 PM
To: Matthew Bassi
Subject: Micro Breweries

Hello Matt,

Sorry for the delay! I had to verify exactly how much information I am allowed to provide.

We have two microbreweries currently in our service area; one averages approximately 24,000 gallons per month and the other averages approximately 160,000 gallons per month. I know this is a

large range and probably does not help with your evaluation much. Let me know if I can help in any other way. Thanks

Jason Dafforn, P.E.
Engineering Manager
Elsinore Valley Municipal Water District
(951) 674-3146 ext. 8219

From: [Nemesciano Ochoa](#)
To: [Matthew Bassi](#)
Subject: FW: MICRO BREWERIES WATER CONSUMPTION
Date: Thursday, May 05, 2016 7:43:08 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

FYI. Jason will be following up with you.

From: Jason Dafforn
Sent: Wednesday, May 04, 2016 12:11 PM
To: Nemesciano Ochoa
Cc: Joanna Stewart
Subject: RE: MICRO BREWERIES WATER CONSUMPTION

Will do!

From: Nemesciano Ochoa
Sent: Wednesday, May 04, 2016 11:16 AM
To: Jason Dafforn <jdafforn@evmwd.net>
Cc: Joanna Stewart <jstewart@evmwd.net>
Subject: FW: MICRO BREWERIES WATER CONSUMPTION

Hi Jason,

I know we had some recent inquiry on similar type business going in near the Lake Elsinore. Engineering staff had done a lot of groundwork on coming up with some estimates. Can your staff research and provide some information for Matt by the end of the week.

Thanks,
Nem

From: Nemesciano Ochoa
Sent: Wednesday, May 04, 2016 11:14 AM
To: 'Matthew Bassi'
Cc: Dan York; John Vega; Gary Nordquist
Subject: RE: MICRO BREWERIES WATER CONSUMPTION

Matt,
Not a problem. We'll have something for you later this week.
Thanks,
Nem

Nemesciano Ochoa, P.E.

Assistant General Manager | EVMWD
(951) 674-3146 ext. 8359



From: Matthew Bassi [<mailto:mbassi@cityofwildomar.org>]
Sent: Wednesday, May 04, 2016 9:56 AM
To: Nemesciano Ochoa
Cc: Dan York; John Vega; Gary Nordquist
Subject: MICRO BREWERIES WATER CONSUMPTION
Importance: High

Nem, I am moving a ordinance forward to our Commission and Council to allow nano/micro breweries in our 2 commercial zones. In the past, we had issues with a misconception that these specific businesses use an enormous amount of water and that created environmental impacts.

It would a big help if you could give me some data or an estimate on what you have seen for water consumption for these business. This information would be placed in my report to verify that there are no impacts to water availability. There a lot of micro breweries in Temecula, Murrieta and Elsinore so I can't think there is much of a water impact.

I know its short notice but if you can get me something by next Monday (5/9) that would be great. Let me know if you have any questions. Thanks Nem.

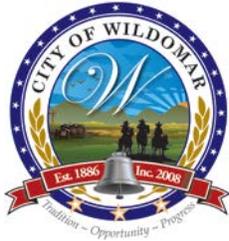
Matthew C. Bassi
Planning Director

City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595
Work: 951-677-7751 x213
Fax: 951-698-1463

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Reminder: City Hall is Closed Friday's

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CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item #2.2
PUBLIC HEARING
Meeting Date: July 6, 2016

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director

SUBJECT: **Zoning Ordinance Amendment No. 16-04:**
Planning Commission review of a Categorical Exemption and an amendment to Chapter 17.252 (Sign Regulations) of the Wildomar Municipal Code relating to electronic message signage for commercial shopping centers in the C-1/C-P and C-P-S zones adjacent to Interstate 15.

STAFF REPORT

RECOMMENDATION:

The Planning Department recommends the Planning Commission take the following action:

1. Adopt a Resolution entitled:

PC RESOLUTION NO. 2016-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) AND SECTION 15311(A) OF THE CEQA GUIDELINES AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 16-04 AMENDING CHAPTER 17.252 (SIGN REGULATIONS) OF THE WILDOMAR MUNICIPAL CODE RELATED TO ELECTRONIC MESSAGE SIGNAGE FOR COMMERCIAL RETAIL SHOPPING CENTERS IN THE C-1/C-P AND C-P-S ZONES ADJACENT TO INTERSTATE 15 FREEWAY

DESCRIPTION:

The Planning Department received a zoning ordinance amendment application from Mr. David Horenstein (Wildomar Square) requesting Commission consideration of an amendment to the City's electronic message sign provisions. The proposed amendment would allow electronic message sign displays for commercial retail shopping centers on properties zoned C-1/C-P and C-P-S and are adjacent to the I-15 freeway.

The amendment would change Section 17.252.040(E) of the zoning ordinance which currently regulates electronic message signage for individual businesses (and non-profit organizations and private schools) located on a single parcel of land. The specifics of the proposed changes are provided in Exhibit 1 of Attachment A. Upon Commission review and recommendation, the code amendment will be forwarded to the City Council for review.

DISCUSSION:

The specific changes to Section 17.252.040(E) are summarized below. Text in blue/italics/underline reflects revised/new text while ~~red/strikeout~~ reflects deletion of text. All other text remains unchanged. A complete copy of the current text of Section 17.252.040(E) is provided in Attachment B for reference purposes.

Section 17.252.040(E)

“E. Electronic Message Sign Regulations.

1. Intent. It is the intent of this section to establish regulations for electronic message signs to ensure that they are consistent with other signage types located on the parcel and do not create a distracting and potentially unsafe visual environment. ~~The intent is to limit the use of electronic message signs to freestanding business identification to ensure that these sign types are used along with other signage and are consistent with that signage.~~
2. Applicability. The electronic message sign types listed below shall be permitted only within the C-1/C-P and CPS zones as a freestanding business identification sign for individual businesses on a single parcel of land, or as a freestanding center/business identification sign for commercial retail shopping centers adjacent to Interstate 15 freeway subject to the development standards outlined in this section. In addition, these sign types shall be permitted for private schools and non-profit service club organizations located on a single parcel of land in any zone subject to the development standards outlined in this section. A minor plot plan and/or sign program application is required for these electronic message sign types, and shall be approved by the Planning Director prior to the issuance of any building/electrical permit by the Building Department.
 - a. Electronic Changeable Copy Signs.
 - b. Electronic Graphic Display Signs.
- 5 Development Standards (Individual Businesses on a Single Parcel). The following standards shall apply to all electronic message sign types listed in Section 17.252.040.E.2.
 - a. A maximum of one (1) electronic message sign is allowed per street frontage and can only be included as part of a free-standing business identification sign.

- b. An electronic message sign is limited to a maximum sign area of 50 square feet per sign face (~~single or double-faced sign~~).
- c. No more than 50% of the total business identification sign area can be allocated to the electronic message portion of the sign.
- d. Business identification sign which include an electronic message signs are limited to a maximum height of 15 feet.
- e. The sign shall only be located on the site of the use identified/advertised by the sign.
- f. When proposed, a monument base for the proposed sign type shall be constructed of materials that are consistent with the materials of the building for the business. The monument base shall be included in the total sign height.
- g. The electronic message sign shall be located no closer than 100 feet from an abutting residential zone district boundary, and shall not produce any glare into an adjacent residence.
- h. Audio speakers are prohibited in association with any electronic message business identification signs.
- i. The provisions in the Table 1 below (Additional Standards for Electronic Message Signs) shall apply as noted.

6 Development Standards (Commercial Retail Shopping Centers). The following standards shall apply to all electronic message sign types listed in Section 17.252.040.E.2.

- a. A maximum of one (1) electronic message sign is allowed for a commercial retail shopping center with a minimum site size of four (4) gross acres.
- b. An electronic message sign shall be limited to a maximum sign area of 200 square feet per sign face and shall not exceed 45 feet in height.
- c. The electronic message sign shall be located on the site adjacent to and oriented toward Interstate 15 freeway as determined by the Planning Director.
- d. The electronic message portion of the sign may only display on-site commercial messages and noncommercial messages.

- e. The monument base for the proposed sign type shall be constructed of materials that are consistent with the materials approved with the commercial center. The monument base shall be included in the total sign height outlined above.
- f. Audio speakers are prohibited in association with any electronic message business identification signs.
- g. The electronic message sign shall maintain a minimum setback of five (5) feet from the freeway right-of-way and/or street property line.
- h. The electronic message portion of the sign shall comply with all applicable lighting provisions of Chapter 8.64 (Light Pollution) of the Wildomar Municipal Code.
- i. The provisions of Table 17.252.040.E-1 (Additional Standards for Electronic Message Signs) shall apply as noted.”

**Table 17.252.040.E-1
Additional Standards for Electronic Message Signs**

Sign Type	Description	Text Limit	Minimum Duration	Brightness (NITs ¹) Day/Night ²	Dark Period (off / on)
Electronic Changeable Copy	Text only – no picture or movement (e.g. no scrolling)	15 words	5 seconds	5,000 ³ / 200	<u>9:30 PM to 6:30 AM</u> 10 P.M. to 6 A.M.
Electronic Graphic Display	Images and text (scrolling of text permitted)	No limit	5 seconds	5,000 ³ / 200	<u>9:30 PM to 6:30 AM</u> 10 P.M. to 6 A.M.

1. NIT is a term used to describe a metric unit of luminance. It is defined as candela per square meter (cd/m²). The unit is based on the candela, the modern metric unit of luminous intensity. This quantifies surface brightness, or the amount of light an object gives off.
2. Dimmer control required to change to the lower nighttime brightness setting upon sunset. A change to the higher brightness setting is not permitted until after sunrise.
3. As part of the minor plot plan process, the Planning Director may approve an increase in sign brightness up to a maximum of 7,500 NITs during periods of low sun (e.g., sunset) to allow sign text and graphics to be clearly seen when affected by direct sunlight.

As summarized above, the proposed code amendment will provide new language within subsections 17.252.040(E)(1) & (2) to address electronic message signage for commercial centers. Subsection 17.252.040(E)(5) revises the title of this subsection to set apart sign standards for signage for individual businesses and non-profit/private schools located on a single parcel of land. These standards will not change.

Staff has also proposed a new subsection (17.252.040(E)(6)) that creates a set of sign standards specifically intended for commercial centers located in the C-1/C-P and C-P-S zones that are located adjacent to the I-15 freeway. This subsection proposes to allow one electronic message sign per commercial center up to 200 square feet in sign area and not to exceed 45 feet in height.

It is important to point out that the electronic message signage must also comply with all applicable provisions of the City’s light pollution ordinance (Chapter 8.64 of the WMC) and the brightness standards approved by the Council on April 10, 2013 as identified in Table 17.252.040.E-1. A slight change to the dark period time (off/on) column of the table has been modified by a 30-minute increment for night-time shut/off and day-time turn-on to further protect the dark sky policies.

Staff believes these new standards will maintain consistency with our “dark sky” policies which was an important provision when the original electronic message sign code amendment was approved by City Council on April 10, 2013. Further, it will create the ability to have local and regional community messaging visible to Wildomar residents. It will also create better marketing opportunities for commercial center owners in attracting new retail businesses. An example of an electronic message sign type is provided in Attachment C. As a point of reference, staff researched how our adjacent city neighbors regulate electronic message signs.

Table 1 – Electronic Message Sign Standards Survey

<u>City Agency</u>	<u>Land Use Requirement/Process</u>
City of Menifee	Not Allowed.
City of Eastvale	Allowed via a Development Agreement.
City of Lake Elsinore	Allowed. Total sign area shall not exceed 30 square feet/lineal feet of freeway frontage; provided however, that the maximum sign area shall not exceed 150 square feet total per face and not exceed 45 feet in height.
City of Murrieta	Not currently allowed, but working on an amendment.
City of Temecula	Not Allowed.
City of Perris	Allowed in commercial, office, business park and industrial zones via a CUP/ One (1) sign not to exceed 25 feet in height is permitted/parcel within 660 feet of the freeway right-of-way (50 feet in height allowed if within 300 feet of freeway). 100 square feet maximum sign area with a minimum setback of five (5) feet from the property line adjacent to the freeway

ENVIRONMENTAL DISCUSSION:

In accordance with the requirements of the California Environmental Quality Act (Public Resources Code § 21000, et seq. ("CEQA")), a review of the potential environmental impacts was conducted by the Planning Department for Zoning Ordinance Amendment No. 16-04. This evaluation indicated no potential for significant impacts on the environment. First, the ordinance allows electronic message signs in shopping centers where non-electronic freestanding signs are already permitted. The only difference between what is currently allowed in the Code and what is proposed is that part of the sign can have an electronic display. The electronic signs are required to comply with the City's Light Pollution Ordinance to ensure that there are no adverse impacts from the new source of light. Second, construction of new signs resulting from approval of this code amendment are already categorically exempt from environmental review in accordance with Section 15311(a) of the CEQA Guidelines.

Given these two factors, ZOA No. 16-04 meets the criteria for a general rule exemption from CEQA pursuant to Section 15061(b)(3) and a Categorical Exemption per Section 15311(a). Section 15061(b)(3) states that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. As a result, staff is recommending the Planning Commission make a determination that Zoning Ordinance Amendment No. 16-04 has no potential to negatively impact the environment, and recommend to the City Council adoption of the general rule exemption and categorical exemption as stated above.

FINDING OF FACT – ZOA NO. 16-04:

In accordance with the provisions of Chapter 17.280 of the Zoning Ordinance, the Planning Department is recommending the Planning Commission consider the following finding in support of a recommendation to the City Council for approval of Zoning Ordinance Amendment No. 16-04.

- A. The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance.

The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance in that the proposed amendment to allow electronic message signs for commercial retail centers along Interstate 15 in the C-1/C-P and C-P-S zones will provide for enhanced business identification for the centers, including the individual businesses located within the center that can lead to increased economic opportunities (i.e., Policy LU 4.1.g & LU 7.6). Further, the proposed provisions/regulations in the amendment will ensure that electronic message signs will be constructed and used in a manner that will maintain safety and aesthetics, and meet the requirements of the City's "dark sky" policies and light pollution ordinances.

PUBLIC NOTICING:

In accordance with Chapter 17.04 of the Wildomar Municipal Code, the Planning Department, on June 24, 2016, published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of the public hearing to be held by the Planning Commission for Zoning Ordinance Amendment No. 16-04. As of the date of this report, staff has not received any public comments on the proposed amendment.

Respectfully Submitted,
Matthew C. Bassi
Planning Director

Reviewed By,
Erica L. Vega
Assistant City Attorney

ATTACHMENTS:

- A. PC Resolution No. 2016-22
Exhibit 1 – Draft Council Ordinance
- B. Copy of Chapter 17.252.E of the WMC
- C. Sample electronic message Sign Type Exhibit (Wildomar Square)

ATTACHMENT A

PC Resolution No. 2016-22

PC RESOLUTION NO. 2016-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) AND SECTION 15311(A) OF THE CEQA GUIDELINES AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 16-04 AMENDING CHAPTER 17.252 (SIGN REGULATIONS) OF THE WILDOMAR MUNICIPAL CODE RELATED TO ELECTRONIC MESSAGE SIGNAGE FOR COMMERCIAL RETAIL SHOPPING CENTERS IN THE C-1/C-P AND C-P-S ZONES ADJACENT TO INTERSTATE 15 FREEWAY

WHEREAS, the Planning Commission has proposed to the City Council an amendment to Chapter 17.252 (Sign Regulations) of the Wildomar Municipal Code related to electronic message freeway signage for commercial centers in the C-1/C-P and C-P-S zones; and

WHEREAS, in accordance with Section 17.280 of the Wildomar Municipal Code, the City of Wildomar Planning Commission has the authority to take action on, and make a recommendation to the City Council, for approval of Zoning Ordinance Amendment No. 16-04; and

WHEREAS, in accordance with the Wildomar Municipal Code, the Planning Department, on June 24, 2016, published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of a public hearing set for July 6, 2016 regarding Planning Commission review of Zoning Ordinance Amendment No. 16-04; and

WHEREAS, in accordance with Wildomar Municipal Code, the City of Wildomar Planning Commission conducted the duly noticed public hearing on July 6, 2016, at which time interested persons had an opportunity to testify in support of, or opposition to Zoning Ordinance Amendment No. 16-04, and at which time the Planning Commission received public testimony concerning Zoning Ordinance Amendment No. 16-04, and has made a recommendation to the City Council regarding said amendment.

NOW THEREFORE, the Planning Commission of the City of Wildomar, California does hereby resolve, determine and order as follows:

SECTION 1. ENVIRONMENTAL DETERMINATION.

In accordance with the requirements of the California Environmental Quality Act (Public Resources Code § 21000, et seq. ("CEQA")), a review of the potential environmental impacts was conducted by the Planning Department for Zoning Ordinance Amendment No. 16-04. This evaluation indicated no potential for significant impacts on the environment. First, the ordinance allows electronic message signs in shopping centers where non-electronic freestanding signs are already permitted. The only difference between what is currently allowed in the Code and what is proposed is that part of the sign can have an electronic display. The electronic signs are required to

comply with the City's Light Pollution Ordinance to ensure that there are no adverse impacts from the new source of light. Second, construction of new signs resulting from approval of this code amendment are already categorically exempt from environmental review in accordance with Section 15311(a) of the CEQA Guidelines. Given these two factors, ZOA No. 16-04 meets the criteria for a general rule exemption from CEQA pursuant to Section 15061(b)(3) and a Categorical Exemption per Section 15311(a). Section 15061(b)(3) states that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. As a result, staff is recommending the Planning Commission make a determination that Zoning Ordinance Amendment No. 16-04 has no potential to negatively impact the environment, and recommend to the City Council adoption of the general rule exemption and categorical exemption as stated above.

SECTION 2. REQUIRED ZOA FINDING.

In accordance with the provisions of Chapter 17.280 of the Zoning Ordinance, the Planning Commission hereby makes the following finding in support of a recommendation to the City Council for approval of Zoning Ordinance Amendment No. 16-04.

- A. The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance.

The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance in that the proposed amendment to allow electronic message signs for commercial retail centers, will provide for enhanced business identification for the centers, including the individual businesses located within the center that can lead to increased economic opportunities (i.e., Policy LU 4.1.g & LU 7.6). Further, the proposed provisions/regulations in the amendment will ensure that electronic message signs will be constructed and used in a manner that will maintain safety and aesthetics, and meet the requirements of the City's "dark sky" policies and light pollution ordinances.

SECTION 3. PLANNING COMMISSION ACTION.

Based on the foregoing finding, and on substantial evidence in the whole of the record, the Planning Commission hereby adopts PC Resolution No. 2016-21 recommending City Council approval of an Ordinance, attached hereto and incorporated herein by reference as Exhibit 1, approving Zoning Ordinance Amendment No. 16-04.

PASSED, APPROVED AND ADOPTED this 6th day of July, 2016 by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Veronica Langworthy
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Erica L. Vega
Assistant City Attorney

EXHIBIT 1

Draft City Council Ordinance for ZOA No. 16-04

DRAFT ORDINANCE NO. _____

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) AND SECTION 15311(A) OF CEQA AND APPROVING ZONING ORDINANCE AMENDMENT NO. 16-04 AMENDING CHAPTER 17.252 (SIGN REGULATIONS) OF THE WILDOMAR MUNICIPAL CODE RELATED TO ELECTRONIC MESSAGE FREEWAY SIGNAGE FOR COMMERCIAL RETAIL SHOPPING CENTERS IN THE C-1/C-P AND C-P-S ZONES ADJACENT TO INTERSTATE 15 FREEWAY

WHEREAS, the City Council has decided to amend Chapter 17.252 (Sign Regulations) of the Wildomar Municipal Code relating to electronic message signage for commercial retail shopping centers in the C-1/C-P and C-P-S zones adjacent to Interstate 15 freeway ; and

WHEREAS, in accordance with Section 17.280 of the Wildomar Municipal Code, the City Council has the authority to take action on Zoning Ordinance Amendment No. 16-04; and

WHEREAS, the Planning Commission held a public hearing on July 6, 2016 for Zoning Ordinance Amendment No. 16-04, and adopted PC Resolution No. 2016-22 recommending City Council approval of Zoning Ordinance Amendment No. 16-04; and

WHEREAS, in accordance with the Wildomar Municipal Code, the Planning Department, on _____, 2016, published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of a public hearing set for on _____, 2016 regarding Zoning Ordinance Amendment No. 16-04; and

WHEREAS, in accordance with Wildomar Municipal Code, the City Council conducted a duly noticed public hearing on _____, 2016, at which time interested persons had an opportunity to testify in support of, or opposition to Zoning Ordinance Amendment No. 16-04, and at which time the Planning Commission received public testimony concerning Zoning Ordinance Amendment No. 16-04, and has made a recommendation to the City Council regarding said amendment.

THE CITY COUNCIL OF THE CITY OF WILDOMAR HEREBY DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA/ENVIRONMENTAL DETERMINATION.

In accordance with the requirements of the California Environmental Quality Act (Public Resources Code § 21000, et seq. ("CEQA")), a review of the potential environmental impacts was conducted by the Planning Department for Zoning Ordinance Amendment No. 16-04. This evaluation indicated no potential for significant

impacts on the environment. First, the ordinance allows electronic message signs in shopping centers where non-electronic freestanding signs are already permitted. The only difference between what is currently allowed in the Code and what is proposed is that part of the sign can have an electronic display. The electronic signs are required to comply with the City's Light Pollution Ordinance to ensure that there are no adverse impacts from the new source of light. Second, construction of new signs resulting from approval of this code amendment are already categorically exempt from environmental review in accordance with Section 15311(a) of the CEQA Guidelines. Given these two factors, ZOA No. 16-04 meets the criteria for a general rule exemption from CEQA pursuant to Section 15061(b)(3) and a Categorical Exemption per Section 15311(a). Section 15061(b)(3) states that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. As a result, staff is recommending the Planning Commission make a determination that Zoning Ordinance Amendment No. 16-04 has no potential to negatively impact the environment, and recommend to the City Council adoption of the general rule exemption and categorical exemption as stated above.

SECTION 2. REQUIRED ZOA FINDING.

In accordance with the provisions of Chapter 17.280 of the Zoning Ordinance, the City Council, upon recommendation of the Planning Commission, hereby makes the following finding for approval of Zoning Ordinance Amendment No. 16-04.

- A. The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance.

The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance in that the proposed amendment to allow electronic message signs for commercial retail centers, will provide for enhanced business identification for the centers, including the individual businesses located within the center that can lead to increased economic opportunities (i.e., Policy LU 4.1.g & LU 7.6). Further, the proposed provisions/regulations in the amendment will ensure that electronic message signs will be constructed and used in a manner that will maintain safety and aesthetics, and meet the requirements of the City's "dark sky" policies and light pollution ordinances.

SECTION 3. AMENDMENT TO THE ZONING ORDINANCE

Section 17.252.040(E).1 and 2 of the Wildomar Municipal Code is hereby amended to read as follows:

"E. Electronic Message Sign Regulations.

1. Intent. It is the intent of this section to establish regulations for electronic message signs to ensure that they are consistent with other signage types located on the parcel and do not create a distracting and potentially unsafe visual environment.

2. Applicability. The electronic message sign types listed below shall be permitted only within the C-1/C-P and CPS zones as a freestanding business identification sign for individual businesses on a single parcel of land, or as a freestanding center/business identification sign for commercial retail shopping centers adjacent to Interstate 15 freeway subject to the development standards outlined in this section. In addition, these sign types shall be permitted for private schools and non-profit service club organizations located on a single parcel of land in any zone subject to the development standards outlined in this section. A minor plot plan and/or sign program application is required for these electronic message sign types, and shall be approved by the Planning Director prior to the issuance of any building/electrical permit by the Building Department.
 - a. Electronic Changeable Copy Signs.
 - b. Electronic Graphic Display Signs.

SECTION 4. **AMENDMENT TO THE ZONING ORDINANCE**

Section 17.252.040(E).5 of the Wildomar Municipal Code is hereby amended to read as follows:

“E. Electronic Message Sign Regulations.

5. Development Standards (Individual Businesses on a Single Parcel). The following standards shall apply to all electronic message sign types listed in Section 17.252.040.E.2.
 - a. A maximum of one (1) electronic message sign is allowed per street frontage and can only be included as part of a free-standing business identification sign.
 - b. An electronic message sign is limited to a maximum sign area of 50 square feet per sign face.
 - c. No more than 50% of the total business identification sign area can be allocated to the electronic message portion of the sign.
 - d. Business identification sign which include an electronic message signs are limited to a maximum height of 15 feet.
 - e. The sign shall only be located on the site of the use identified/advertised by the sign.
 - f. When proposed, a monument base for the proposed sign type shall be constructed of materials that are consistent with the materials of the building for the business. The monument base shall be included in the total sign height.

- g. The electronic message sign shall be located no closer than 100 feet from an abutting residential zone district boundary, and shall not produce any glare into an adjacent residence.
- h. Audio speakers are prohibited in association with any electronic message business identification signs.
- i. The provisions in the Table 1 below (Additional Standards for Electronic Message Signs) shall apply as noted.

SECTION 5. AMENDMENT TO THE ZONING ORDINANCE

Section 17.252.040(E).6 is hereby added as a new subsection of the Wildomar Municipal Code to read as follows:

“E. Electronic Message Sign Regulations.

- 6. Development Standards (Commercial Retail Shopping Centers). The following standards shall apply to all electronic message sign types listed in Section 17.252.040.E.2.
 - a. A maximum of one (1) electronic message sign is allowed for a commercial retail shopping center with a minimum site size of four (4) gross acres.
 - b. An electronic message sign shall be limited to a maximum sign area of 200 square feet per sign face and shall not exceed 45 feet in height.
 - c. The electronic message sign shall be located on the site adjacent to and oriented toward Interstate 15 freeway as determined by the Planning Director.
 - d. The electronic message portion of the sign may only display on-site commercial messages and noncommercial messages.
 - e. The monument base for the proposed sign type shall be constructed of materials that are consistent with the materials approved with the commercial center. The monument base shall be included in the total sign height outlined above.
 - f. Audio speakers are prohibited in association with any electronic message business identification signs.
 - g. The electronic message sign shall maintain a minimum setback of five (5) feet from the freeway right-of-way and/or street property line.

- h. The electronic message portion of the sign shall comply with all applicable lighting provisions of Chapter 8.64 (Light Pollution) of the Wildomar Municipal Code.
- i. The provisions of Table 17.252.040.E-1 (Additional Standards for Electronic Message Signs) shall apply as noted.”

SECTION 6: AMENDMENT TO THE ZONING ORDINANCE

Table 17.252.040.E-1 of the Wildomar Municipal Code is hereby amended to read as follows:

**Table 17.252.040.E-1
Additional Standards for Electronic Message Signs**

Sign Type	Description	Text Limit	Minimum Duration	Brightness (NITs ¹) Day/Night ²	Dark Period (off / on)
Electronic Changeable Copy	Text only – no picture or movement (e.g. no scrolling)	15 words	5 seconds	5,000 ³ / 200	9:30 PM to 6:30 A.M.
Electronic Graphic Display	Images and text (scrolling of text permitted)	No limit	5 seconds	5,000 ³ / 200	9:30 PM to 6:30 A.M.

1. NIT is a term used to describe a metric unit of luminance. It is defined as candela per square meter (cd/m²). The unit is based on the candela, the modern metric unit of luminous intensity. This quantifies surface brightness, or the amount of light an object gives off.
2. Dimmer control required to change to the lower nighttime brightness setting upon sunset. A change to the higher brightness setting is not permitted until after sunrise.
3. As part of the minor plot plan process, the Planning Director may approve an increase in sign brightness up to a maximum of 7,500 NITs during periods of low sun (e.g., sunset) to allow sign text and graphics to be clearly seen when affected by direct sunlight.

SECTION 7. SEVERABILITY.

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

SECTION 8. EFFECTIVE DATE.

This ordinance shall take effect thirty (30) days after its passage by the City Council.

SECTION 9. PUBLICATION.

The city clerk is directed to certify the adoption of this ordinance and cause it to be published in the manner required by law.

SECTION 10. CITY CLERK ACTION

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

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2016

Bridgette Moore
Mayor

APPROVED AS TO FORM:

ATTEST:

Thomas D. Jex
City Attorney

Debbie A. Lee, CMC
City Clerk

ATTACHMENT B

Copy of Current Chapter 17.252.E of the WMC

Chapter 17.252.E – Current Regulations

E. Electronic Message Sign Regulations.

1. Intent. It is the intent of this section to establish regulations for electronic message signs to ensure that they are consistent with other signage types located on the parcel and do not create a distracting and potentially unsafe visual environment. The intent is to limit the use of electronic message signs as individual freestanding business identification to ensure that these sign types are used along with other signage and are consistent with that signage.
2. Applicability. The electronic message sign types listed below shall be permitted only within the C-1/C-P and CPS zones as a free-standing business identification sign for individual businesses on a single parcel of land subject to the development standards outlined in this section. In addition, these sign types shall be permitted for private schools and non-profit service club organizations located on a single parcel of land in any zone subject to the development standards outlined in this section. A Minor Plot Plan application is required for these electronic message sign types, and shall be approved by the Planning Director prior to the issuance of any building/electrical permit by the Building Department.
 - a. Electronic Changeable Copy Signs.
 - b. Electronic Graphic Display Signs.
3. Prohibited Electronic Sign Types. Sign with mechanical moving part (e.g. Multi-vision Signs) and sign with video or other types of moving lights or visual images (e.g. Video Display Signs) are prohibited within all Wildomar zoning districts.
4. Exempt Electronic Signs. Time and temperature display smaller than 12 square feet in size are exempt from these requirements.
5. Development Standards. The following standards shall apply to all Electronic Message Sign types listed in Section 17.252.040.E.2.
 - a. A maximum of one (1) electronic message sign is allowed per street frontage and can only be included as part of a free-standing business identification sign.
 - b. An electronic message sign is limited to a maximum sign area of 50 square feet per face (single or double-faced sign).
 - c. No more than 50% of the total business identification sign area can be allocated to the electronic message portion of the sign.

- d. Business identification sign which include an electronic message signs are limited to a maximum height of 15 feet.
- e. The sign shall only be located on the site of the use identified/advertised by the sign.
- f. When proposed, a monument base for the proposed sign type shall be constructed of materials that are consistent with the materials of the building for the business. The monument base shall be included in the total sign height.
- g. The electronic message sign shall be located no closer than 100 feet from an abutting residential zone district boundary, and shall not produce any glare into an adjacent residence.
- h. Audio speakers are prohibited in association with any electronic message business identification signs.
- i. The provisions in the Table 1 below (Additional Standards for Electronic Message Signs) shall apply as noted.

**Table 17.252.040.E-1
Additional Standards for Electronic Message Signs**

Sign Type	Description	Text Limit	Minimum Duration	Brightness (NITs¹) Day/Night²	Dark Period (off / on)
Electronic Changeable Copy	Text only – no picture or movement (e.g. no scrolling)	15 words	5 seconds	5,000 ³ / 200	10 P.M. to 6 A.M.
Electronic Graphic Display	Images and text (scrolling of text permitted)	No limit	5 seconds	5,000 ³ / 200	10 P.M. to 6 A.M.

- 7. NIT is a term used to describe a metric unit of luminance. It is defined as candela per square meter (cd/m²). The unit is based on the candela, the modern metric unit of luminous intensity. This quantifies surface brightness, or the amount of light an object gives off.
- 8. Dimmer control required to change to the lower nighttime brightness setting upon sunset. A change to the higher brightness setting is not permitted until after sunrise.
- 9. As part of the minor plot plan process, the Planning Director may approve an increase in sign brightness up to a maximum of 7,500 NITs during periods of low sun (e.g., sunset) to allow sign text and graphics to be clearly seen when affected by direct sunlight.

ATTACHMENT C

Sample Electronic Message Sign Type Exhibit (Wildomar Square)

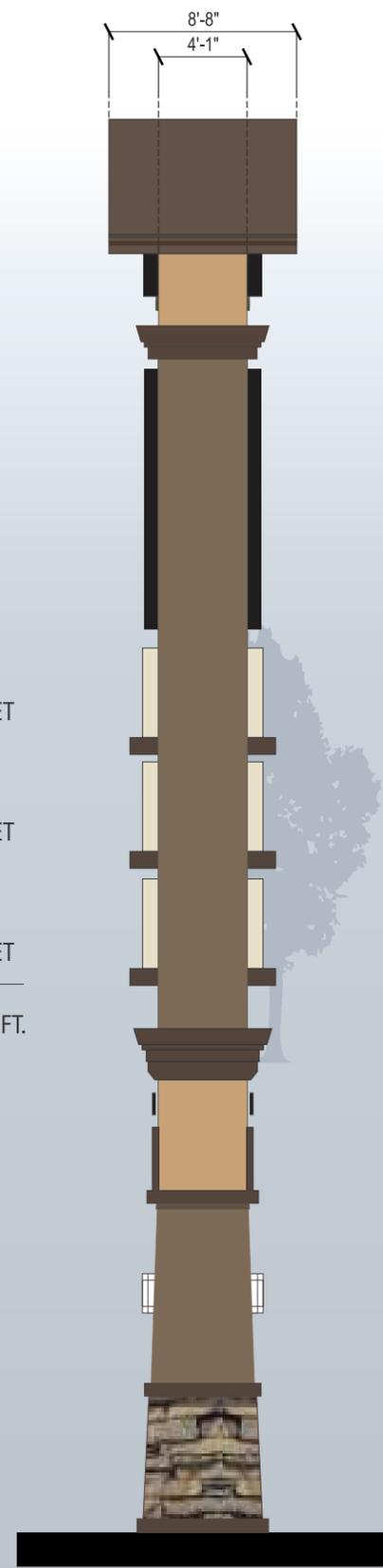
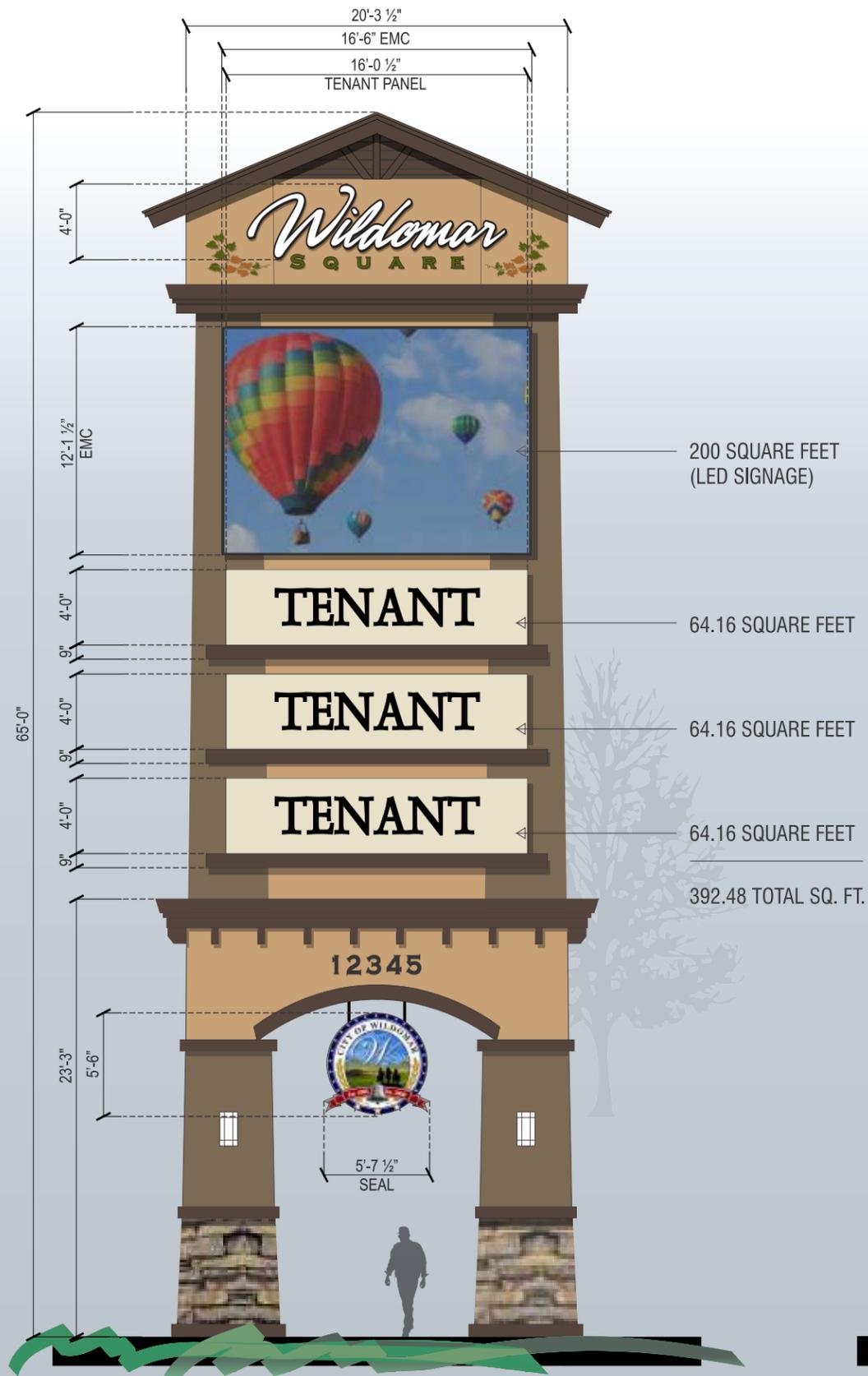
Wildomar Square

AI NEW DOUBLE FACED INTERNALLY ILLUMINATED PYLON
SCALE 3/32"=1'-0"

USE STANDARD ALUMINUM CONSTRUCTION WITH ANGLE FRAME AND STEEL PIPE SUPPORT INTO CEMENT FOOTING, SEE ENGINEERS SPECS FOR STRUCTURAL CALCULATIONS, VERIFY EXACT LOCATION OF SIGN PRIOR TO INSTALLATION.

ELECTRONIC GRAPHIC DISPLAY:

- SHALL NOT EXCEED 200 SQUARE FEET
- SHALL COMPLY WITH CHAPTER 17.252.E.5 OF THE W.M.C.
- SHALL COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 8.64 OF THE W.M.C.
- SHALL COMPLY WITH TABLE 17.252.040.E-1 AS FOLLOWS:
 - A) DESCRIPTION - IMAGES AND TEXT (SCROLLING OF TEXT PERMITTED)
 - B) TEXT LIMIT - NO LIMIT
 - C) MINIMUM DURATION - 5 SECONDS
 - D) BRIGHTNESS:
 - 1) DAYTIME - 5,000 NIT's (7,500 NIT's AFTER SUNSET)
 - 2) NIGHTTIME - 200 NIT's (UNTIL SUNRISE)
 - E) DARK PERIOD (OFF / ON) - 10PM - 6AM



HC-67	HC-42	HC-174	WALNUT SOUTHERN LEDGE STONE #CSX2027	VERIFY	VERIFY	WHITE PLEX #7328
COLOR PALETTE						

FRONT VIEW SCALE: 1/8"=1'



AGENDA SECTION 3.0

GENERAL BUSINESS ITEMS

**There are no General
Business Items for this
Agenda**