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AGENDA
REGULAR MEETING OF THE EASTVALE
PLANNING COMMISSION
Wednesday, November 20, 2013
6:00 P.M.

Rose Parks Elementary School, 13830 Whispering Hills Drive

1. **CALL TO ORDER:** 6:00 p.m.

2. **ROLL CALL/PLEDGE OF ALLEGIANCE:**

Planning Commissioners: Daryl Charlson
Joe Tessari
Karen Patel
Vice-Chairperson: Fred Valentine
Chairperson: William Link

3. **PRESENTATIONS/ANNOUNCEMENTS:**

At this time, the Planning Commission may recognize citizens and organizations that have made significant contributions to the community and it may accept awards on behalf of the City.

None

4. **PUBLIC COMMENT/CITIZEN PARTICIPATION:**

*This is the time when any member of the public may bring a matter to the attention of the Public Safety Commission that is within the jurisdiction of the Commission. The Ralph M. Brown act limits the Commission's and staff's ability to respond to comments on non-agendized matters at the time such comments are made. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may discuss or ask questions for clarification, if desired, at this time. Although voluntary, we ask that you fill out a "Speaker Request Form", available at the side table. The completed form is to be submitted to the Assistant City Clerk prior to being heard. **Public comment is limited to two (2) minutes each with a maximum of six (6) minutes.***

5. **CONSENT CALENDAR:**

*Consent Calendar items are normally enacted in one motion. Commissioners may remove a Consent Calendar item for separate action. **Public comment is limited to two (2) minutes each with a maximum of (6) minutes.***

5.1 **Minutes – October 16, 2013 Regular Planning Commission Meeting.**

Recommendation: Approve the minutes from the October 16, 2013 Planning Commission Meeting.

6. PUBLIC HEARINGS:

- 6.1 **PROJECT NO. 11-0354**—General Plan Amendment, Change of Zone, Major Development Plan Review and Conditional Use Permit for the development of an Arco Gas Station facility, a convenience store, restaurant, and a drive-through automatic car wash facility in one building, a second building for a sit-down restaurant, and a third building for a drive-through restaurant on an approximately 1.7-acre site. A second Conditional Use Permit is also being requested for the gasoline service station with concurrent sale of beer and wine in the Arco AM/PM convenience store. (Kanika Kith, Senior Planner)

Recommendation: Open the public hearing and continue this item to the December 18, 2013 Planning Commission Meeting.

7. NEW BUSINESS ITEMS:

- 7.1 **Temporary Sign in Right-of-Way** – Changes to the regulations for the placement of temporary signs in the public right-of-way. (Eric Norris, Planning Director)

Recommendation: Staff recommends that the Planning Commission recommend to the City Council adoption of changes to the regulations for temporary signs in the public right-of-way, allowing these signs to be legally placed during specified times on weekends.

8. COMMISSION COMMUNICATIONS:

(Committee Reports, Agenda Items, Meeting Requests and Review etc.)

This is an opportunity for the Commission Members to report on their activities, to bring a matter to the attention of the full Commission and staff, and to request agenda items. Any matter that was considered during the public hearing portion is not appropriate for discussion in this section of the agenda. NO ACTION CAN BE TAKEN AT THIS TIME.

9. CITY STAFF REPORT:

10. ADJOURNMENT:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City of Eastvale. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting

POSTING STATEMENT:

I, Ariel M Hall, CMC, Assistant City Clerk or my designee hereby certify that a true and correct, accurate copy of the foregoing agenda was posted on November 14, 2013, seventy-two (72) hours prior to the meeting per Government Code 54954.2.

12363 Limonite Ave. Suite 910, Eastvale, CA 91752
Rosa Parks Elementary School, 13830 Whispering Hills Drive
Eastvale Library, Roosevelt High School, 7447 Scholar Way
City of Eastvale Website, www.eastvaleca.gov



City of Eastvale
Planning Commission Meeting Agenda
Staff Report

MEETING DATE: NOVEMBER 20, 2013

1. CALL TO ORDER



City of Eastvale
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2. *ROLL CALL//PLEDGE OF ALLEGIANCE*



City of Eastvale

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MEETING DATE: NOVEMBER 20, 2013

3. *PRESENTATIONS/ANNOUNCEMENTS*



City of Eastvale
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MEETING DATE: NOVEMBER 20, 2013

4. PUBLIC COMMENT/CITIZEN PARTICIPATION

MINUTES

**REGULAR MEETING OF
THE PLANNING COMMISSION
OF THE CITY OF EASTVALE
Wednesday, October 16, 2013
6:00 P.M.**

**Rosa Parks Elementary School
13830 Whispering Hills Drive
Eastvale, CA 92880**

1. *CALL TO ORDER*

Chairman Link called the meeting to order at 6:00 p.m.

2. *ROLL CALL/PLEDGE OF ALLEGIANCE:*

Assistant City Clerk Hall called roll.

Commissioners present: Commissioners Tessari, Charlson, Vice-Chairman Valentine, and Chairman Link.

Commissioners absent: Commissioner Patel.

Commissioner Patel arrived at 6:07 p.m.

Staff present: City Attorney Cavanaugh, Planning Director Norris, Senior Engineer Indrawan, Assistant City Clerk Hall.

3. *ADDITIONS/DELETIONS TO THE AGENDA*

There were no additions or deletions to the agenda.

4. *PRESENTATIONS/ANNOUNCEMENTS:*

There were no Presentations/Announcements.

5. *PUBLIC COMMENT/CITIZEN PARTICIPATION:*

There were no Public Comments/Citizen Participation.

6. *CONSENT CALENDAR:*

6.1 Minutes – September 18, 2013 Regular Planning Commission Meeting.

Recommendation: Approve the minutes from the September 18, 2013 Planning Commission Meeting.

Motion: Moved by Valentine, seconded by Charlson to approve the Consent Calendar as presented.

Motion carried 4-0-1 with Patel absent.

7. NEW BUSINESS ITEMS:

Prior to discussion, Chairman Link revised the order of the New Business items, discussing Item 7.2 first, and then Item 7.1.

7.2 Finding of consistency with the City's General Plan to vacate a portion of Schleisman Road.

Recommendation: Staff recommends that the Commission make a finding of consistency with the General Plan and recommend to the City Council adoption of a resolution to vacate a portion of Schleisman Road for development of Tentative Tract Map 34014.

Commissioner Charlson stated that he was abstaining from this item due to the project's proximity to his home.

Commissioner Charlson stepped away from the dais at 6:03 p.m.

Senior Engineer Indrawan provided the staff report for this item.

Commissioner Patel arrived at 6:07 p.m.

There was discussion regarding pedestrian access through the vacated road section, as well as traffic control for pedestrians crossing Schleisman Road after the changes.

There was discussion regarding "A" Street going all the way through to the freeway, and whether or not the street would be wide enough to include a bike lane.

There was discussion regarding access to the parcels on the project site and the open space shown in the plans being used for a recreation building and parks.

There was discussion regarding the recreation building on the project site.

There was discussion regarding installing signage stating that driveways were private, and renaming the streets.

Daniel Boyd, representative for DR Horton, stated that there has been extensive outreach done for the project. He added that City Staff had done a fabulous job working with the developer and were monitoring the site daily.

There was discussion regarding the project completion date.

Rob Miller, with Stantec, stated that they completed a traffic study for the City and assisted with public outreach.

There was discussion regarding the outcome of the study and the potential speed limit on the new road. Stantec had concluded that the road would be eligible for a school zone speed limit.

There was discussion regarding issues related to the freeway connection.

Motion: Moved by Tessari, seconded by Valentine to approve staff recommendations.

Motion carried 4-0-1 with Charlson abstaining.

Commissioner Charlson returned to dais at 6:24 p.m.

7.1 Consider a recommendation to the City Council to update or revise the City's regulations regarding garage and yard sales (Continued from September 18, 2013).

Recommendation: Staff recommends that the Commission review the City's existing garage/yard sale regulations and, if appropriate, direct staff to forward a recommendation to the City Council to initiate an amendment to the Municipal Code regulating garage/yard sales.

Planning Director Norris provided the staff report for this item.

There was discussion regarding educating the residents about the current regulations, and enforcing those regulations before changing anything.

There was discussion regarding the process in which enforcement would take place.

There was discussion regarding the punishment that takes place for violators.

There was discussion regarding setting dates for garage sales citywide and how that would help Code Enforcement do their jobs. It was stated that signs in the right-of-way are a major issue that the City should look into.

There was discussion regarding the use of a database in order to track the locations where garage sales are taking place.

There was additional discussion regarding educating the community and enforcing the regulations.

There was discussion regarding outreach on current regulations and having residents report frequent sales.

It was the consensus of the Commission to ask City Manager Jacobs to have City Staff educate residents regarding current garage sale regulations through a public relations campaign, then have Code Enforcement work on weekends to enforce the current regulations, and bring the item back to the Commission for further discussion.

8. COMMISSION COMMUNICATIONS:

There were no Commission Communications.

9. CITY STAFF REPORT:

Planning Director Norris stated the revised temporary sign regulations, and the Arco station at Hamner Avenue and Riverside Drive, would be items on the next agenda.

There was discussion regarding the proposed Wal-Mart project's timeline.

There was discussion regarding the light industrial project on Archibald Avenue.

There was discussion regarding the Commerce Center Project.

There was additional discussion regarding the proposed Wal-Mart project.

10. ADJOURNMENT:

There being no further business the meeting was adjourned at 6:56 p.m.

Motion: Moved by Patel, seconded by Valentine.

Motion carried 5-0.



City of Eastvale
Planning Commission Meeting Agenda
Staff Report

MEETING DATE: NOVEMBER 20, 2013

TO: PLANNING COMMISSION

FROM: KANIKA KITH, SENIOR PLANNER

SUBJECT: PROJECT NO. 11-0354 – GENERAL PLAN AMENDMENT, CHANGE OF ZONE, MAJOR DEVELOPMENT PLAN REVIEW AND CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF AN ARCO GAS STATION FACILITY, A CONVENIENCE STORE, RESTAURANT, AND A DRIVE-THROUGH AUTOMATIC CAR WASHING FACILITY IN ONE BUILDING, A SECOND BUILDING FOR A SIT-DOWN RESTAURANT, AND A THIRD BUILDING FOR A DRIVE-THROUGH RESTAURANT ON AN APPROXIMATELY 1.7-ACRE SITE. A SECOND CONDITIONAL USE PERMIT IS ALSO BEING REQUESTED FOR THE GASOLINE SERVICE STATION WITH CONCURRENT SALE OF BEER AND WINE IN THE ARCO AM/PM CONVENIENCE STORE.

RECOMMENDATION: HOLD A PUBLIC HEARING AND CONTINUE THIS ITEM TO THE DECEMBER 18, 2013 PLANNING COMMISSION MEETING.

Staff is requesting the Planning Commission to continue this item to December 18, 2013 to provide additional time for staff and the applicant to resolve a few public right-of-way improvements issues with the City of Ontario, and the Jurupa Area Recreation and Park District. Therefore, staff recommends that the Commission hold a public hearing and continue this item to the December 18, 2013 Planning Commission meeting.



City of Eastvale

Planning Commission Meeting Agenda

Staff Report

MEETING DATE: NOVEMBER 20, 2013

TO: PLANNING COMMISSION

FROM: ERIC NORRIS, PLANNING DIRECTOR

SUBJECT: CHANGES TO THE REGULATIONS FOR PLACEMENT OF TEMPORARY SIGNS IN THE PUBLIC RIGHT-OF-WAY

RECOMMENDATION:

STAFF RECOMMENDS THAT THE PLANNING COMMISSION RECOMMEND TO THE CITY COUNCIL ADOPTION OF CHANGES TO THE REGULATIONS FOR TEMPORARY SIGNS IN THE PUBLIC RIGHT-OF-WAY, ALLOWING THESE SIGNS TO BE LEGALLY PLACED DURING SPECIFIED TIMES ON WEEKENDS.

Background:

Temporary signs in the public right-of-way (see photo, right) have been an ongoing issue in Eastvale since incorporation. The regulations inherited from the County of Riverside for these signs are straightforward: With the exception of signs placed by the City for public safety purposes (speed limit signs, warning signs, etc.), all other signs in the right of way are prohibited.¹ The Eastvale Zoning Code provides the following regulation:



“No temporary signs shall be erected, placed, used, or maintained in the right of way.”[Zoning Code Section 5.E]

In practice, this prohibition has not been strictly implemented. Problems with enforcement began soon after incorporation. Local real estate agents, who had operated under a “gentlemen’s agreement” with the County that allowed them to place signs in the right of way on weekends (in violation of the County’s own regulations), said that enforcing the prohibition would harm their business by making it difficult for buyers to find open house locations. Other businesses

¹ The County of Riverside regulates political signs during campaign seasons differently, and allows them to be placed in the public right of way. This provision was removed from the Eastvale Zoning Code with the recent 2012 update, on the advice of the City Attorney that all signs must be regulated the same regardless of their content (e.g., political statements vs. advertising).

complained that their signs were being removed while real estate signs had been allowed to remain in place.

With the longstanding prohibition against temporary signs in the public right-of-way still in place, the City decided to continue with the “gentlemen’s agreement” allowing signs to be placed on weekends only, although this was expanded to allow all signs (not just those placed by real estate agents or realtors). This is the system currently in place, and the number and placement of signs along Eastvale roadways on weekends reflects the wishes of the sign users.

In an attempt to craft new regulations the City, in 2012, established a committee of stakeholders and Council and Commission representatives to meet and work with staff to develop proposed regulations. Those discussions culminated in a general agreement that detailed regulations (defining the spacing of signs, the total number of signs per business, etc.) would be too complex and difficult to enforce. Although draft regulations were created, they proved to be difficult to implement and were not forwarded to the Planning Commission or City Council.

Proposed Sign Regulation Changes:

At this time, Staff is proposing that the temporary sign regulations in the Zoning Code be changed to bring the temporary sign regulations into conformance with current practices. Two basic sets of regulations are proposed:

1. The first would allow these signs to be placed during a specific period from Friday to Sunday only; and
2. The second would define the size and materials for the signs and a few basic limits on their placement to ensure that they do not block visibility for motorists.

The proposed regulations are shown in Attachment A to this staff report.

As noted earlier, a more complex system of regulation was deemed to be unworkable; the proposed changes avoid the features that add complexity: a requirement for a permit, maps of proposed sign locations, detailed spacing criteria, etc. Because the number of signs in place on weekends reflects a basically unregulated sign environment (that is, without any limits), staff feels that the number of signs will not increase substantially under the proposed regulations.

Note that the proposed regulations (Section 5.E.4) specifically state that political signs will be subject to these regulations. In practice, this would mean that a political sign could be placed in the public right-of-way only between 5 p.m. Friday and 7 p.m. Sunday; political signs in place outside this timeframe would be subject to removal.²

² This would not affect political signs placed on private property, such as in a front yard.

Stakeholder Outreach:

Planning has discussed the proposed changes with representatives of local real estate agents who provided comments and expressed support for the changes. The proposed “end time” of 7 p.m. on Sunday reflects their input and is based on the actual closing time for open houses.

Planning Commission Action:

Staff recommends that the Planning Commission direct staff to forward a recommendation to the City Council to adopt the proposed temporary sign regulations. The Commission’s regulations can include changes to staff’s proposal, or the Commission could recommend leaving the current regulations in place.

Should the Commission recommend approval, staff will prepare an Ordinance for adoption by City Council and the appropriate environmental documentation.

ATTACHMENT 1
PROPOSED TEMPORARY SIGN REGULATIONS

Proposed Changes to Regulations for Temporary Signs in the Right of Way

Change to Allow Signs on Weekends (Replaces existing section 5.E):

Section 5.E: Temporary Signs in the Right of Way

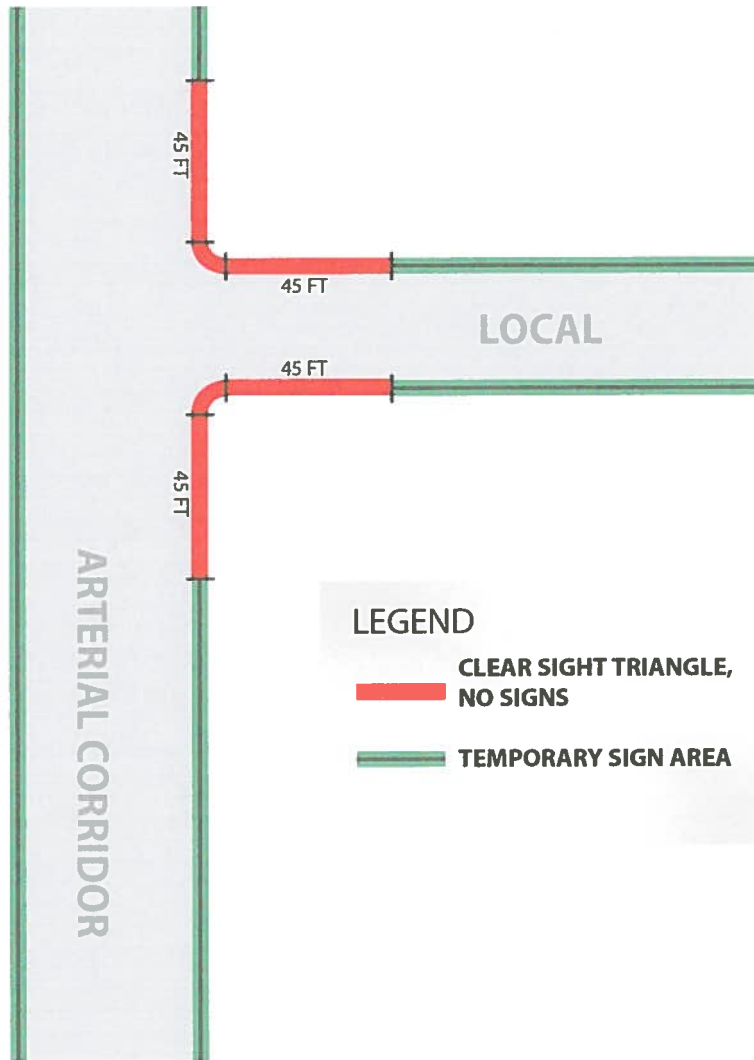
1. Temporary signs may be placed in the public right of way during the period beginning 5 p.m. Friday and ending 7 p.m. Sunday. Signs in place outside this period will be subject to removal.

Additional Changes to Regulate Size, Materials, Location, Etc. (New sections)

2. Temporary Sign Size, Materials, and Maintenance Criteria. All temporary signs placed in the right of way must:
 - a) Be free-standing and securely mounted on a wooden or metal stake;
 - b) Be no higher than four (4) feet above grade;
 - c) Be no larger than six (6) square feet;
 - d) Be constructed of substantial sturdy, durable and weather-proof material;
 - e) Be kept in good repair;
 - f) Be non-illuminated;
 - g) Include the contact name and phone number of the person responsible for the sign, either on the front or back of the sign; and
 - h) Be located in a permitted location as defined in this Section.

3. Sign Location. Temporary signs in the right of way must be located at least 45 feet from the curved portion of the corner in order to maintain visibility for motorists, as shown in the illustration below. In addition, the following apply:
 - a) Sign must be located at least two feet from the edge of a curb or sidewalk, or from the edge of the pavement if there is no curb or sidewalk.
 - b) Signs shall be installed so as not to damage plant materials, irrigation equipment or other public property.
 - c) Signs may not be placed on a sidewalk.
 - d) Signs may not be attached to utility poles, sign posts, fences, walls, or any other structure.

**Permitted Locations for Temporary
Signs in the Right of Way**



4. Political Signs. Political and other non-commercial signs are subject to all of the regulations in this section, including the Sign Display Period.



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8. *COMMISSION COMMUNICATIONS*



City of Eastvale

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9. *CITY STAFF REPORT*



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10. ADJOURNMENT