

**CITY OF HEMET
HEMET, CALIFORNIA
ORDINANCE NO. 2043**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HEMET, CALIFORNIA, AMENDING VARIOUS SECTIONS
OF CHAPTER 90 (ZONING) OF THE HEMET MUNICIPAL
CODE INCLUDING ARTICLE XXVI COMMERCIAL ZONES
AND ARTICLE XXX MANUFACTURING ZONES TO
DISCONTINUE THE ALLOWANCE OF NEW CAR WASH
FULL OR SELF-SERVICE IN ANY COMMERCIAL OR
MANUFACTURING ZONING DISTRICT**

WHEREAS, Over the past three years, there has been a notable increase in the development of car wash facilities in the City. After conducting a preliminary study, a total of 26 car wash facilities were identified within the City limits that are either existing, entitled for construction, or pending submittal. A majority of the car wash facilities are clustered along the Florida Avenue commercial corridor, and key intersections of Sanderson Avenue and Stetson Avenue; and

WHEREAS, the continued allowance of added car washes would result in the loss of land that could be utilized for more desirable and sustainable uses, and overconcentration of a use that is associated with a low employment base, which is inconsistent with the goals of the City; and

WHEREAS, the City faces a future of certain growth, the goals and policies in the land use element are intended enhance the quality of life for residents, accommodate residential growth to meet the housing needs of a diverse community, improve blighted or under-performing commercial and industrial areas, direct infrastructure improvements that keep pace with growth, and ensure the City's long-term economic stability with an

appropriate balance of land use. The proliferation and oversaturation of car washes are in conflict with the City's General Plan goal and policies; and

WHEREAS, approval of these zoning ordinance amendments will not detrimentally affect the health, safety, or welfare of residents of the City of Hemet; and

WHEREAS, on August 13, 2024, the City Council considered the Ordinance and the record of information regarding the Zoning Ordinance Amendment at a duly noticed public hearing, at which time interested persons had an opportunity to provide testimony on this matter.

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

SECTION 2. AMENDMENT OF PARAGRAPH G OF SECTION 90-893 OF CHAPTER 90 (ZONING), SUBSECTION 4 OF ARTICLE XXVI (COMMERCIAL ZONES) OF THE HEMET MUNICIPAL CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

COMMERCIAL ZONES LAND USE MATRIX						
P=Permitted Use						
A=Administratively Permitted Use						
C=Conditionally Permitted Use						
T=Temporary Use Permit						
X=Not Permitted						
Requirements: Additional or explanatory regulations or requirements						
	LAND USE	ZONE				ADDITIONAL REQUIREMENTS
		O-P	C-1	C-2	C-M	
G.	Vehicle Uses					
4.	Car wash—self or full-service	X	X C	P X	P X	Exceptions Sec. 90-897

SECTION 2. AMENDMENT OF SECTION 90-897 SPECIAL DEVELOPMENT REQUIREMENTS OF CHAPTER 90 (ZONING) OF ARTICLE XXVI (COMMERCIAL ZONES) OF THE HEMET MUNICIPAL CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

1 **Sec. 90-897. Special development requirements.**

2 (a) *Applicability.* The provisions of this section shall apply to newly established land uses as well as expansion or
3 modification to existing uses, buildings, or other features of the site layout. The development standards
4 contained in this section are in addition to the requirements of the applicable zone district and to any
5 requirements that may be imposed through a conditional use permit, administrative use permit, or site
6 development review, as applicable.

7 (b) *Automotive maintenance and repair services—Major and minor.*

8 (1) Service bays and other service areas shall be oriented toward interior side yards and rear yards and
9 away from streets, adjacent properties, and public views, whenever possible. If the only feasible
10 orientation for a bay is toward a street or other area visible to the general public, the bay shall be
11 screened to the satisfaction of the director.

12 (2) Repair activities and vehicle loading and unloading is prohibited on adjoining streets and alleys.

13 (3) All repair activities and operations shall be conducted entirely within an enclosed structure.

14 (4) The outdoor parking of vehicles waiting for repair shall not exceed five days, shall be screened from
15 public view, and shall not impede on customer parking areas.

16 (5) An acoustical analysis shall be prepared for any new or expanded facility proposed adjacent to
17 residences or residentially-zoned parcels. The acoustical analysis shall be prepared prior to project
18 approval and shall meet the land use compatibility standards of the general plan, with mitigation if
19 necessary to reduce off-site noise impacts.

20 (c) *Gas station.*

21 (1) Minimum site area shall be 20,000 square feet.

22 (2) The site shall front on a major or secondary street.

23 (3) The site shall not directly adjoin a residential land use zone, or be located across the street from a
24 residential zone where homes front on the street, unless substantial buffering or setbacks are provided
25 to minimize the effect of any nuisance activity, lights, glare, noise, or emissions to the adjacent
26 residential uses.

27 (4) Allowable accessory uses, if permitted or conditionally permitted by the respective zone and subject to
28 its provisions:

a. Convenience store.

b. Car wash.

c. Drive-through.

d. Automotive maintenance and repair services.

(5) Use limitations:

a. Outside operations shall be limited to the dispensing of petroleum products, water, and air.

b. Outside storage of motor vehicles is prohibited.

c. No vehicles may be parked on sidewalks, parkways, driveways, or alleys.

d. No vehicle may be parked on the premises for the purpose of offering for sale.

e. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.

(6) Access and driveway standards:

- a. The maximum number of points of ingress/egress to any one street shall be two, subject to approval of the city engineer.
 - b. There shall be a minimum of 75 feet between curb cuts along a street frontage.
 - c. No driveway shall be located closer than 150 feet to the curb return of the intersection.
- (7) Parking shall be pursuant to subsection 90-1423(b)(10).
- (8) The gas station shall be integrated with the overall project site design and complementary to the adjacent uses pursuant to the design standards of the zone district.
- (d) *New and used vehicle sales or leasing including automobiles, motorcycles, and marine that includes an exterior display area.*
- (1) Minimum site area shall be 40,000 square feet; except the minimum site area for motorcycle sales only shall be 20,000 square feet.
 - (2) All vehicles associated with the business shall be displayed, parked or stored on-site on paved surfaces only and not in adjoining parkways, streets or alleys.
 - (3) All parts and accessories shall be stored within a fully enclosed structure.
 - (4) No vehicle repair or service work shall occur outside of a fully enclosed structure.
 - (5) Service bays and other service areas shall be oriented toward interior side yards and rear yards and away from streets, adjacent properties, and public views, whenever possible. If the only feasible orientation for a bay is toward a street or other area visible to the general public, the bay shall be screened to the satisfaction of the director.
 - (6) All loading and unloading of vehicles shall occur on-site and not in adjoining public rights-of-way.
 - (7) Noise levels including intercoms and paging systems shall be maintained at a level that does not extend beyond the property line to adjacent uses.
- (e) *Conversion of large retail commercial buildings.*
- (1) *Applicability.* This section shall only apply to large retail commercial buildings (LRCBs). This section shall not apply to large retail commercial buildings that, as of the effective date of the ordinance from which this section derives, are already being used for a use other than a major retail commercial use (as defined in subsection (e)(2) of this section), including, without limitation, offices, manufacturing, or warehouses.
 - (2) *Definitions.* As used in this section, the following terms shall have the following meanings:

Major retail commercial use means the retail selling (or membership wholesale selling) of new goods and merchandise for consumption by the general public within a regional or sub-regional marketing base, including, without limitation, department stores, apparel, electronics, appliances, home goods, home improvement, furniture, office supply, supermarkets, sporting goods, bookstores, factory outlets, and other general retail or membership stores.

Large retail commercial building or LRCB means an existing building in the C-1, C-2, C-M, SP, or PCD zone that has a gross floor area of 30,000 square feet or more, and that is currently being used for a major retail commercial use or is currently vacant.

LRCB inventory and retail use analysis means an inventory of existing and approved large retail commercial buildings within the city and an analysis of whether conversion of the large retail commercial building would create a detrimental decrease in the supply of large retail commercial buildings and the resultant fiscal effect, if any.

- 1 (3) *Permit required.* Notwithstanding any other provisions of chapter 90 of the Hemet Municipal Code, any
2 person seeking to convert a large retail commercial building to any use other than a major retail
3 commercial use must apply for and obtain a conditional use permit pursuant to article II, section 90-42
4 of chapter 90 of the Hemet Municipal Code prior to making any modifications to the large retail
5 commercial building and/or occupancy of the large retail commercial building. All of the procedures
6 contained in article II, section 90-42 shall apply to conditional use permits applied for or obtained
7 pursuant to this section.
- 8 (4) *Findings.* In addition to the findings required to grant a conditional use permit contained in section 90-
9 42.5, the planning commission must also find that:
- 10 a. The conversion will not create or contribute to a shortage of large retail commercial buildings
11 within the city available for major retail commercial uses relative to the demand for such uses as
12 exists on the date that the conversion application is deemed complete by the city.
 - 13 b. The conversion will not detrimentally alter the character of the area surrounding the large retail
14 commercial building.
 - 15 c. The conversion of the large retail commercial building contributes to the logical development of
16 the site and surrounding area, provides needed infill development, and is compatible with the
17 goals, policies and land uses contemplated in the general plan, and is consistent with all zoning
18 and building code requirements for the proposed use.
 - 19 d. The issuance of the conditional use permit complies with CEQA, including the preparation of an
20 appropriate environmental document if required.
- 21 (5) *Required submittals.* In addition to the information required to be submitted by section 90-42, an
22 applicant for a conditional use permit governed by this section shall also prepare and submit an
23 existing LRCB inventory and retail use analysis and such other information as the community
24 development director may determine is reasonably necessary for the city to make an informed
25 decision on the conversion, including all impacts on the environment.
- 26 (f) *Outdoor display.* Outdoor display of goods, materials or supplies is prohibited in the commercial zones
27 except as follows:
- 28 (1) A temporary use permit has been obtained pursuant to section 90-73 of this chapter.
 - (2) An administrative or conditional use permit has been obtained for the display of goods that are integral
to a business' primary use and are normally found outdoors (e.g., plants and garden materials) in a
designated display area. The display area is included in the coverage percentage and must not displace
required parking spaces.
 - (3) The location, use, and design of the outdoor display area has been included in the site development
review or conditional use permit, or administrative use permit approval process.
- (g) Car Wash-Self or Full Service. No new car wash facility offering hand and/or mechanical washing shall be
approved in any commercial zone at any time following the effective date of this section. This prohibition
includes any self-service or full-service commercial washing, detailing, waxing, or cleaning vehicles.
- Any car wash that was lawfully constructed, or approved with a conditional use permit prior to the effective
date of this section, shall be legal nonconforming. A valid previously approved car wash shall be allowed to
submit amendments to the approved conditional use permit to modify the previously approved car wash,
subject to the review and discretion of the Planning Commission.

SECTION 3. AMENDMENT OF PARAGRAPH G OF SECTION 90-1043 OF CHAPTER 90 (ZONING), OF ARTICLE XXX (MANUFACTURING ZONES) OF THE HEMET MUNICIPAL CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

MANUFACTURING ZONES LAND USE MATRIX					
P = Permitted Use					
A = Administratively Permitted Use					
C = Conditionally Permitted Use					
X = Not Permitted					
Requirements: Additional or explanatory regulations or requirements					
ZONE		BP	M-1	M-2	Requirements
G. Vehicle Uses					
1.	Alternative fuels and recharging facilities	A	A	A	
2.	Boat and marine equipment sales, rental, and repair	C	P	P	Sec. 90-897
3.	Car rental services	P	P	X	
4.	Car wash, full or self-serve	X	EX	X	Exceptions Sec. 90-1046

SECTION 2. AMENDMENT OF SECTION 90-1046 SITE DEVELOPMENT REQUIREMENTS OF CHAPTER 90 (ZONING), OF ARTICLE XXVI (COMMERCIAL ZONES) OF THE HEMET MUNICIPAL CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 90-1046. Site development requirements.

- (a) *Measurement of yards.* A required yard or other open space around an existing or proposed building shall not be used to meet a required yard or other open space for any other building on an adjoining lot or building site.
- (b) *Building alterations.* The director may allow additions to an existing, legally constructed structure, sited in accordance with the laws and setbacks in effect at the time of the construction, within the currently required front, side, and/or rear setback if the building addition does not exceed 20 percent of the floor area of the existing structure. The addition shall not exceed the coverage requirements of the zone.
- (c) *Height exceptions and limitations.*
 - (1) Structures permitted above a specified height limit may be erected as follows: structures or walls for the housing of elevators, stairways, tanks, ventilating fans or similar structures, skylights, towers, steeples, flagpoles, chimneys, smokestacks, wireless masts, radio and television masts, water tanks, silos or similar structures, provided that no roof structure, as listed in this subsection, or any space above the height limit specifically prescribed for particular zones, shall be allowed or used for the purpose of providing usable floor space in excess of that reasonably required to maintain such structures and shall not be used for signage.

- (2) Structures located within the Hemet-Ryan Airport Land Use Plan (ALUP) are subject to the provisions of ALUP, and the FAA regarding structure heights within the airport influence area.
- (3) The reviewing authority may authorize a ten percent increase in the maximum building height for structures that are setback a minimum of 100 feet from a residential use or zone, not including signs.
- (4) The placement of windows on upper floor levels shall be oriented towards the street if greater than 35 feet in height and the property abuts a residential use or zone.
- (d) *Accessory buildings.*
- (1) No accessory building shall be located without a permissive main building and must not exceed ten percent of the floor area of the permissive structure. Larger structures must be processed in accordance with section 90-1043.
- (2) Separation between buildings is subject to the requirements of the latest city-adopted California Building Code.
- (3) Accessory buildings shall meet the setback requirements of the zone.
- (e) *Exterior lighting.* All lighting shall be directed or shielded away from nearby residential zones and contained within the boundaries of the site. Adequate lighting shall be provided to maintain a safe, on-site environment consistent with California Building Code standards.
- (f) *Service and refuse areas.* All service areas, refuse collection areas and trash bins shall conform with the setback requirements and shall be completely screened by a solid fence or wall, or shall be enclosed within a building in accordance with the adopted standards of the city.
- (g) *Walls, fencing, screening and landscaping.* This section provides for the regulation of location and height of walls, fencing, screening and landscaping so as to allow the enjoyment of the use of property and for the safety of persons using sidewalks and streets related to the property. The community development director may approve alternate fence and wall materials due to safety or aesthetic considerations.
- (1) *Fences generally.*
- a. The location of walls and fences is determined by the setback area for the zone in which the property is located pursuant to section 90-1045.
- b. Walls or wrought iron fencing within the front setback may be no higher than 42 inches in height, unless expressly permitted by other applicable sections of this chapter. Visual sight lines must be maintained for safety purposes.
- c. A wall or fence of up to six feet in height may be located in the side and rear yards. When a site adjoins a residential zone, a solid masonry wall six feet in height shall be located adjoining the property line and an area at least five feet in depth adjoining the property line shall be landscaped with live plant material, including trees.
- d. Fences and walls adjacent to and visible from the street right-of-way shall be of decorative block or wrought iron. Walls shall be designed to blend with the site's architecture.
- e. Internal fences or walls not visible from a street or adjacent to residential uses may be constructed of masonry, concrete, steel, vinyl panels, or slatted chain link. Wood fencing is prohibited. The fence materials shall be approved by the community development director, or the planning commission, if applicable, as part of the design review or site development review process for the property.
- f. Gates in fences and walls shall be wrought iron, steel, or any other similar materials acceptable to the community development director.
- (2) *Outdoor display and storage.* All outdoor storage shall be screened from view. Screening shall complement the architecture, color, and materials of the primary building.

- 1 a. Block walls or opaque fencing used for screening purposes in areas of public view and access shall
2 also incorporate a landscaped edge of shrubs and trees to minimize the potential for graffiti and
3 to enhance the aesthetics of the property.
- 4 b. All outdoor storage shall be screened by a six-foot high wall or fence and shall meet the
5 requirements of this section. Slatted chain link fencing may be permitted if the outdoor storage
6 area is not visible from a public street, subject to approval of the community development
7 director.
- 8 c. Outside storage shall not occupy more than 20 percent of the total lot area, obstruct required
9 parking spaces, or obstruct drive aisles, except as determined otherwise by the community
10 development director.
- 11 d. Outdoor metal storage containers may be permitted subject to the requirements of section 90-
12 82.
- 13 (3) *Security fencing.* Nothing in this section shall be deemed to set aside or reduce the requirements
14 established for security fencing by either local, state or federal law, or by safety requirements of the
15 board of education. The design, materials, and height of the security fencing shall be based upon a
16 determination of need and design approval by the community development director. In general,
17 security fencing shall not exceed eight feet in height.
- 18 (4) *For recreational vehicle storage.* Fences for recreational vehicle storage shall be eight-foot walls of
19 wrought iron, masonry, concrete, steel, or vinyl panels. Wood fences are prohibited.
- 20 (5) *Screening of roof-mounted equipment.* All roof-mounted equipment shall be screened from general
21 view by the public and from public streets.
- 22 (6) *Landscaping.* Landscaping shall be pursuant to article XLVII except where otherwise specified in this
23 article.
- 24 a. Parking lot landscaping in the business park zone shall cover ten percent of parking area.
- 25 b. Landscaping plans in the business park zone shall be consistent with the city's commercial
26 development guidelines, unless otherwise indicated in applicable business park or industrial
27 design guidelines.
- 28 c. Where landscaping is required by this chapter, it shall consist predominantly of plant materials,
except for necessary walks and drives. Planted areas, where prescribed, shall be landscaped
exclusively with live plant materials. Required landscaping shall be installed in accord with
landscaping standards approved by the commission, and shall be of types and sizes prescribed in
the standards.
- d. All screening and landscaping shall be permanently maintained in an orderly condition. Plant
materials shall be watered, weeded, pruned and replaced as necessary to screen or ornament
the site.
- e. Automatic irrigation shall be provided with adequate water coverage for all landscaped areas.
- f. Designated landscaping areas shall be covered in a combination of lawn, ground cover, shrubs,
and trees.
- g. In addition to the required number of street trees, one tree shall be planted for every 500 square
feet of landscaping in all other areas. All trees shall be a minimum of 15 gallon size with 25
percent planted at 24-inch box size.
- h. A minimum of 25 percent of all landscaping areas shall be planted in shrubs. The shrub areas
shall be inter-planted with non-aggressive type ground cover. Triangular spacing shall be used in
row plantings of all ground cover and shrubs.
- (7) *Signage.* Signage shall be pursuant to article XXXVI except where otherwise specified in this article.

- 1 a. A signage program is required for projects located within the business park zone subject to
2 review and approval of the community development director, or planning commission, as
3 appropriate, in conjunction with the site development review process.
- 4 (8) *Loading areas.* Adequate room shall be provided for truck access and maneuvering.
- 5 a. Loading doors and docks shall not be located at the front of buildings or next to main building
6 entrances.
- 7 b. Loading doors or docks shall not be located adjacent to a street or residential use unless properly
8 screened from public view.
- 9 c. A minimum of 120 feet in front of the loading doors or docks shall be paved and kept free of
10 obstacles including connecting walkways or required parking areas.
- 11 (9) *Land use buffer.* Industrial uses shall be buffered from adjacent land uses/zones through the use of
12 setbacks, screening, landscaping, open space, or topographic features.
- 13 (10) *Car Wash Self or Full Service.* No new car wash facility offering hand and/or mechanical washing shall
14 be approved in any manufacturing zone at any time following the effective date of this section. This
15 prohibition includes any self-service or full-service commercial washing, detailing, waxing, or cleaning
16 vehicles.
- 17 Any car wash that was lawfully constructed, or approved with a conditional use permit prior to the
18 effective date of this section, shall be legal nonconforming. A valid previously approved car wash shall
19 be allowed to submit amendments to the approved conditional use permit to modify the previously
20 approved car wash, subject to the review and discretion of the Planning Commission.

21 **SECTION 4. CEQA FINDINGS.** The City has analyzed this proposed project and
22 has determined that it is exempt from the California Environmental Quality Act (CEQA)
23 under section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only
24 applies to projects that have the potential for causing a significant effect on the
25 environment. Nothing herein constitutes the City's approval of any applications,
26 Development Project entitlements, and/or permits. Therefore, ZOA 24-004 amendment
27 to the zoning code in itself will not result in any physical project and will not result in any
28 physical change to the environment, and does not affect the land use or density limitations
of the General Plan. Therefore, it can be seen with certainty that there is no possibility
that this Ordinance may have a significant adverse effect on the environment, and
therefore, the adoption of this Ordinance is exempt from CEQA pursuant to Section
15061(b)(3) of the CEQA Guidelines.

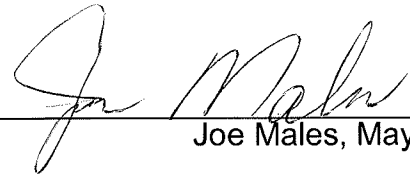
1 **SECTION 5. SEVERABILITY.** If any section, subsection, subdivision, sentence,
2 clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or
3 unconstitutional by the decision of any court of competent jurisdiction, such determination
4 shall not affect the validity of the remaining portions of this Ordinance. The City Council
5 hereby declares that it would have adopted this Ordinance, and each section, subsection,
6 subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any
7 one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions
8 thereof be declared invalid or unconstitutional.
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11 **SECTION 6. EFFECTIVE DATE.** This Ordinance shall take effect thirty (30) days
12 from its passage by the City Council of the City of Hemet.
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14 **SECTION 7. NOTICE.** The City Clerk is authorized and directed to cause this
15 Ordinance to be published within fifteen (15) days after its passage in a newspaper of
16 general circulation and circulated within the City in accordance with Government Code
17 Section 36933(a) or to cause this Ordinance to be published in the manner required by
18 law using the alternative summary and posting procedure authorized under Government
19 Code Section 39633(c).
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1 **INTRODUCED** at the regular meeting of Hemet City Council on the 9th day of July
2 2024.

3 **APPROVED AND ADOPTED** this 13th day of August, 2024.
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7 _____
8 Joe Males, Mayor

9 **ATTEST:**

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12 _____
13 John Paul Maier, City Clerk

1 State of California)
2 County of Riverside)
3 City of Hemet)

4 I, John Paul Maier, City Clerk of the City of Hemet, do hereby certify that the
5 foregoing resolution was adopted by the Hemet City Council on the 13th day of
6 August, 2024, and was passed by the following vote:
7

8 AYES: Council Members: Kendrick, Krupa, Lilienthal, Mayor Pro Tem
9 Peterson, Mayor Males.
10 NOES: Council Members: None.
11 ABSTAIN: Council Members: None.
12 ABSENT: Council Members: None.

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15 John Paul Maier, City Clerk
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