



CITY OF GRAND TERRACE
Planning Commission/Site and Architectural
Review Board
AGENDA • November 21, 2024

Council Chambers

Regular Meeting

6:30 PM

Grand Terrace Civic Center • 22795 Barton Road

COMMENTS FROM THE PUBLIC

The public is encouraged to address the Planning Commission/Site & Architectural Review Board on any matter posted on the agenda or on any other matter within its jurisdiction. If you wish to address the Board, please complete a Request to Speak card located at the front entrance and provide it to the Planning Secretary. Speakers will be called upon by the Chair at the appropriate time and each person is allowed three (3) minutes speaking time.

The City wants you to know that you can also submit your comments by email to ccpubliccomment@grandterrace-ca.gov. To give the Planning Secretary adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to 5:00 p.m.; or if you are unable to email, please call the Planning Secretary's Office at (909) 954-5206 by 5:00 p.m.

If you wish to have your comments read to the Planning Commission/Site & Architectural Review Board during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. Comments that you want read to the Planning Commission/Site & Architectural Review Board will be subject to the three (3) minute time limitation (approximately 350 words).

Pursuant to the provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

PLEASE NOTE: Copies of staff reports and supporting documentation pertaining to each item on this agenda are available for public viewing and inspection at City Hall, 1st Floor Lobby Area and 2nd Floor Reception Area during regular business hours and on the City's website www.grandterrace-ca.gov. For further information regarding agenda items, please contact the office of the Planning Secretary at (909) 954-5206, or via e-mail at dalcocer@grandterrace-ca.gov.

Any documents provided to a majority of the Planning Commission/Site & Architectural Review Board regarding any item on this agenda will be made available for public inspection in the City Clerk's office at City Hall located at 22795 Barton Road during normal business hours. In addition, such documents will be posted on the City's website at www.grandterrace-ca.gov.

AMERICANS WITH DISABILITIES ACT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, (909) 954-5207 at least 48 hours prior to the advertised starting time of the meeting. This will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Later requests will be accommodated to the extent feasible [28 CFR 34.102.104 ADA Title II].

CALL TO ORDER

Convene the Meeting of the Planning Commission/Site and Architectural Review Board.

Pledge of Allegiance

AB 2449 Disclosures

Remote participation by a member of the legislative body for just cause or emergency circumstances.

Roll Call

APPROVAL OF AGENDA

PRESENTATIONS

PUBLIC ADDRESS

Public address to the Commission shall be limited to three minutes unless extended by the Chairperson. Should you desire to make a longer presentation, please make a written request to be agendaized to the Director of Planning and Development Services. This is the opportunity for members of the public to comment on any items not appearing on the regular agenda. Because of restrictions contained in California Law, the Planning Commission may not discuss or act on any time not on the agenda, but may briefly respond to statements made or ask a question for clarification. The Chairperson may also request a brief response from staff to questions raised during public comment or may request a matter be agendaized for a future meeting.

A. CONSENT CALENDAR

- 1) Approval of Minutes - Regular Meeting - July 18, 2024.
Approval of Minutes - Regular Meeting - October 17, 2024.

RECOMMENDATION:

DEPARTMENT: City Clerk

B. ACTION ITEMS

C. PUBLIC HEARINGS

- 2) Review and Consideration of Zoning Code Amendment (ZCA) 24-04, a Proposal to Amend the Grand Terrace Municipal Code Chapter 5.06 (Home Occupation Permits) Sections 5.06.050 and 5.06.060, Chapter 5.40 (Garage Sales) Section 5.40.050, Chapter 5.42 (Integrated Waste Management) Section 5.42.160, Chapter 5.48 (Massage Parlors and Massage Technicians) Section 5.48.110, Chapter 8.108 (Noise) Sections 8.108.040 and 8.108.050, Chapter 8.112 (Fireworks) Section 8.112.010, Chapter 9.05 (Vending on City Sidewalks) Section 9.05.020, Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) Section 10.16.021, Chapter 12.32 (Conduct on Public Property – Parks) Section 12.32.140, Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) Section 12.56.070, Chapter 15.56 (Water Efficient Landscape) Section 15.56.130, Chapter 18.10 (Residential Districts) Section 18.10.040, Chapter 18.64 (Objective Design Standards) Section 18.64.040, Chapter 18.80 (Signs) Section 18.80.050 and

18.80.130, Chapter 18.82 (Standards for Specified Land Uses and Activities) Section 18.82.010, to streamline the Municipal Code and ensure internal consistency.

RECOMMENDATION: It is recommended that the Planning Commission/Site and Architectural Review Board take the following actions:

1. Conduct a Public Hearing; and

2. Adopt a Resolution Of The Planning Commission/Site And Architectural Review Board Of The City Of Grand Terrace Recommending That The City Council Adopt an Ordinance approving ZCA 24-04 to amend Grand Terrace Municipal Code Chapter 5.06 (Home Occupation Permits) Sections 5.06.050 and 5.06.060, Chapter 5.40 (Garage Sales) Section 5.40.050, Chapter 5.42 (Integrated Waste Management) Section 5.42.160, Chapter 5.48 (Massage Parlors and Massage Technicians) Section 5.48.110, Chapter 8.108 (Noise) Sections 8.108.040 and 8.108.050, Chapter 8.112 (Fireworks) Section 8.112.010, Chapter 9.05 (Vending on City Sidewalks) Section 9.05.020, Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) Section 10.16.021, Chapter 12.32 (Conduct on Public Property – Parks) Section 12.32.140, Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) Section 12.56.070, Chapter 15.56 (Water Efficient Landscape) Section 15.56.130, Chapter 18.10 (Residential Districts) Section 18.10.040, Chapter 18.64 (Objective Design Standards) Section 18.64.040, Chapter 18.80 (Signs) Section 18.80.050 and 18.80.130, Chapter 18.82 (Standards for Specified Land Uses and Activities) Section 18.82.010, to streamline the Municipal Code and ensure internal consistency (Zoning Code Amendment 24-04) And Find An Environmental Exemption Pursuant to Section 15061(b)(3) Of The California Environmental Quality Act (CEQA) Guidelines.

CEQA exempt pursuant to Section §15061(b)(3) – *Common Sense Exemption*.

DEPARTMENT: Planning & Development Services

- 3) Amendment No. 1 to Site and Architectural Review 23-23: A public art project that includes a 10-foot-tall steel donkey sculpture, and a smaller 6-foot-tall steel donkey sculpture located at the corner of Mt. Vernon Avenue.

RECOMMENDATION: It is recommended that the Planning Commission/Site and Architectural Review Board take the following actions:

1. Conduct a Public Hearing

2. It is recommended that the Planning Commission/Site and Architectural Review Board adopt a Resolution approving Amendment No. 1 to Site and Architectural Review 23-23 and Environmental Review 24-04 for a public art installation proposed by Firestation Properties, LLC, represented by David Lang. The proposal includes the installation of a 10-foot-tall steel donkey sculpture and a 6-foot-tall steel donkey sculpture at 12167 Mt. Vernon Avenue, located at the corner of Mt. Vernon Avenue and City Center. The project site is within the Barton Road Specific Plan (BRSP), Village Commercial (VC) Planning Area 2 (P.A.2.).

Not subject to CEQA. This action is exempt pursuant to Section §15303 New Construction or Conversion of Small Structures.

DEPARTMENT: Planning & Development Services

D. INFORMATION TO COMMISSIONERS

E. INFORMATION FROM COMMISSIONERS

ADJOURN

Adjourn to the next scheduled meeting of the Planning Commission/Site & Architectural Review Board to be held on December 5, 2024 at 6:30 p.m.



CITY OF GRAND TERRACE

PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD

MINUTES • JULY 18, 2024

Council Chambers

Regular Meeting

6:30 PM

Grand Terrace Civic Center • 22795 Barton Road

CALL TO ORDER

Vice-Chair Ceseña convened the Regular Meeting of the Planning Commission/Site and Architectural Review Board for Thursday, July 18, 2024, at 6:30 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Mathis.

AB 2449 Disclosures

None.

Attendee Name	Title	Status	Arrived
Edward A. Giroux	Chair	Absent	
Tara Cesena	Vice-Chair	Present	
David Alaniz	Commissioner	Absent	
Aron Burian	Commissioner	Present	
Scot Mathis	Commissioner	Present	
Scott Hutter	Planning & Development Services Director	Present	
Jamie Traxler	Assistant City Attorney	Present	
Daysi Alcocer	Planning Secretary	Present	

APPROVAL OF AGENDA

1. Motion: APPROVAL OF THE JULY 18, 2024, AGENDA

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Aron Burian, Commissioner
SECONDER:	Scot Mathis, Commissioner
AYES:	Tara Cesena, Aron Burian, Scot Mathis
ABSENT:	Edward A. Giroux, David Alaniz

PRESENTATIONS

None.

PUBLIC ADDRESS

None.

A. CONSENT CALENDAR**2. Approval of Minutes – Regular Meeting – 06/20/2024**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Scot Mathis, Commissioner
SECONDER:	Aron Burian, Commissioner
AYES:	Tara Cesena, Aron Burian, Scot Mathis
ABSENT:	Edward A. Giroux, David Alaniz

B. ACTION ITEMS

None.

C. PUBLIC HEARINGS**1. Public Hearing to Consider Revocation of Conditional Use Permit (CUP) 19-01 (Authorizing Construction of Trailer/Container Storage Facility at 11731 Terrace Avenue, Grand Terrace / APNs 0275-191-06 and 0275-191-30).**

Vice-Chair Ceseña reopened the public hearing at 6:33 p.m.

Scott Hutter, Planning & Development Services Director gave the PowerPoint presentation for this item.

Scott Cooper, Associate with Rutan & Tucker, LLP a representative of property owner Grand T-1, LLC. gave an update on the public hearing item.

PUBLIC COMMENT

Daysi Alcocer, Department Secretary read out emails & announced the materials submitted to the City from residents Bobbie Forbes & Juanita Odenbaugh, as well as an email from Jeremy Briggs all expressing their concerns regarding TSG storage facility.

Virginia Diaz Fernandez expressed not being able to enjoy her neighborhood due to the noise that occurs after hours at the TSG storage facility near her home.

Juanita Odenbaugh expressed her concerns regarding trash being disposed of in her neighborhood near the TSG storage facility.

Harry Roussos voiced his support for the revocation of the CUP 19-01.

Shawna Simon expressed her concerns regarding trash being disposed and not being able to walk through the community due to the trucks driving by and she also voiced her support for the revocation of the CUP 19-01.

Michael Simon expressed his concerns regarding the TSG storage facility near his home.

Cynthia Bidney – statement provided by Cynthia and read by Bobbi Forbes.

Bobbie Forbes voiced her support for the revocation of the CUP 19-01 and expressed how this facility has affected the residents.

Vice-Chair Ceseña closed the public hearing at 7:29 p.m.

Commissioner Burian moved, with a second by Commissioner Mathis to approve the following recommendation

Adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GRAND TERRACE, CALIFORNIA, RECOMMENDING, IN ACCORDANCE WITH GRAND TERRACE MUNICIPAL CODE SECTION 18.83.030, REVOCATION OF CONDITIONAL USE PERMIT 19-01 [THAT AUTHORIZED CONSTRUCTION OF TRAILER/CONTAINER STORAGE FACILITY ON A 21.92 ACRE SITE [APNS 0275-191-06 AND 0275-191-30] DUE TO NON-COMPLIANCE WITH CONDITIONS OF APPROVAL OF CUP 19-01.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Aron Burian, Commissioner
SECONDER:	Scot Mathis, Commissioner
AYES:	Tara Cesena, Aron Burian, Scot Mathis
ABSENT:	Edward A. Giroux, David Alaniz

D. INFORMATION TO COMMISSIONERS

None.

E. INFORMATION FROM COMMISSIONERS

Vice-Chair Ceseña asked about a condition regarding the Drive-Thru Starbucks on Barton Road, she stated that there were supposed to be tall trees planted along the wall to offer the resident some privacy, she would like city staff to look into this.

ADJOURN

Adjourn to the next scheduled meeting of the Planning Commission/Site and Architectural Review Board to be held on August 1, 2024, at 6:30 p.m.

Tara Ceseña, Vice-Chair

Debra L. Thomas, City Clerk



CITY OF GRAND TERRACE

Planning Commission/Site and Architectural Review Board

MINUTES • October 17, 2024

Council Chambers

Regular Meeting

6:30 PM

Grand Terrace Civic Center • 22795 Barton Road

CALL TO ORDER

Chairman Edward Giroux convened the Regular Meeting of the Planning Commission/Site & Architectural Review Board for Thursday, October 17, 2024, at 6:30 PM.

Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Giroux.

AB 2449 Disclosures

None.

Roll Call

Present:	Commission Chair Edward Giroux Commissioner David Alaniz Commissioner Scot Mathis Commissioner Aron Burian
Absent:	Commission Vice Chair Tara Cesena
Remote:	City Attorney, John Fox

APPROVAL OF AGENDA

RESULT:	APPROVED
MOVER:	Commissioner Mathis
SECONDER:	Commissioner Burian
AYES:	Commission Chair Giroux, Commissioner Alaniz, Commissioner Mathis, Commissioner Burian
NAYS:	None

PRESENTATIONS

None.

PUBLIC ADDRESS

None.

A. CONSENT CALENDAR

- 1) Approval of Minutes - Regular Meeting - July 18, 2024.

This item is being continued to the next Regular Meeting of the Planning Commission Site & Architectural Review Board scheduled for Thursday, November 21, 2024, at 6:30 p.m.

B. ACTION ITEMS - NONE

None.

C. PUBLIC HEARING

- 2) Site and Architectural Review 24-01 (SA 24-01), Administrative Site and Architectural Review 24-10 (ASA 24-10), and Environmental Review 24-01 (ENV 24-01) for a new one-story SINGLE-FAMILY residence and the conversion of the existing residence into an accessory dwelling unit at 22222 Van Buren Street (APN: 1167-261-45-0000)

Gabriel Arguelles, Assistant Planner, presented the staff report and [PowerPoint](#) presentation for this item.

Chair Giroux opened the public hearing at 6:43 p.m.

PUBLIC COMMENT

Luis Macias, Grand Terrace resident and owner of the proposed project spoke on his vision for his new home with the approval of the Planning Commission.

Chair Giroux closed the public hearing at 6:45 p.m.

ADOPT A RESOLUTION OF THE PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE, CALIFORNIA APPROVING SITE AND ARCHITECTURAL REVIEW 24-01, ADMINISTRATIVE SITE AND ARCHITECTURAL REVIEW 24-1 FOR A NEW SINGLE-FAMILY PRIMARY HOME, SITE IMPROVEMENTS, AND CONVERSION OF AN EXISTING RESIDENCE INTO AN ACCESSORY DWELLING UNIT AT 22222 VAN BUREN STREET (APN: 1167-2616-45-0000) in the R1-7.2 Single Family RESIDENTIAL zoning district AND ADOPTING ENVIRONMENTAL DETERMINATION 24-01 FINDING AN ENVIRONMENTAL EXEMPTION FOR THE PROPOSED PROJECT PURSUANT TO SECTION 15303 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

RESULT:	APPROVED
MOVER:	Commissioner Alaniz
SECONDER:	Commissioner Mathis
AYES:	Commission Chair Giroux, Commissioner Alaniz, Commissioner Mathis, Commissioner Burian
NAYS:	None

D. INFORMATION TO COMMISSIONERS

Assistant Planner Gabriel Arguelles was formerly introduced to the Planning Commission and he provided a brief statement introduction.

E. INFORMATION FROM COMMISSIONERS

None.

ADJOURN

Chair Giroux adjourned the regular meeting of the Planning Commission/Site and Architectural Review Board for Thursday, October 17, 2024. The next scheduled meeting of the Planning Commission/Site and Architectural Review Board is to be held on Thursday, November 21, at 6:30 p.m.

Edward Giroux, Chairman

Debra L. Thomas, City Clerk



AGENDA REPORT

MEETING DATE: November 21, 2024

TO: PLANNING COMMISSION/SITE AND ARCHTECTURAL REVIEW BOARD

PRESENTED BY: Scott Hutter, Planning & Development Services Director

TITLE: Review and Consideration of Zoning Code Amendment (ZCA) 24-04, a Proposal to Amend the Grand Terrace Municipal Code Chapter 5.06 (Home Occupation Permits) Sections 5.06.050 and 5.06.060, Chapter 5.40 (Garage Sales) Section 5.40.050, Chapter 5.42 (Integrated Waste Management) Section 5.42.160, Chapter 5.48 (Massage Parlors and Massage Technicians) Section 5.48.110, Chapter 8.108 (Noise) Sections 8.108.040 and 8.108.050, Chapter 8.112 (Fireworks) Section 8.112.010, Chapter 9.05 (Vending on City Sidewalks) Section 9.05.020, Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) Section 10.16.021, Chapter 12.32 (Conduct on Public Property – Parks) Section 12.32.140, Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) Section 12.56.070, Chapter 15.56 (Water Efficient Landscape) Section 15.56.130, Chapter 18.10 (Residential Districts) Section 18.10.040, Chapter 18.64 (Objective Design Standards) Section 18.64.040, Chapter 18.80 (Signs) Section 18.80.050 and 18.80.130, Chapter 18.82 (Standards for Specified Land Uses and Activities) Section 18.82.010, to streamline the Municipal Code and ensure internal consistency.

California Environmental Quality Act (CEQA) Exempt Pursuant To Section §15061(b)(3) – *Common Sense Exemption*.

RECOMMENDATION:

It is recommended that the Planning Commission/Site and Architectural Review Board take the following actions:

- 1) Conduct a Public Hearing; and
- 2) Adopt a Resolution Of The Planning Commission/Site And Architectural Review Board Of The City Of Grand Terrace Recommending That The City Council Adopt an Ordinance approving ZCA 24-04 to amend Grand Terrace Municipal Code Chapter 5.06 (Home Occupation Permits) Sections 5.06.050 and 5.06.060, Chapter 5.40 (Garage Sales)

Section 5.40.050, Chapter 5.42 (Integrated Waste Management) Section 5.42.160, Chapter 5.48 (Massage Parlors and Massage Technicians) Section 5.48.110, Chapter 8.108 (Noise) Sections 8.108.040 and 8.108.050, Chapter 8.112 (Fireworks) Section 8.112.010, Chapter 9.05 (Vending on City Sidewalks) Section 9.05.020, Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) Section 10.16.021, Chapter 12.32 (Conduct on Public Property – Parks) Section 12.32.140, Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) Section 12.56.070, Chapter 15.56 (Water Efficient Landscape) Section 15.56.130, Chapter 18.10 (Residential Districts) Section 18.10.040, Chapter 18.64 (Objective Design Standards) Section 18.64.040, Chapter 18.80 (Signs) Section 18.80.050 and 18.80.130, Chapter 18.82 (Standards for Specified Land Uses and Activities) Section 18.82.010, to streamline the Municipal Code and ensure internal consistency (Zoning Code Amendment 24-04) And Find An Environmental Exemption Pursuant to Section 15061(b)(3) Of The California Environmental Quality Act (CEQA) Guidelines.

CEQA exempt pursuant to Section §15061(b)(3) – *Common Sense Exemption*.

2030 VISION STATEMENT:

This staff report supports City Council Goal #5, “Engage in Proactive Communication” by updating the City’s Municipal Code to provide current information regarding City policies.

SUMMARY:

City staff is recommending a Zoning Code Amendment (ZCA) 24-04 to bring specific additions and deletions text edits within the Municipal Code and Zoning Code to the Planning Commission and City Council to streamline the Municipal Code and ensure internal consistency. Staff is recommending that Grand Terrace Municipal Code Chapter 5.06 (Home Occupation Permits) Sections 5.06.050 and 5.06.060, Chapter 5.40 (Garage Sales) Section 5.40.050, Chapter 5.42 (Integrated Waste Management) Section 5.42.160, Chapter 5.48 (Massage Parlors and Massage Technicians) Section 5.48.110, Chapter 8.108 (Noise) Sections 8.108.040 and 8.108.050, Chapter 8.112 (Fireworks) Section 8.112.010, Chapter 9.05 (Vending on City Sidewalks) Section 9.05.020, Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) Section 10.16.021, Chapter 12.32 (Conduct on Public Property – Parks) Section 12.32.140, Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) Section 12.56.070, Chapter 15.56 (Water Efficient Landscape) Section 15.56.130, Chapter 18.10 (Residential Districts) Section 18.10.040, Chapter 18.64 (Objective Design Standards) Section 18.64.040, Chapter 18.80 (Signs) Section 18.80.050 and 18.80.130, Chapter 18.82 (Standards for Specified Land Uses and Activities) Section 18.82.010, be amended to streamline the Municipal Code and ensure internal consistency be amended.

BACKGROUND:

At the July 23, 2024, City Council Meeting the Council asked City staff to review the Municipal Code to ensure that business hours are internally consistent with the hours allotted for noise in the Municipal Code. City staff has initiated a process of reviewing the City of Grand Terrace Municipal Code to identify sections pertaining to noise that are to be amended along with identifying other outdated or unnecessary provisions. A summary of the Municipal Code text edits is included in the analysis section below.

ANALYSIS:

Upon receiving a recommendation from the Planning Commission/ Site Architectural Review Board regarding the proposed ZCA 24-04, the City Council shall act as follows:

- A. If the Planning Commission's recommendation is for approval, the City Council shall hold a Public Hearing on the proposed ZCA 24-04. Said Public Hearing shall be duly noticed. After conducting a Public Hearing, the City Council may approve, modify, or disapprove the recommendation of the Planning Commission, provided that any modification of the proposed amendment by the City Council not previously considered by the Planning Commission during its hearing, shall first be referred back to the Planning Commission for its consideration and recommendation. Such consideration resulting from a City Council referral shall require a Public Hearing. Failure by the Planning Commission to report to the City Council on the proposed modification within 40 days, or such longer period as the City Council may designate, shall be deemed an approval of the proposed modification by the Planning Commission.
- B. If the Planning Commission's recommendation is for denial, the City Council shall not be required to take any further action, unless the applicant, any member of the City Council or any other person affected by the decision, within ten (10) calendar days after the action of the Planning Commission, files an application for appeal, accompanied by the appropriate fee, with the City Clerk.

Notable text edits contained within ZCA 24-04 for Planning Commission/Site Architectural Review Board review and recommendation to the City Council are:

1. Amend Section 5.06.050 (Evaluation and Notice) of Chapter 5.06 (Home Occupation Permits) relating to notice being given to all owners of contiguous property only if the "home occupation" fails to comply with one or more of the required criteria.
2. Amend Section 5.06.060 (Decision to Approve or Deny) of Chapter 5.06 (Home Occupation Permits) relating to establishing a timeline for City staff to approve a home occupation.
3. Amend Section 5.40.050 (Length – Frequency - Hours) of Chapter 5.40 (Garage Sales) relating to hours when the sale can occur.
4. Amend Section 5.42.160 (Frequency of Removal) of Chapter 5.42 (Integrated Waste Management) relating to when the hours when waste collection can occur and whom at the City may modify said hours.
5. Amend Section 5.48.110 (Hours of Operation – Food or Beverages) of Chapter 5.48 (Massage Parlors and Massage Technicians) relating to when the hours when a massage establishment can occur.
6. Amend Section 5.108.040 (Special Activities) of Chapter 5.108 (Noise) relating to when the hours when a noise associated with construction, agricultural work, and maintenance of property can occur.
7. Amend Section 5.108.050 (Prohibited Noise) of Chapter 5.108 (Noise) relating to when the hours when a noise associated with loading and unloading can occur.

8. Amend Section 8.112.010 (Dates and Hours of Sale and Discharge) of Chapter 8.112 (Fireworks) relating to when the hours when safe and sane fireworks can be discharged on the 4th of July.
9. Amend Section 9.05.020 (Selling Food or Merchandise – Operational Requirements) of Chapter 9.05 (Vending on City Sidewalks) relating to when the hours when vending can occur in a residential zone.
10. Amend Section 10.16.021 (Restriction of Commercial Vehicles in Front Yards, Paved Driveways and Side Yards of Residential Areas) of Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) relating to removal of recreational vehicles from the prohibited vehicles graphic as they are already regulated by a more recent Ordinance found in Section 18.60.030 (Parking Regulations of Chapter 18.60 (Off-Street Parking)).
11. Amend Section 12.32.140 (Park Hours) of Chapter 12.32 (Conduct on Public Property - Parks) relating to when the hours when a City park can be open and whom at the City may modify said hours.
12. Amend Section 12.56.070 (Design and Development Standards) of Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) relating to when the hours when noise associated with a backup generator can occur.
13. Amend Section 15.56.130 (Irrigation Scheduling) of Chapter 15.56 (Water Efficient Landscape) relating to when the hours when overhead irrigation can occur.
14. Amend Section 18.10.040 (Site Development Standards) of Chapter 18.10 (Residential Districts) relating to minimum square feet for one, two, three, and four plus bedroom duplex, triplex, and multiple family construction.
15. Amend Section 18.64.040 (Sustainable Design) of Chapter 18.64 (Objective Design Standards) relating to minimum Leadership in Energy and Environmental Design (LEED) certification requirement for an Objective Design Standards (ODS) development application within the City.
16. Amend Section 18.80.050 (Signs on Public Property) of Chapter 18.80 (Signs) relating to hours when temporary signs displayed in the public right-of-way can occur.
17. Amend Section 18.80.130 (General Provisions) of Chapter 18.80 (Signs) relating to prohibition of illuminated of signs that face a residential use.
18. Amend Section 18.82.010 (Residential Care Facilities) of Chapter 18.82 (Standards for Specified Land Uses and Activities) relating to when the hours when noise associated with outdoor activities at a residential care facility can occur.

A full accounting of the proposed text amendments to the Municipal Code by ZCA 24-04 are provided in “**EXHIBIT B**” to *Attachment 1* to this agenda staff report.

ENVIRONMENTAL REVIEW:

ZCA 24-04 is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) – *Common Sense Exemption*. The text amendments to the Municipal Code (ZCA 24-

04) are covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the text amendments to the Municipal Code (ZCA 24-04) may have a significant effect on the environment, therefore ZCA 24-04 is not subject to CEQA. The project will not have a significant effect on the environment because the amendment only is text amendments to existing Municipal Code and Zoning Code sections that require periodical updates from time to time to streamline and ensure internal consistency of the Municipal and Zoning Codes.

NOTIFICATION:

The Public Hearing Notice for the Project was published in compliance with the City's Municipal Code and the City's "Expanded Public Noticing and Outreach Policy for Public Hearings and Public Workshops." The Public Hearing Notice was published at the *Grand Terrace City News*, posted in three public places, including Grand Terrace News Paper, City Hall Lobby and Kiosk. To date, staff has not received any comments.

FINDINGS:

Municipal Code Section §18.90.040 - *Planning Commission Public Hearing and Recommendation*, the Planning Commission/Site and Architectural Review Board shall hold a Public Hearing on any proposed amendment and shall notice said Public Hearing in accordance with Sections 65090 and 65091 of the California Government Code and with Section 18.03.070 (Public Hearing Notice) of Chapter 18.03 (General provisions).

The Planning Commission/Site Architectural Review Board, after examination of the proposed Zoning Code Amendment (ZCA) 24-04, shall make its recommendation to the City Council via resolution. The Planning Commission/Site Architectural Review Board shall recommend approval only if it makes all necessary findings which are provided as "**EXHIBIT A**" of *Attachment 1* to this agenda report.

CONCLUSION:

ZCA 24-04 is clarifying hours of noise in the Municipal Code along with other "clean-up" fixes that staff has identified. The text edits to the Municipal Code will ensure internal consistency and streamline application of the Municipal Code.

Staff recommend that the Planning Commission/Site and Architectural Review Board review and recommend approval of ZCA 24-04 to the City Council via the Resolution provided as *Attachment 1* to this agenda report.

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AND FIND AN ENVIRONMENTAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES AND AMEND AMENDING MUNICIPAL CODE CHAPTER 5.06 (HOME OCCUPATION PERMITS) SECTIONS 5.06.050 AND 5.06.060, CHAPTER 5.40 (GARAGE SALES) SECTION 5.40.050, CHAPTER 5.42 (INTEGRATED WASTE MANAGEMENT) SECTION 5.42.160, CHAPTER 5.48 (MASSAGE PARLORS AND MASSAGE TECHNICIANS) SECTION 5.48.110, CHAPTER 8.108 (NOISE) SECTIONS 8.108.040 AND 8.108.050, CHAPTER 8.112 (FIREWORKS) SECTION 8.112.010, CHAPTER 9.05 (VENDING ON CITY SIDEWALKS) SECTION 9.05.020, CHAPTER 10.16 (STORAGE OF VEHICLES – INTERSECTION OBSTRUCTION) SECTION 10.16.021, CHAPTER 12.32 (CONDUCT ON PUBLIC PROPERTY – PARKS) SECTION 12.32.140, CHAPTER 12.56 (WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY) SECTION 12.56.070, CHAPTER 15.56 (WATER EFFICIENT LANDSCAPE) SECTION 15.56.130, CHAPTER 18.10 (RESIDENTIAL DISTRICTS) SECTION 18.10.040, CHAPTER 18.64 (OBJECTIVE DESIGN STANDARDS) SECTION 18.64.040, CHAPTER 18.80 (SIGNS) SECTION 18.80.050 AND 18.80.130, CHAPTER 18.82 (STANDARDS FOR SPECIFIED LAND USES AND ACTIVITIES) SECTION 18.82.010, TO STREAMLINE THE MUNICIPAL CODE AND ENSURE INTERNAL CONSISTENCY.

WHEREAS, the City of Grand Terrace (“City”) adopted a Zoning Code, which has been amended from time to time; and

WHEREAS, Chapter 5.06 (Home Occupation Permits) establishes a process and criteria to regulate “commercial uses” associated with a residence where the business will clearly not alter the character of the residential environment, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 5.06.050 (Evaluation and Notice) of Chapter 5.06 (Home Occupation Permits) relating to notice being given to all owners of contiguous property only if the “home occupation” fails to comply with one or more of the required criteria; and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 5.06.060 (Decision to Approve or Deny) of Chapter 5.06 (Home Occupation Permits) relating to establishing a timeline for City staff to approve a home occupation; and

WHEREAS, Chapter 5.40 (Garage Sales) establishes a process and criteria to regulate “garage sales” associated with a residentially zoned or occupied property, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 5.40.050 (Length – Frequency - Hours) of Chapter 5.40 (Garage Sales) relating to hours when the sale can occur; and

WHEREAS, Chapter 5.42 (Integrated Waste Management) establishes a process and criteria to regulate “waste management services” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 5.42.160 (Frequency of Removal) of Chapter 5.42 (Integrated Waste Management) relating to when the hours when waste collection can occur and whom at the City may modify said hours; and

WHEREAS, Chapter 5.48 (Massage Parlors and Massage Technicians) establishes a process and criteria to regulate “massage” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 5.48.110 (Hours of Operation – Food or Beverages) of Chapter 5.48 (Massage Parlors and Massage Technicians) relating to when the hours when a massage establishment can occur; and

WHEREAS, Chapter 8.108 (Noise) establishes a process and criteria to regulate “noise” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 5.108.040 (Special Activities) of Chapter 5.108 (Noise) relating to when the hours when a noise associated with construction, agricultural work, and maintenance of property can occur; and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 5.108.050 (Prohibited Noise) of Chapter 5.108 (Noise) relating to when the hours when a noise associated with loading and unloading can occur; and

WHEREAS, Chapter 8.112 (Fireworks) establishes a process and criteria to regulate “safe and sane fireworks” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 8.112.010 (Dates and Hours of Sale and Discharge) of Chapter 8.112 (Fireworks) relating to when the hours when safe and sane fireworks can be discharged on the 4th of July; and

WHEREAS, Chapter 9.05 (Vending on City Sidewalks) establishes a process and criteria to regulate “sidewalk vendors” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 9.05.020 (Selling Food or Merchandise – Operational Requirements) of Chapter 9.05 (Vending on City Sidewalks) relating to when the hours when vending can occur in a residential zone; and

WHEREAS, Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) establishes a process and criteria to regulate “commercial vehicles” within residentially zoned properties, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 10.16.021 (Restriction of Commercial Vehicles in Front Yards, Paved Driveways and Side Yards of Residential Areas) of Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) relating to removal of recreational vehicles from the prohibited vehicles graphic as they are already regulated

by a more recent Ordinance found in Section 18.60.030 (Parking Regulations of Chapter 18.60 (Off-Street Parking)); and

WHEREAS, Chapter 12.32 (Conduct on Public Property - Parks) establishes a process and criteria to regulate “Public Property” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 12.32.140 (Park Hours) of Chapter 12.32 (Conduct on Public Property - Parks) relating to when the hours when a City park can be open and whom at the City may modify said hours; and

WHEREAS, Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) establishes a process and criteria to regulate permitting, development, siting, installation, design, operation and maintenance of “wireless telecommunications facilities” in the City's public right-of-way, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 12.56.070 (Design and Development Standards) of Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) relating to when the hours when noise associated with a backup generator can occur; and

WHEREAS, Chapter 15.56 (Water Efficient Landscape) establishes a process and criteria to regulate “landscape irrigation” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 15.56.130 (Irrigation Scheduling) of Chapter 15.56 (Water Efficient Landscape) relating to when the hours when overhead irrigation can occur; and

WHEREAS, Chapter 18.10 (Residential Districts) establishes a process and criteria to regulate “residential zones” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 18.10.040 (Site Development Standards) of Chapter 18.10 (Residential Districts) relating to minimum square feet for one, two, three, and four plus bedroom duplex, triplex, and multiple family construction; and

WHEREAS, Chapter 18.64 (Objective Design Standards) establishes a process and design standards that are “objective” for multifamily residential development and mixed-use development with a residential component to ensure that such development is attractively designed, maintains positive aesthetic characteristics, and to provide property owners and developers with predictable design approval standards for such development and establishes conditions and procedures for processing streamlined housing projects consistent with Government Code Section 65913.4 within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 18.64.040 (Sustainable Design) of Chapter 18.64 (Objective Design Standards) relating to minimum Leadership in Energy and Environmental Design (LEED) certification requirement for an Objective Design Standards (ODS) development application within the City; and

WHEREAS, Chapter 18.80 (Signs) establishes a process and criteria to regulate “signage” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 18.80.050

(Signs on Public Property) of Chapter 18.80 (Signs) relating to hours when temporary signs displayed in the public right-of-way can occur; and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 18.80.130 (General Provisions) of Chapter 18.80 (Signs) relating to prohibition of illuminated of signs that face a residential use; and

WHEREAS, Chapter 18.82 (Standards for Specified Land Uses and Activities) establishes a process and criteria to regulate “residential care facilities” within the City, and

WHEREAS, Zoning Code Amendment 24-04 proposes to amend Section 18.82.010 (Residential Care Facilities) of Chapter 18.82 (Standards for Specified Land Uses and Activities) relating to when the hours when noise associated with outdoor activities at a residential care facility can occur; and

WHEREAS, state law requires that the City’s Zoning Code (Title 18 of the Grand Terrace Municipal Code) conform with the General Plan’s goals and policies, and

WHEREAS, Zoning Code Amendment 24-04 is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) – *Common Sense Exemption* in that the 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 the Municipal Code and Zoning Code update will not have a significant effect on the environment because the amendment only ensure internal consistency with in the Municipal Code and streamlines its application; and

WHEREAS, on November 21, 2024, the Planning Commission/Site and Architectural Review Board of the City of Grand Terrace conducted a duly noticed Public Hearing on Zoning Code Amendment 24-04 and considered testimony and evidence presented by the public, city staff, and other interested parties, at the Public Hearing held within respect thereto; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and,

NOW THEREFORE, THE PLANNING COMMISSION/SITE ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and incorporated herein by this reference.

SECTION 2. The foregoing recitals set forth above are true and correct and incorporated herein by this reference and made a part hereof.

SECTION 3. The Planning Commission/Site and Architectural Review Board hereby finds that the Zoning Code Amendment (ZCA) 24-04 is not subject to environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, a Notice of Exemption will be prepared for the project in that the 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. The project will not have a significant effect on the environment because the amendments only change administration procedures to streamline the requirements of the municipal code and create internal consistency; and

SECTION 4. Chapter 5.06 (Home Occupation Permits) Sections 5.06.050 and 5.06.060 of the Grand Terrace Municipal Code are hereby shall be amended in its entirety.

SECTION 5. Chapter 5.40 (Garage Sales) Section 5.40.050 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 6. Chapter 5.42 (Integrated Waste Management) Section 5.42.160 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 7. Chapter 5.48 (Massage Parlors and Massage Technicians) Section 5.48.110 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 8. Chapter 8.108 (Noise) Sections 8.108.040 and 8.108.050 of the Grand Terrace Municipal Code are hereby shall be amended in its entirety.

SECTION 9. Chapter 8.112 (Fireworks) Section 8.112.010 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 10. Chapter 9.05 (Vending on City Sidewalks) Section 9.05.020 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 11. Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) Section 10.16.021 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 12. Chapter 12.32 (Conduct on Public Property – Parks) Section 12.32.140 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 13. Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) Section 12.56.070 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 14. Chapter 15.56 (Water Efficient Landscape) Section 15.56.130 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 15. Chapter 18.10 (Residential Districts) Section 18.10.040 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 16. Chapter 18.64 (Objective Design Standards) Section 18.64.040 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 17. Chapter 18.80 (Signs) Section 18.80.050 and 18.80.130 of the Grand Terrace Municipal Code are hereby shall be amended in its entirety.

SECTION 18. Chapter 18.82 (Standards for Specified Land Uses and Activities) Section 18.82.010 of the Grand Terrace Municipal Code is hereby shall be amended in its entirety.

SECTION 19. The findings for Zoning Code Amendment (ZCA) 24-04 pursuant to Grand Terrace Municipal Code Section §18.90.040 can be made supporting the project application as follows:

- 1) The proposed amendment will not be detrimental to the health, safety, morals, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City.
- 2) The proposed amendment will not be: Injurious to property or improvements in the neighborhood or within the City.
- 3) The proposed amendment will be consistent with the latest adopted general plan.

The factual findings for which are attached as “**EXHIBIT A**” to this Resolution and incorporated herein by this reference.

SECTION 20. Based upon the forgoing and all oral and written communications from members of the public and City staff (including, but not limited to, all oral and written staff reports and attachments) presented at the November 21, 2024, Public Hearing, the Planning Commission/Site and Architectural Review Board hereby recommends that the City Council adopt an Ordinance approving Zoning Code Amendment (ZCA) 24-04 and adopt and find an environmental exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines to amend Section 18.60.030 of the City of Grand Terrace Municipal Code as shown in redlined tracked changes document included as “**EXHIBIT B**” to this Resolution and incorporated herein by this reference.

SECTION 21. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase contained approved by this Resolution, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Resolution or any part thereof. The Planning Commission/Site and Architectural Review Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

APPROVED AND ADOPTED by the Planning Commission/Site and Architectural Review Board of the City of Grand Terrace, California, at a regular Public Hearing held on the 21st day of November 2024.

ATTEST:

Debra L. Thomas
City Clerk

Ed Giroux
Commission Chair

EXHIBIT A

FINDINGS OF APPROVAL FOR ZONING CODE AMENDMENT 24-04

A Zone Code Amendment (ZCA) 24-04 amending Municipal Code Chapter 5.06 (Home Occupation Permits) Sections 5.06.050 and 5.06.060, Chapter 5.40 (Garage Sales) Section 5.40.050, Chapter 5.42 (Integrated Waste Management) Section 5.42.160, Chapter 5.48 (Massage Parlors and Massage Technicians) Section 5.48.110, Chapter 8.108 (Noise) Sections 8.108.040 and 8.108.050, Chapter 8.112 (Fireworks) Section 8.112.010, Chapter 9.05 (Vending on City Sidewalks) Section 9.05.020, Chapter 10.16 (Storage of Vehicles – Intersection Obstruction) Section 10.16.021, Chapter 12.32 (Conduct on Public Property – Parks) Section 12.32.140, Chapter 12.56 (Wireless Telecommunications Facilities in the Public Right-Of-Way) Section 12.56.070, Chapter 15.56 (Water Efficient Landscape) Section 15.56.130, Chapter 18.10 (Residential Districts) Section 18.10.040, Chapter 18.64 (Objective Design Standards) Section 18.64.040, Chapter 18.80 (Signs) Section 18.80.050 and 18.80.130, Chapter 18.82 (Standards for Specified Land Uses and Activities) Section 18.82.010, to streamline the Municipal Code and ensure internal consistency.

As required by Municipal Code Section §18.90.040 - Planning Commission Public Hearing and Recommendation, the Planning Commission/Site and Architectural Review Board shall hold a Public Hearing on any proposed Zoning Code Amendment that amends the City's Zoning Code and Municipal Code. The Planning Commission/Site Architectural Review Board, after examination of the proposed Zoning Code Amendment (ZCA) 24-04, which is included in redlined format as “**EXHIBIT A**” to this Resolution and incorporated herein by this reference, shall make its recommendation to the City Council based on the following findings:

1. **Finding:** The proposed amendment will not be detrimental to the health, safety, morals, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City.

Facts in Support of Finding: The Zoning Code Amendment (ZCA) 24-04 amends the City's Municipal Code to consolidate address primarily the hours identified for noise associated with activities to occur. IN addition this ZCA will also address miscellaneous inconsistencies within the Municipal Code as a “clean-up” exercise. All additions and deletions to the Municipal Code under ZCA 24-04 are provided in “**EXHIBIT B**” of *Attachment 1* (Planning Commission Resolution). There is no foreseeable detriment to the persons working or living within the City resulting from the proposed ZCA 24-04 as the edits to Municipal Code will streamline the processes contained within and ensure internal consistency between Chapters and Sections.

2. **Finding:** The proposed amendment will not be: Injurious to property or improvements in the neighborhood or within the City.

Facts in Support of Finding: The Zoning Code Amendment (ZCA) 24-04 to amend the City's Municipal Code will not be injurious to property improvements within neighborhoods in the City because ZCA 24-04 is clarifying the municipal code for all who reference it so no confusion exists with respect to hours when activities and noise can occur. In addition, there are various sections of the Municipal Code requiring additional “clean-up” for internal consistency and streaming purposes that the City has identified and included as a part of this ZCA.

EXHIBIT A

3. **Finding:** The proposed amendment will be consistent with the latest adopted general plan.

Facts in Support of Finding: The Land Use Element's Implementation Plan for the City of Grand Terrace addresses the administrative aspects of the Element. The Implementation Plan includes goals and polices, specifically:

This ZCA 24-04 is consistent with the spirit and intent of the Implementation Plan Goal 2.1 and Policy 2.1.4 in that is the City conducting a periodical review of the Zoning Code land use standards to bring specific additions and deletions for residential and non-residential land uses to the Planning Commission and City Council for inclusion in the Municipal Code.

Environmental Finding

4. **Finding:** A project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. 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.

Facts in Support of Finding: The City of Grand Terrace has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if the Zoning Code Amendment project is exempt from CEQA. Since it can be seen with certainty that the Zoning Code Amendment (ZCA) 24-04 solely a text edit exercise for internal consistency and streamlining purposes, it has no foreseeable potential to have a significant adverse effect on the environment. The City of Grand Terrace has determined that the proposed Zoning Code Amendment (ZCA) 24-04 is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) - Common Sense Exemption. The project is exempt under the “common sense” exemption because it does not involve any grading, demolition, or construction activities that will have a significant effect on the environment. The project is strictly a text update to the City's Municipal Code. It can be said with certainty that the project will not have a significant effect on the environment. As such, the proposed project is exempt from CEQA, or not subject to CEQA, pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

EXHIBIT B

ZCA 24-04 Redlined Additions and Strikethrough Deletions to the Municipal Code

Chapter 5.06 HOME OCCUPATION PERMITS

Sections:

“5.06.050 Evaluation and notice.

If the community development director or his/her designee finds that the proposed use does not meet the criteria set forth in this Chapter, the permit request shall be denied. If the proposed use does **not** meet **one or more of** the aforementioned criteria, notice shall be given to all owners of contiguous property, making them aware of the character and scope of the proposed use and requesting their comments:

- A. "Contiguous property," for the purposes of this Chapter, is defined as those properties which touch property lines of any parcel that is the subject of a request for a home occupation permit, including those properties which touch the property lines of the subject parcel when projected across public or private rights-of-way or easements.
- B. Notice shall be given by first class mail or delivery to all contiguous property owners for home occupation permits.
- C. Notice may be given in such other manner as is deemed necessary or desirable by the community development director in order to achieve sufficient notice.
- D. Notice shall include all necessary information to give those receiving the notice a reasonable opportunity to evaluate the implications of the proposal and to participate in the decision-making process.

“5.06.060 Decision to approve or deny.

Within ten days after receiving a compliant application, the community development director or his/her designee shall review the initial findings and notify the applicant; or within ~~fourteen~~ days after giving notice to contiguous property owners of an application that does not meet one or more of the criteria listed in this Chapter, the community development director or his/her designee shall review the initial findings and notify the applicant and contiguous property owners of his/her decision.

Chapter 5.40 GARAGE SALES

Sections:

“5.40.050 Length—Frequency—Hours.

Not more than two garage sales may be conducted by any person or upon a lot or parcel of land during any period of 12 consecutive months. Such garage sale shall not be conducted for longer than three consecutive days. The sale shall not be conducted between the hours of 8:00 p.m. **dusk** of any one day and 8:00 a.m. of the following day.”

Chapter 5.42 INTEGRATED WASTE MANAGEMENT

Sections:

“5.42.160 Frequency of removal.

- A. Persons in charge of the day-to-day operation of properties other than commercial food preparation establishments, shall make arrangements to have removed, not less frequently than once a week, from the property upon which the residence or residences are located, all refuse on the premises.
- B. Every person in charge of commercial food preparation establishments, shall cause all refuse to be removed from the property not less frequently than twice a week.
- C. The City Manager may specify the frequency of collection of refuse created, produced or brought upon the premises of commercial or multifamily residential premises, and the size and number of bins required.
- D. Collection shall be made only between the hours of ~~6~~7:00 a.m. and 5:00 p.m. of any day, Monday through Saturday. ~~Commercial pickup may begin at 5:00 a.m.~~ Earlier pickup time may be authorized only upon prior written approval of the City Manager **or their designee**, which shall include requirements for the contractor to notify the affected customers prior to implementing the change.
- E. In order to prevent problems of traffic, noise, wear and tear on the highway, or other problems having the potential to adversely affect health, safety or the environment, which may develop in any specific area as a result of solid waste collection, the City Manager may regulate the routes, intervals, delivery points, and times for collection by all contractors operating within the City.”

Chapter 5.48 MASSAGE PARLORS AND MASSAGE TECHNICIANS

Sections:

“5.48.110 Hours of operation—Food or beverages.

No massage parlor shall be open between the hours of ~~ten~~ **11:00** p.m. and seven a.m. Massage parlors shall not serve food or beverages on the premises of the massage parlor.”

“Chapter 8.108 NOISE

Sections:

“8.108.040 Special activities.

In addition to the exemptions provided for in Section 8.108.030, the following activities shall be exempted from the provisions of this Chapter:

- A. City or school approved activities conducted on public parks, public playgrounds and public or private school grounds including but not limited to athletic and school entertainment events between the hours of 7:00 a.m. and 11:00 p.m.
- B. Noises produced by mechanical devices, apparatus or equipment used, related to, or connected with emergency machinery, vehicles, work or warning alarm or bell, provided the sounding of any bell or alarm on any building or motor vehicle shall terminate its operation within 30 minutes in any hour of its being activated.
- C. ~~Noises sources and vibration associated with or vibration created by construction, repair, or remodeling or grading of any real property or during authorized seismic surveys, provided said activities do not take place~~ **shall not occur** between the hours of ~~85:00 p.m., and 7:00 a.m. on weekdays, and between the hours of 5:00 p.m. and 9:00 a.m. on Saturday including Saturday, or at any time on Sunday or a national holiday.~~ **No construction, repair, remodeling or grading of any real property permitted on Sundays and Federal holidays.**
- D. All devices, apparatus or equipment associated with agricultural operations provided as follows:
 - 1. Operations ~~do~~ **shall** not take place between ~~85:00 p.m. and 7:00 a.m.~~
 - 2. Such operations and equipment are utilized for protection or salvage of agricultural crops during periods of potential or actual frost damage or other adverse weather conditions.
 - 3. Such operations and equipment associated with agricultural pest control through pesticide application provided the application is made in accordance with permits issued or regulations enforced by the California Department of Agriculture.
- E. ~~Noise sources associated with the maintenance of real property provided the activities~~ **shall not** take place between the hours of ~~8:00 a.m. and 85:00 p.m. and 7:00 a.m. on any day weekdays, and except Sunday or between the hours of 9:00 a.m. and 85:00 p.m. and 9:00 a.m. on weekends Sunday.~~

"8.108.050 Prohibited Noise.

The following noises are prohibited and declared to be nuisances:

- A. Peddlers Use of Loud Noise to Advertise Goods. No peddler or mobile vendor or any person on their behalf shall shout, cry out or use any device or instrument to make sounds for the purpose of advertising in such a manner as to create a noise disturbance.
- B. Animal Noises. No person owning or having the charge, care, custody or control of any dog or other animal or fowl shall allow the same to howl, bark, yelp or make other noises in such a manner as to create a noise disturbance.
- C. Loud and Boisterous Yelling, Shouting, Whistling or Singing. No person shall yell, shout, whistle or sing in a loud and boisterous manner on the public streets so as to

disturb the quiet, comfort, or repose of persons in any office, dwelling, hotel or other type of residence or neighborhood.

- D. Radios, Television Sets, Musical Instruments, Phonographs and Similar Devices. No person shall use, operate or permit to be played, used or operated any radio receiving set, television set, musical instrument, phonograph or other machine or device for producing or reproducing sound in such a manner as to disturb the peace, quiet or comfort of neighboring persons, or at any time with louder volume than is necessary for the convenient hearing of the person or persons who are in the room, vehicle or other enclosure in which such machine or device is operated, and who are voluntary listeners thereto. The operation of any such set, instrument or device between the hours of 4~~0~~5:00 p.m. and 7:00 a.m. in such a manner as to be loud or excessive at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this Section.
- E. Sounding of Whistles, Horns, Bells, or Other Such Devices. No person shall make or cause to be made the loud, sudden and unnecessary blowing of whistles, sounding of horns, ringing of bells or use of signaling devices by operators of railroad locomotives, motor trucks and other transportation equipment. The doing of such acts between the hours of 4~~0~~5:00 p.m. and 7:00 a.m. in such a manner as to be loud or excessive at a distance of 50 feet from locomotives, motor trucks or other transportation equipment being operated shall be prima facie evidence of a violation of this Section.
- F. Loading, ~~or~~ Unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects ~~of from~~ Trucks. No person shall create or cause to be created loud and excessive noise in connection with the loading or unloading of motor trucks and other vehicles, so as to disturb the peace and quiet of adjacent residential neighborhoods, between the hours of 4~~0~~5:00 p.m. and 7:00 a.m. The loading or unloading in such a manner as to be loud or excessive at a distance of 50 feet from the trucks or vehicles being unloaded shall be prima facie evidence of a violation of this Section.
- G. Operation of Equipment. The operation or use between the hours of 4~~0~~5:00 p.m. and 7:00 a.m. of any pile driver, steam shovel, pneumatic hammers, derrick, steam or electric hoist, power driven saw, fork lifts, milling equipment, other tools or apparatus the use of which is attended by loud and excessive noise, or the movement of tractors, tractor trucks, or large trucks on property adjacent to residences is prohibited. The operation of such equipment between the hours of 4~~0~~5:00 p.m. and 7:00 a.m. in such a manner as to be loud or excessive at a distance of 50 feet from the equipment being operated shall be prima facie evidence of a violation of this Section. However, it is not the intent of this Section to prohibit the direct movement of trucks on or off property, at any time; provided, however, that such movement directly on or off the property shall not be within 50 feet of an occupied residence.
- H. Automotive Repair Works. No person shall do automotive repair, automotive body or fender or other work on metal objects and metal parts between the hours of 4~~0~~5:00 p.m. and 7:00 a.m., in or adjacent to any residential district, so as to cause loud and excessive noise which disturbs the peace and quiet of the residential neighborhood. The doing of such activities as are prohibited in this Subsection in such a manner as to be loud or excessive at a distance of 50 feet from where such prohibited activity is being done shall be prima facie evidence of a violation of this Section.”

Chapter 8.112 FIREWORKS

Sections:

“8.112.010 Dates and hours of sale and discharge.

Safe and sane fireworks as defined by Section 12529 of the California Health and Safety Code may be sold within the City during the period of June 28th through July 4th, 12:00 noon to 9:00 p.m. by persons possessing an appropriate permit pursuant to Section 8.112.020. The selling of fireworks without a permit is prohibited. Safe and sane fireworks may be discharged solely on July 4th, between the hours of 12:00 noon to ~~11~~10:00 p.m.“

Chapter 9.05 VENDING ON CITY SIDEWALKS

Sections:

“9.05.020 Selling food or merchandise—Operational requirements.

- A. No sidewalk vendor shall operate without a permit pursuant to Chapter 5.64, a valid business license pursuant to Chapter 5.04 of this Code, and, if applicable, a valid health permit issued by the County of San Bernardino.
- B. All permits shall be displayed in a visible and conspicuous location at all times during the operation of the vending business.
- C. It shall be prohibited for any sidewalk vendor to operate under any of the following conditions:
 1. Vend in a residential zone ~~after 9:00 p.m. or earlier than 8:00 a.m.~~ **between the hours of 6:00 p.m. or sunset, whichever is earlier, and 9:00 a.m. of the following day, Monday through Saturday, inclusive, and all day on Sundays and federal holidays,** for the purpose of solicitation, unless such person has been requested or invited to do so by the owner or occupant of said premises;
 2. Leave any stand unattended;
 3. Store, park, or leave any stand overnight on any public street, sidewalk, or park;
 4. Sell food or beverages for immediate consumption unless there is a litter receptacle available for patrons' use;
 5. Leave any location without first disposing all trash or refuse remaining from sales conducted. Trash and refuse generated by the vending cart operations shall not be disposed of in public trash receptacles;
 6. Allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the stand;
 7. Set up, maintain, or permit the use of any additional table, crate, carton, rack, or any other device to increase the selling or display capacity of his/her stand where such terms have not been described by his or her application;

8. Solicit or conduct business with persons in motor vehicles;
9. Sell anything other than that which he or she is licensed to vend;
10. Sound or permit the sounding of any device that produces a loud and raucous noise, or use or operate any loud speaker, public address system, radio, sound amplifier, or similar device to attract the attention of the public;
11. Operate within 50 feet of a fire hydrant or 25 feet of a transit stop;
12. Operate within 15 feet of the outer edge of a driveway or vehicular entrance to public or private property in residential zones;
13. Operate in a manner that does not maintain four feet of clear space on a public sidewalk;
14. Operate on any street that does not have a public sidewalk;
15. Operate a stationary vending cart in exclusively residential zones;
16. Operate a stationary sidewalk vending cart in any City park if the City or operator of the City park has signed an agreement for concessions that exclusively permits the sale of food or merchandise by a concessionaire;
17. Operate within 50 feet of an abutting residential zone within a City park;
18. Operate a sidewalk vending cart within a parking lot within a City park;
19. Operate a sidewalk vending cart within 1,000 feet from any public or private school property, during school hours or one hour before or after school hours;
20. Operate a sidewalk vending cart within 500 feet of a certified farmers' market, or swap meet during the operating hours of that certified farmers' market or swap meet. A "certified farmers' market" means a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the California Food and Agricultural Code and any regulations adopted pursuant to that Chapter. A "swap meet" means a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the California Business and Professions Code, and any regulations adopted pursuant to that article; and
21. Operate within the 500 feet of an area designated for a temporary special permit issued by the City, provided that any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the temporary special permit are also provided to sidewalk vendors. For purposes of this paragraph, a "temporary special permit" is a permit issued by the City for the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit, special event permit, or temporary event permit, for purposes including, but not limited to, filming, parades, or outdoor concerts. A prohibition of sidewalk vendors pursuant to this paragraph shall only be effective for the limited duration of the temporary special permit.

22. Operate in violation of any other generally applicable law.
- D. No advertising shall be permitted, except to identify the name of the food or merchandise sold or the name of the vendor and the posting of prices. Any such sign shall be a maximum of four square feet and not exceeding a height of five feet.”

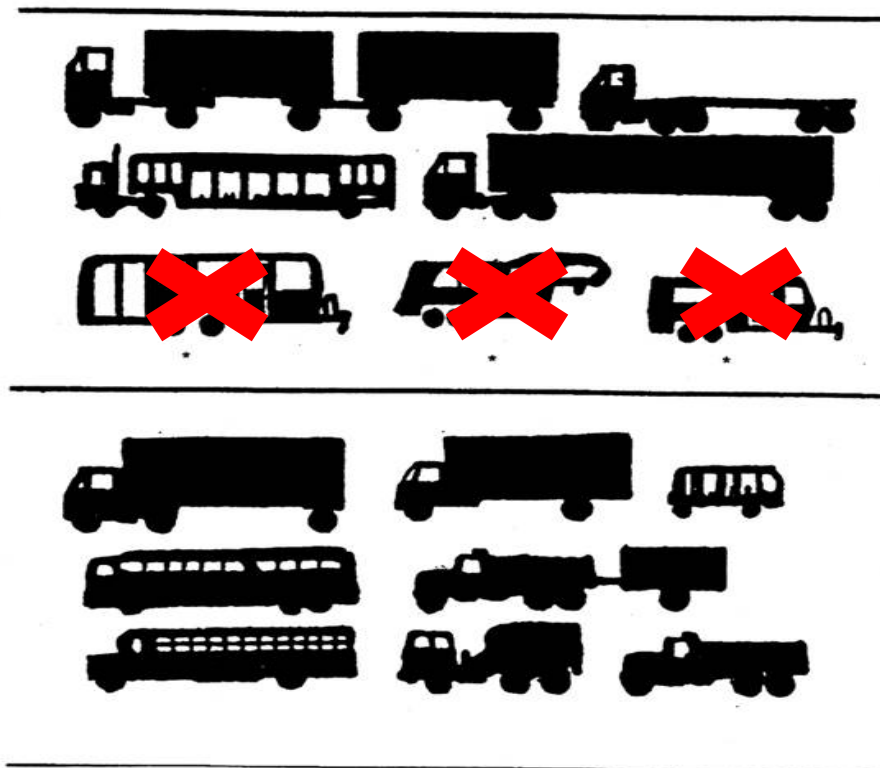
Chapter 10.16 - STORAGE OF VEHICLES—INTERSECTION OBSTRUCTION

Sections:

“10.16.021 - Restriction of commercial vehicles in front yards, paved driveways and side yards of residential areas.

The parking and/or storage of the following commercial vehicles in the front yards, front yard paved area, driveway, or side yards when these are visible from the street shall be prohibited in all residentially zoned areas (refer to graphic display):

EXAMPLES



* These trailers (nonmotorized vehicles) are already prohibited from being stored on residential front yards per Zoning Code Section 18.73.200.

- A. Large commercial trucks above seven feet in height, above twenty-two feet in length.
Refer to graphic illustration from State Vehicle Code;
- B. Three or more axle trucks;

- C. Tow trucks;
- D. Concrete mixer trucks;
- E. Flatbed trucks;
- F. Tractor/cabs only;
- G. Tank vehicles (i.e., water, oil, liquids);
- H. Big rigs and their trailers;
- I. Farm-related vehicles;
- J. Delivery trucks/vans (i.e., ice cream, materials, goods and services); [3]
- K. White (or colored) panel or box trucks (i.e., goods, produce, bread etc.).*

Footnotes:

--- (3) ---

These two types are not considered commercial vehicles per the State Vehicle Code unless carrying hazardous materials. However, when used for commercial purposes, State DMV requires a commercial driver's license."

Chapter 12.32 CONDUCT ON PUBLIC PROPERTY—PARKS

Sections:

"12.32.140 Park hours.

As a general rule, parks shall be open to the public every day of the year between the hours of ~~6~~7:00 a.m. and ~~dusk~~10:00 p.m. However, the ~~City Manager~~Community Services Director may, in his ~~their~~ reasonable discretion, extend or limit such hours for any park or portion of any park. No person shall enter, be or remain in any park during the time when such park is closed unless ~~he has~~ ~~they have~~ obtained a permit therefor from the ~~City Manager or their designee~~Community Services Director. Park closing hours shall be posted at park entrances."

Chapter 12.56 WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY

Sections:

"12.56.070 Design and development standards.

- A. SWF design and development standards. SWFs are subject to those design and development standards and conditions of approval set forth in the SWF Regulations. The City's grant of a WTFP for a SWF does not waive, and shall not be construed to waive, any standing by the City to challenge any FCC orders or rules related to small cell facilities, or any modification to those FCC orders or rules.

- B. Eligible facilities request design and development standards. Approved eligible facilities requests for which the findings set forth in Section 12.56.060 have been made are subject to the following conditions, unless modified by the approving authority:
1. WTFP subject to conditions of underlying permit. Any WTFP granted in response to an application qualifying as an eligible facilities request shall be subject to the terms and conditions of the underlying permit and all such conditions that were applicable to the facility prior to approval of the subject eligible facility request.
 2. No permit term extension. The City's grant or grant by operation of law of an eligible facilities request permit constitutes a federally-mandated modification to the underlying permit or approval for the subject tower or base station. Notwithstanding any permit duration established in another permit condition, the City's grant or grant by operation of law of a eligible facilities request permit will not extend the permit term for the underlying permit or any other underlying regulatory approval, and its term shall have the same term as the underlying permit or other regulatory approval for the subject tower or base station.
 3. No waiver of standing. The City's grant or grant by operation of law of an eligible facilities request does not waive, and shall not be construed to waive, any standing by the City to challenge Section 6409(a) of the Spectrum Act, any FCC rules that interpret Section 6409(a) of the Spectrum Act, or any modification to Section 6409(a) of the Spectrum Act.
- C. Major WTFP design and development standards. All wireless telecommunications facilities subject to a Major WTFP that are located within the PROW shall be designed and maintained as to minimize visual, noise and other impacts on the surrounding community and shall be planned, designed, located, and erected in accordance with the following standards:
1. General guidelines.
 - a. The applicant shall employ screening, undergrounding and camouflage design techniques in the design and placement of wireless telecommunications facilities in order to ensure that the facility is as visually screened as possible, to prevent the facility from dominating the surrounding area and to minimize significant view impacts from surrounding properties and public views, all in a manner that achieves compatibility with the community and in compliance with this Code.
 - b. Screening shall be designed to be architecturally compatible with surrounding structures using appropriate techniques to camouflage, disguise, and/or blend into the environment, including landscaping, color, and other techniques to minimize the facility's visual impact as well as be compatible with the architectural character of the surrounding buildings or structures in terms of color, size, proportion, style, and quality.
 - c. Wireless telecommunications facilities shall be located consistent with Section 12.56.080 (Location restrictions) unless an exception is granted.

2. Traffic safety. All facilities shall be designed and located in such a manner as to avoid adverse impacts on traffic safety.
3. Blending methods. All facilities shall have subdued colors and non-reflective materials that blend with the materials and colors of the surrounding area, infrastructure and structures.
4. Equipment. The applicant shall use the least visible equipment for the provision of wireless telecommunications services that is technically feasible. Antenna elements shall be flush mounted, to the extent feasible, with all cables and wires out of public view and, to the extent feasible, concealed inside the structure, pole, etc. All antenna mounts shall be designed so as not to preclude possible future collocation by the same or other operators or carriers. Unless otherwise provided in this Section, antennas shall be situated as close to the ground as technically feasible.
5. Support structures.
 - a. Pole-mounted only. Only pole-mounted antennas (excepting wooden poles per Subparagraph 5.b. below) shall be permitted in the public right-of-way. Mountings to all other forms of support structure in the public right-of-way are prohibited unless an exception pursuant to Section 12.56.080 is granted.
 - b. Utility poles. Wireless telecommunications facilities shall not be located on wooden poles unless an exception pursuant to Section 12.56.080 is granted. The maximum height of any antenna shall not exceed 48 inches above the height of any existing utility pole within 100 feet of the proposed facility an existing utility pole, nor shall any portion of the antenna or equipment mounted on a pole be less than 24 feet above any drivable road surface. All installations on utility poles shall fully comply with the California Public Utilities Commission general orders, including, but not limited to, General Order 95, as may be revised or superseded.
 - c. Light poles. The maximum height of any antenna shall not exceed four feet above the existing height of a light pole located within 100 feet of the proposed facility. Any portion of the antenna or equipment mounted on a pole shall be no less than 16½ feet above any drivable road surface.
 - d. Replacement poles. If an applicant proposes to replace a pole that is an eligible support structure to accommodate the proposed facility, the replacement pole shall be designed to resemble the appearance and dimensions of existing poles near the proposed location, including size, height, color, materials and style to the maximum extent feasible.
 - e. Equipment mounted on a support structure shall not exceed four cubic feet in dimension.
 - f. No new guy wires shall be allowed unless required by other laws or regulations.

- g. An exception pursuant to Section 12.56.080 shall be required to erect any new support structure (non-eligible support structure) that is not the replacement of an existing eligible support structure.
 - h. As applicable to all new support structures (non-eligible support structures), regardless of location, the following requirements shall apply:
 - (i) Such new support structure shall be designed to resemble existing support structures of the same type in the right-of-way near that location, including size, height, color, materials and style, with the exception of any existing structural designs that are scheduled to be removed and not replaced.
 - (ii) Such new support structures that are not replacement structures shall be located at least 90 feet from any eligible support structure to the extent feasible.
 - (iii) Such new support structures shall not adversely impact scenic views from other structures and/or public areas and shall be located to the extent feasible in an area where there is existing natural or other feature that obscures the view of the new support structure. The applicant shall further employ concealment techniques to blend the new support structure with said features including but not limited to the addition of vegetation if feasible.
 - (iv) A justification analysis shall be submitted for all new support structures that are not replacements to demonstrate why an eligible support facility cannot be utilized and demonstrating the new structure is the least intrusive means possible, including a demonstration that the new structure is designed to be the minimum functional height and width required to support the proposed wireless telecommunications facility.
 - i. All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the support structure and shall be camouflaged or hidden to the fullest extent feasible. For all support structures wherein interior installation is infeasible, conduit and cables attached to the exterior shall be mounted flush thereto and painted to match the structure.
- 6. Space. Each facility shall be designed to occupy the least amount of space in the right-of-way that is technically feasible.
- 7. Wind loads. Each facility shall be properly engineered to withstand wind loads as required by this Code or any duly adopted or incorporated code. An evaluation of high wind load capacity shall include the impact of modification of an existing facility.
- 8. Obstructions. Each component part of a facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic,

incommode the public's use of the right-of-way, or cause safety hazards to pedestrians and motorists.

9. Public facilities. A facility shall not be located within any portion of the public right-of-way interfering with access to a fire hydrant, fire station, fire escape, water valve, underground vault, valve housing structure, or any other public health or safety facility.
10. Screening. All ground-mounted facility, pole-mounted equipment, or walls, fences, landscaping or other screening methods shall be installed at least 18 inches from the curb and gutter flow line.
11. Accessory equipment. Not including the electric meter, all accessory equipment shall be located underground, except as provided below:
 - a. Unless City staff determines that there is no room in the public right-of-way for undergrounding, or that undergrounding is not feasible, an exception pursuant to Section 12.56.080 shall be required in order to place accessory equipment above-ground and concealed with natural or manmade features to the maximum extent possible.
 - b. When above-ground is the only feasible location for a particular type of accessory equipment and will be ground-mounted, such accessory equipment shall be enclosed within a structure, and shall not exceed a height of five feet and a total footprint of ten square feet, and shall be fully screened and/or camouflaged, including the use of landscaping, architectural treatment, or acceptable alternate screening. Required electrical meter cabinets shall be located within the structure. Also, while pole-mounted equipment is generally the least favored installation, should pole-mounted equipment be sought, it shall be installed as required in this Chapter.
 - c. Structures shall maintain clear sight triangles at all intersections.
 - d. In locations where homes are only along one side of a street, above-ground accessory equipment shall not be installed directly in front of a residence. Such above-ground accessory equipment shall be installed along the side of the street with no homes.
12. Landscaping. Where appropriate, each facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. Additional landscaping shall be planted, irrigated and maintained by applicant where such landscaping is deemed necessary by the City to provide screening or to conceal the facility.
13. Signage. No facility shall bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.
14. Lighting.

- a. No facility may be illuminated unless specifically required by the Federal Aviation Administration or other government agency. Beacon lights are not permitted unless required by the Federal Aviation Administration or other government agency.
 - b. Legally required lightning arresters and beacons shall be included when calculating the height of facilities such as towers and monopoles.
 - c. Any required lighting shall be shielded to eliminate, to the maximum extent possible, impacts on the surrounding neighborhoods.
 - d. Unless otherwise required under FAA or FCC regulations, applicants may install only timed or motion-sensitive light controllers and lights and must install such lights so as to avoid illumination impacts to adjacent properties to the maximum extent feasible. The City may, in its discretion, exempt an applicant from the foregoing requirement when the applicant demonstrates a substantial public safety need.
 - e. The applicant shall submit a lighting study which shall be prepared by a qualified lighting professional to evaluate potential impacts to adjacent properties. Should no lighting be proposed, no lighting study shall be required.
15. Noise.
- a. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of ~~7:00 p.m. and 7:00 a.m.~~ **4:30 p.m. and 8:30 a.m.**
 - b. At no time shall equipment noise from any facility exceed the noise levels permitted by Chapter 8.28 of this Code.
16. Security. Each facility shall be designed to be resistant to, and minimize opportunities for, unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations, visual blight or attractive nuisances. The Public Works Director or the approving City body, as applicable, may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism when, because of their location and/or accessibility, a facility has the potential to become an attractive nuisance. Additionally, no lethal devices or elements shall be installed as a security device.
17. Modification. Consistent with current State and Federal laws and if permissible under the same, at the time of modification of a wireless telecommunications facility, existing equipment shall, to the extent feasible, be replaced with equipment that reduces visual, noise and other impacts, including, but not limited to, undergrounding the equipment and replacing larger, more visually intrusive facilities with smaller, less visually intrusive facilities.

18. The installation and construction approved by a wireless telecommunications facility permit shall begin within one year after its approval or it will expire without further action by the City.
19. Conditions of approval. All Major WTFPs shall be subject to such conditions of approval as reasonably imposed by the Public Works Director or the approving City body, as applicable, as well as any modification of the conditions of approval deemed necessary by the Public Works Director or the approving City body."

Chapter 15.56 WATER EFFICIENT LANDSCAPE

Sections:

"15.56.130 Irrigation Scheduling.

- A. For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:
 1. Irrigation scheduling shall be regulated by automatic irrigation controllers.
 2. Overhead irrigation shall be scheduled between ~~8~~7:00 p.a.m. and ~~10~~11:00 ap.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
 3. For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the estimated total water use. Total annual applied water shall be less than or equal to maximum applied water allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.
 4. Parameters used to set the automatic controller shall be developed and submitted for each of the following:
 - a. The plant establishment period;
 - b. The established landscape; and
 - c. Temporarily irrigated areas.
- B. Each irrigation schedule shall consider for each station all of the following that apply:
 1. Irrigation interval (days between irrigation);
 2. Irrigation run times (hours or minutes per irrigation event to avoid runoff);

3. Number of cycle starts required for each irrigation event to avoid runoff;
4. Amount of applied water scheduled to be applied on a monthly basis;
5. Application rate setting;
6. Root depth setting;
7. Plant type setting;
8. Soil type;
9. Slope factor setting;
10. Shade factor setting; and
11. Irrigation uniformity or efficiency setting.”

Chapter 18.10 - RESIDENTIAL DISTRICTS[1]

Sections:

“18.10.040 Site development standards.

The site development standards established for each residential district are as shown in Table 18.10.040.

TABLE 18.10.040
SITE DEVELOPMENT STANDARDS

Development Issue	RH	R1-20	R1-10	R1-7.2	R2	R3	R3-S	R3-20	R3-24
Area (Minimum square feet)	— ^a	20,000	10,000	7,200	10,000	12,000	^g	12,000	12,000
Width (Minimum linear feet)	— ^a								
* Interior Lot	— ^a	100	60	60	60	60	^g	60	60
* Corner Lot	— ^a	100	70	70	70	70		70	70
Lot Depth (Minimum linear feet)	— ^a	150	100	100	100	100	^g	100	100
Street Frontage (Minimum linear feet)	— ^a	50	40	40	40	40	^g	40	40
Setbacks (Minimum linear feet)									
•Front Yard	— ^a	25 ^b	25 ^b	25 ^b	25 ^b	25 ^b		25 ^b	25 ^b
•Rear Yard	— ^a	35 ^b	35 ^b	20 ^b	20 ^b	20 ^b		20 ^b	20 ^b
•Side Yard									
- Interior Lot							^g		
With Garage	— ^a	10 ^b	10 ^b	10 ^b	10 ^b	10 ^b		10 ^b	10 ^b
Without Garage	— ^a	5 ^b	5 ^b	5 ^b	5 ^b	10 ^b		10 ^b	10 ^b
- Corner Lot									
Street side	— ^a	15 ^b	15 ^b	15 ^b	15 ^b	15 ^b		15 ^b	15 ^b
No Street side	— ^a	5	5	5	5	10		10	10
Density (Allowable dwelling units per acre)	— ^a	1-2	1-4	1-5	1-9	1-12 ^c	Max. 20	13-20 ^c	20-24 ^c
Living Area (Minimum square feet)									
* Single Family	— ^a	1,350 ^d	1,350 ^d	1,350 ^d	1,350 ^d	1,350 ^d			

* Duplex, Triplex, Four-plex and Multiple Family

- One (1) Bedroom	-	-	-	-	800	800			
					675 ^d	675 ^d			
- Two (2) Bedroom	-	-	-	-	1,000	1,000			
					850 ^d	850 ^d			
Three (3) Bedroom					1,025 ^d	1,025 ^d			
For each additional bedroom					175 ^d	175 ^d			
Height (Maximum linear feet)	^a	35 ^e	35 ^e	35 ^e	35 ^e	35 ^e	^g	35 ^e	35 ^e
Lot Coverage (Maximum percent)	^a	40	50	50	60 ^f	60	^g	60	60
Distance Between Buildings (Minimum linear feet)	^a	5	5	5	20	20	^g	20	20

Footnotes:

- a. A specific plan shall be required for all proposed projects (including tentative parcel or tract maps) which include any property located within this district, except that a specific plan shall not be required for existing parcels that are one acre or less in size, are readily served by existing infrastructure, have public access, and fire services can be readily provided. Such specific plan shall establish site development standards on a project by project basis in consideration of the existing topography and other physical constraints. The specific plan shall not create a density greater than one dwelling unit per gross acre and shall be consistent with the city's general plan. The specific plan may consider a clustered development concept in order to preserve large areas of open space and minimize the project's impact on the physical environment.
- b. The following exceptions apply to front, rear and side yard requirements as noted:
 1. The minimum side and rear yard setback for a patio cover shall be five feet.
 2. The minimum rear yard setback for an accessory structure shall be ten feet.
 3. Slopes exceeding five percent shall be permitted no closer to a residential structure than a distance equal to the required side and rear yard setbacks. In the R1-10 district and the R1-20 district, the thirty-five foot rear yard setback may include ten feet of slope that is greater than five percent.
 4. In the case of a parcel or tract map, the twenty-five foot front yard setback requirement may range from twenty-two feet to twenty-eight feet, with an average of twenty-five feet for all proposed lots.
 5. In the case where an existing legal nonconforming structure is located within a required setback area, the legal nonconforming structure may be enlarged within the required setback area subject to the following conditions:
 - a. The proposed addition does not further reduce the depth of the existing setback area; and
 - b. The proposed addition is located no closer than five feet from any property line.
- c. A density bonus shall be permitted in accordance with the California Government Code and this Title.
- d. For the purposes of this chapter, the following terms shall be defined as follows:
 "Living area" means the enclosed area of a residential dwelling unit, excluding porches, patios, carports, garages, storage areas or auxiliary rooms.
~~"Multiple-family" means one- or two-bedroom units only.~~
- e. Accessory structures shall not exceed twenty feet in height, with exceptions as listed in Section 18.73.090 of this title.
- f. Not more than the permitted percent of the total parcel may be devoted to main and accessory structures, parking areas, driveways and covered patios. The remaining percent

of the total parcel shall be devoted to open areas such as landscaping, lawn, outdoor recreational facilities, incidental to residential development, including swimming pools, tennis courts, putting greens, uncovered patios and walkways. Said open areas shall consist of not less than two hundred square feet of open space per dwelling unit.

- g. Senior citizen housing's development standards will be established through the specific plan process. All senior citizens housing projects in the R3-S zone will require specific plan process; however, in no circumstance shall the density exceed twenty unit/acre."

Chapter 18.64 - OBJECTIVE DESIGN STANDARDS

Sections:

"18.64.040 Sustainable Design.

- A. LEED ~~Platinum~~ **Certification** Requirement. For the purposes of this Chapter, all multifamily residential buildings and sites and mixed-use buildings and sites with a residential use shall demonstrate that the application qualifies for the **most current version of "Platinum-Level LEED Certification," as one of the four different levels of LEED certification – Platinum, Gold, Silver, and Certified,** or an equivalent standard as defined by the Leadership in Energy and Environmental Design (LEED) of the United States Green Building Council (**GBCI**). Plans and/or supplemental specifications shall be provided at the time an application is submitted for preliminary or formal review as required by City application forms/checklists as established by the Director.
- B. Water Efficient Landscape Requirement. For the purposes of this Chapter, all multifamily residential development and mixed-use development with a residential use shall demonstrate that the application is in compliance with all applicable requirements by the Riverside Highland Water Company and compliance with the City's Water Efficient Landscape regulations in Chapter 15.56. The landscaping application shall demonstrate conformance with the latest Model Water Efficient Landscape Ordinance (MWELO) guidelines by the California Department of Water Resources. Plans and/or supplemental specifications shall be provided at the time an application is submitted for preliminary or formal review as required by City application forms/ checklists established by the Director."

Chapter 18.80 SIGNS

Sections:

"18.80.050 Signs on public property.

- A. General Prohibition. Except as provided for in this Section, no signs may be displayed on City property by private parties. Any sign posted on City property in violation of this Section may be summarily removed by the City.
- B. The following signs are exempt from the provisions of this sign code:

1. Traffic control and traffic directional signs erected by the City or another governmental unit.
 2. Official notices required or authorized by law.
 3. Signs placed by any governmental agency, utility or special district, in furtherance of these entities' official functions.
- C. Human Advertisements. All human advertisement is prohibited on public property in the City.
- D. Exception: Temporary Off-Site Commercial Signs.
1. The following temporary signs may be placed in the public right-of-way, subject to a sign permit: Signs for any business that provides goods or services that meet one or more of the following criteria: (1) the business is of a transitory or temporary nature; (2) the business does not have a fixed place of business or the goods or services themselves cannot practically be viewed and/or sold out of one business location or any business location.
 2. Before a business may place its signs in the public right-of-way pursuant to this Section, the director must make a finding, in accordance with the procedures in Subsection 18.8.050.E, that a particular type of business satisfies the criteria in Subsection 18.80.050.D.
 3. Without a prior finding by the Director, temporary signs for the following goods and services are deemed to satisfy the criteria for the exception in Subsection D.1, above:
 - a. Real estate directional signs, directing to properties that are for sale or for rent within the City limits.
 - b. Yard sale directional signs, including garage sales and estate sales, directing where such sales are to occur.
 4. Temporary signs in the public right-of-way are subject to all of the following limitations:
 - a. Signs shall be temporary signs, and will not be permanently affixed to or in the public right-of-way, but may be anchored or weighed down to or in the public right-of-way to prevent them from falling or being blown into the street or sidewalk.
 - b. Temporary signs displayed under this Section shall only be placed in landscaped parkways, and shall not be placed on the sidewalk or in the center street median.
 - c. No signs shall be placed on utility poles, light or traffic light poles, traffic signs or traffic sign poles, street trees or fences.

- d. No more than 25 signs per licensed entity may be temporarily placed in the public right-of-way at any one time.
- e. The sign area shall be no larger four square feet.
- f. All signs shall not exceed three feet in height, measured from the highest street grade in contact with the sign to the top of the sign.
- g. No signs shall be placed so as to obstruct pedestrians' and motorists' view of signs erected by a local, State, or Federal governmental agency, including but not limited to traffic signs, public directional signs, parking signs, and street address signs.
- h. No signs shall be placed so as to obstruct or hinder sidewalk or street access by pedestrians and vehicles.
- i. No signs shall be placed so as to obstruct ingress and egress to any public or private property.
- j. Temporary signs displayed under this Section shall only be placed on the public right-of-way Thursday through Sunday during the hours of 8:00 a.m. to 5:00 p.m.
- k. Temporary signs in the public right-of-way shall not be illuminated, either internally or externally, shall not have flashing lights, shall not have any moving parts or be caused to be moved, and shall not generate any source sounds (including radio waves), and shall not release steam or smoke.
- l. Any other reasonable restrictions, or modifications to the above restrictions, which the Director finds are necessary to further the purposes of this Code, consistent with the type of sign or business.

E. Exception and Appeal.

- 1. The Director must make the determination of whether a business falls within the exception in Subsection 18.80.050.D within five business days of receipt of a written request by the sign's owner for such determination. The Director shall notify the applicant of his or her decision forthwith by U.S. Mail.
- 2. In the event that the Director denies the request, or fails to make a determination within the time prescribed, the applicant may appeal the Director's decision in writing to the City Manager, who shall review all relevant evidence relating to the appeal. The City Manager shall make a determination within five business days of receipt of the appeal. The City Manager shall notify the applicant of the determination forthwith by U.S. Mail.
- 3. In the event that the City Manager denies the request, or fails to make a determination within the time prescribed, the applicant may appeal the City Manager's decision in accordance with Section 18.80.090, Appeals."

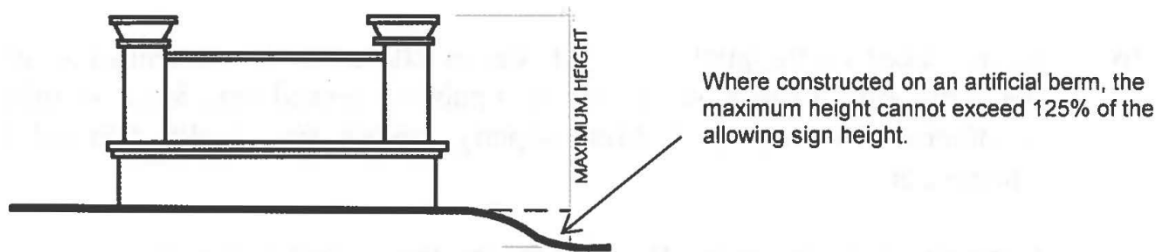
“18.80.130 General Provisions.

This Section describes the provisions applicable to all signs regulated by this Chapter. Certain types of signs may also be subject to additional provisions.

- A. Sign Area Measurement Procedures. Sign area shall be computed by including the entire area within a single, continuous, rectilinear perimeter of not more than eight straight lines, or a circle or an ellipse, enclosing the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself. Backing plates shall count as part of the sign area unless they are transparent. In the case of two-sided, multi-sided, or three-dimensional signs, the area shall be computed as including the maximum single display surface which is visible from any ground position at one time.



- B. Sign Height Measurement. Sign height shall be measured as the greatest vertical distance measured from the grade at the point the sign supports intersect the ground and any accompanying architectural features of the sign. However, if the sign is constructed upon an artificial berm, the height of the signs, as measured from the toe of slope or berm, shall not exceed 125 percent of the maximum height allowed by this Chapter.



- C. Calculation.

1. For wall signs, the permitted area for any sign shall be calculated based only on the frontage or side of a building on which the sign is located.
2. When more than one business is located in a building, the allowable sign area for each business shall be based upon the length of the lineal building frontage occupied by that business.

- D. Construction Requirements. Every sign and all parts, portions, and materials thereof shall be manufactured, assembled, and erected in compliance with all applicable State, Federal, and City laws and regulations, including the locally adopted building code. All signs shall comply with the following criteria:
1. All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the building or shall be concealed within the sign.
 2. All permanent signs shall be constructed of quality, low-maintenance materials such as metal, concrete, natural stone, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements. The application of graffiti resistant coating is recommended.
 3. All freestanding signs that incorporate lighting shall have underground utility service.
 4. All temporary signs and banners shall be made of a material designed to maintain an attractive appearance for as long as the sign is displayed.
- E. Clearance from Public Utility Facilities. The person erecting a sign, and the owner of the premises, shall maintain any legally required clearance from communications and electric facilities. A sign may not be constructed, erected, installed, maintained, or repaired in any manner that conflicts with any rule, regulation, or order of the California Public Utilities Commission pertaining to the construction, operation, and maintenance of public utilities facilities.
- F. Interference with Motorist Field of Vision.
1. No sign shall be located in a manner which may obstruct or interfere with the view of a traffic signal or other traffic regulatory signs.
 2. No sign shall, as determined by the City Engineer, be located so as to create a hazard to the life or property of any person using the public right-of-way.
 3. Any required landscaping may be trimmed as needed to provide maximum visibility of the sign or signs.
 4. Signs shall not be located within the clear sight triangle.
- G. Obstruction of Passage.
1. No sign shall be constructed so as to obstruct any required exit, including windows, doors, fire escapes or other emergency exit of any building.
 2. No sign shall be constructed or located so as to obstruct any sidewalk.

H. Sign Siting.

1. Location of Signs Attached to Buildings. Building signs may be located along any frontage of a building that faces directly onto a public right-of-way or an internal parking area of the site. Where the building is within 100 feet of a residential use, any sign~~ages~~ facing that residential use shall not be illuminated.
2. Setback and Spacing of Freestanding Signs.
 - a. Where a setback exists, the minimum setback distance for freestanding signs shall be measured from the back of the public right-of-way or side of a driveway.
 - b. The minimum spacing distance between permanent freestanding signs, excluding on-site directory signs, shall be 50 feet. The director will review a proposed sign location on a case-by-case basis to ensure the sign is located outside the required clear sight triangle and does not otherwise inhibit motorist safety.

I. Maintenance Requirements. Every sign, and all parts, portions, and materials thereof shall be maintained and kept in proper repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any cracked, broken surfaces, malfunctioning lights, missing sign copy, or other poorly maintained or damaged portions of a sign shall be repaired or replaced within 30 days following notification by the City.

J. Sign Removal or Replacement. When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected building surfaces shall be restored to match the adjacent portion of the structure. This requirement does not apply to routine maintenance.

K. Electronic Signs. The City finds and declares that a proliferation of electronic display signs throughout the City, and especially located on arterial streets pose a danger to the motoring public because of potential distraction from their change of message, scale, format, and other physical qualities that differentiate them from other sign types. Therefore, the City through this sign code limits electronic signs to be displayed only in specified areas of freeway corridors, where the impacts on driver safety are minimized. All electronic display signs existing in the City as of the effective date of this Chapter, unless specifically permitted by this Code, are declared legal nonconforming signs and may continue to operate in accordance with Section 18.80.220 (Nonconforming and abandoned signs).

1. The limitation established by this Section shall not apply to manually changeable copy signs or freeway signs.
2. Signs providing information on fuel price and grade and fueling stations, as well as signs displaying time and temperature information shall be exempt from this limitation on electronic display signs. Illumination levels shall conform to Subsection 18.80.140.A.3 of this Chapter."

Chapter 18.82 - STANDARDS FOR SPECIFIED LAND USES AND ACTIVITIES

Sections:

18.82.010 - Residential care facilities.

- A. Purpose. This Section provides standards for the establishment and operation of residential care facilities.
- B. Applicability. The standards in this Chapter apply to residential, group or community care facilities where allowed in compliance with Chapter 18.10 (Residential Zones).
- C. Development and Operational Standards.
 - 1. Residential Care Facilities Serving Six or Fewer Persons. Each residential care facility shall conform to the property development standards for the land use zoning district in which it is located.
 - 2. Residential Care Facilities Serving Seven or More Persons.
 - a. Applicable Land Use Zoning District Development Standards. Each residential care facility shall conform to the property development standards for the land use zoning district in which it is located.
 - b. Additional Application Filing Requirements. The following information shall accompany the conditional use permit application for a residential care facility:
 - i. Client profile (the subgroup of the population of the facility is intended to serve such as single men, families, elderly, minor children, developmentally disabled, etc.);
 - ii. Maximum number of occupants and hours of facility operation;
 - iii. Term of client stay;
 - iv. Support services to be provided on-site and projected staffing levels; and
 - v. Rules of conduct and/or management plan.
 - c. Separation. Residential care facilities shall not be located within 300 feet of another similar facility, except that the separation requirement shall be increased to 1,000 feet, as measured from the nearest outside building walls where the other use is a parolee/probationer or sober living home.
 - d. Walls. Residential care facilities shall provide a six-foot high solid decorative block wall along all property lines, except in the front yard. Walls shall provide for safety with controlled points of entry and shall incorporate decorative materials and features.

- e. Landscaping. On-site landscaping shall be regularly maintained, including providing irrigation.
- f. Outdoor Lighting. Outdoor lighting shall comply with Chapter 18.60 (Off-Street Parking).
- g. Parking. All garage and driveway spaces associated the facility shall, at all times, be available for the parking of vehicles. The precise number of parking spaces required will be determined by the operating characteristics of the specific proposal.
- h. Signs. No commercial identification signs shall be allowed within a residential land use zoning district.
- i. Sleeping Areas. No room commonly used for other purposes shall be used as a sleeping room for any resident, visitor, or staff person. This includes any hall, stairway, unfinished attic, garage, storage area, shed or similar detached building.
- j. Fire Department Requirements. Each residential care facility shall provide fire extinguishers and smoke detector devices and shall meet all standards established by the Fire Chief.
- k. Noise. Outdoor activities shall be conducted only between the hours of 7:00 a.m. and ~~9:00 p.m~~ **dusk**.
- l. Applicable Health and Safety Regulations. Residential care facilities shall be operated in compliance with applicable State and local health and safety regulations.
- m. Required Permits and Licenses. Residential care facilities shall be in conformance with the California Building Code. A certificate of occupancy shall be obtained from the Building and Safety Division before occupancy of residential care facilities.”

###



AGENDA REPORT

MEETING DATE: November 21, 2024

TO: PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD

FROM: Gabriel Arguelles, Assistant Planner

AGENDA TITLE: Amendment No. 1 to Site and Architectural Review 23-23: A public art project that includes a 10-foot-tall steel donkey sculpture, and a smaller 6-foot-tall steel donkey sculpture located at the corner of Mt. Vernon Avenue.

California Environmental Quality Act (CEQA) Exempt Pursuant To Section §15303 New Construction or Conversion of Small Structures

RECOMMENDATION:

It is recommended that the Planning Commission/Site and Architectural Review Board take the following actions:

- 1) Conduct a Public Hearing
- 2) It is recommended that the Planning Commission/Site and Architectural Review Board adopt a Resolution approving Amendment No. 1 to Site and Architectural Review 23-23 and Environmental Review 24-04 for a public art installation proposed by Firestation Properties, LLC, represented by David Lang. The proposal includes the installation of a 10-foot-tall steel donkey sculpture and a 6-foot-tall steel donkey sculpture at 12167 Mt. Vernon Avenue, located at the corner of Mt. Vernon Avenue and City Center. The project site is within the Barton Road Specific Plan (BRSP), Village Commercial (VC) Planning Area 2 (P.A.2.).

CEQA exempt pursuant to Section §15303 New Construction or Conversion of Small Structures.

2030 VISION STATEMENT:

This item aligns with Goal 3.2, which focuses on promoting economic development through strategic investments in infrastructure that supports business attraction and retention. By fostering a balanced development of cultural and artistic resources, this item helps preserve and enhance the quality of the urban environment, ultimately contributing to increased property values.

SUMMARY:

The applicant, Firestation Properties LLC, represented by David Lang, has submitted a request

to amend their approval for Site and Architectural Review 23-23. The proposed amendment involves the installation of two steel donkey sculptures as required by Condition of Approval #33 for Site and Architectural Review 23-23, in accordance with Chapter 18.81 – Art in Public Places. The applicant proposes the installation of two steel donkey sculptures, one 10 feet high and 11.5 feet wide and the other being 6 feet high and 5.8 feet wide. The applicant has selected donkeys as an icon to represent Grand Terrace’s long-standing history with wild donkeys that have roamed the City’s Blue Mountain. The sculptures would be created by Gregory Hawthorne. He is a third-generation artist and has a gallery in Big Sur. His paintings, function steel designs, and mixed media sculptures are in private collections worldwide. The proposed sculptures will be accented with acid-etched and stainless steel. The location, sketch and rendering of the sculptures, provided as **“EXHIBIT C”** to *Attachment 1*, include fully scaled and color elevations rendering for a clear presentation in relation to the new building.

BACKGROUND:

Spring Hills Family Dentistry, an established business in Grand Terrace, has operated for many years at its current location 22737 Barton Road. The practice is expanding with the construction of a new two-story, 12,406-square-foot dental office building—double the size of the existing facility. As part of the new commercial development, the project is subject to the city’s Art in Public Places program. The applicant has previously requested to defer the final approval of the art installation. The applicant is required to submit a public art proposal for review and approval by the Planning Commission. The project site is located at the northeast corner of Mount Vernon Avenue and City Center Court, adjacent to a two-story office building to the north and County Fire Station 23 to the east. The parcel is approximately 1.67 acres in size.

ANALYSIS:

The art installation will feature landscaped elements, and five benches arranged on a concrete pad. At the center of the space, two steel donkey sculptures will be prominently displayed, accented with acid-etched and stainless steel. The installation is to be located at the southwest corner of the property, behind the future monument sign.

The design of the art area has been planned to complement both the immediate environment and the historical character of Grand Terrace. The donkey-themed sculptures reflect the city’s heritage, adding a meaningful cultural reference to the site. The design and placement of the sculptures are in harmony with the City’s aesthetic, reinforcing the connection to local history and enhancing the overall visual and thematic unity of the area.

The design integrates natural landscaping with the art installation to create a welcoming and engaging public space. Special attention has been given to ensuring the sculptures’ durability and longevity, with measures in place to protect them from theft, vandalism, weathering, and excessive maintenance. To discourage vandalism and climbing, thorny bushes will be planted around the base of the sculptures. Additionally, the sculptures will be crafted from stainless steel, a material known for its resistance to weathering and corrosion, making it ideal for outdoor installations and providing long-term protection against the elements.

This installation will expand the City’s growing public art collection, which shows a variety of styles, designs, and materials that reflect the eclectic tastes of Grand Terrace. The scale, form, and materials of the sculptures are chosen to blend with the surrounding environment, ensuring that they enhance the city’s vibrancy and appeal.

CRITERIA FOR REVIEW- PUBLIC ART PROJECT

Chapter 18.81 of the Grand Terrace Municipal Code, titled "Art in Public Places," establishes the guidelines and review procedures for public art projects within the city. As part of the Public Art Permit review process, the Planning Commission may impose conditions to ensure the protection of public health, safety, and welfare.

The applicant has submitted the necessary art specifications and identified an art area on the site plan. To proceed, the applicant must present a formal proposal to the Planning Commission that demonstrates the following criteria for the proposed art piece:

1. The design's conceptual compatibility with the site's immediate environment;

The design of the steel donkey sculptures is conceptually compatible with the site, as the applicant has chosen donkeys to reflect Grand Terrace's historical connection to wild donkeys. This choice ties the artwork directly to the city's environmental context, making it compatible with the immediate environment.

2. The appropriateness of the design for the site's intended function;

The dental office likely serves a broad community audience, and the inclusion of the donkey sculptures provides a welcoming feature that enhances the site's public-facing environment.

3. The alignment of the design and its location with the site's overall character or historical context;

The choice of donkey sculptures aligns well with the historical context of Grand Terrace, specifically its long-standing association with wild donkeys in the Blue Mountain area.

4. The design and placement of the artwork contributes to a sense of order and a positive environment for the community;

Given their prominent sizes—one being 10 feet high and the other 6 feet high—they are likely to serve as focal points in the area.

5. The preservation and integration of any natural features within the project;

The art area includes natural elements, such as landscaping with native plants, trees, or shrubs, would enhance the overall aesthetic and environmental context of the site.

6. Consideration of the artwork's structural integrity, permanence, and protection against theft, vandalism, weathering, and excessive maintenance costs; Representation of diverse tastes within the community, ensuring a balanced variety of styles, designs, and media in public art across the city;

While the artwork focuses on local history, it adds diversity to the city's public art collection by offering a modern, industrial aesthetic through the use of steel, which contrasts with other possible styles in the area.

7. The artwork's appropriateness in scale, form, and content relative to its social and physical surroundings.

The larger sculpture, at 10 feet high, will likely be a significant focal point in the area, while the smaller one, at 6 feet high, can provide balance and complement the larger piece. The artwork will stand out without overwhelming the surroundings, creating an engaging and thoughtful presence

The cost of the artwork for the project must equal at least 1% of the total estimated building valuation. If the cost of the proposed art is less than this amount, the applicant will be required to contribute the difference to the Public Art Fund, covering the shortfall between the Public Art Program allocation and the cost of acquiring and installing the artwork. The projected budget for the creation and installation of the sculpture is \$55,000, covering both the artwork's production and its installation. With the building valued at approximately \$3,750,000, the cost of the sculpture will surpass the 1% of valuation requirement. Therefore, the public art proposal meets the cost criteria outlined in Section 18.81.060—Art in Public Places Program Requirements.

Conditions of Approval, outlined in "**EXHIBIT B**" to *Attachment 1*, stipulate that the applicant must comply with the requirements of Grand Terrace Municipal Code Chapter 18.81 – Art in Public Places, and submit a complete Art in Public Places Program proposal prior to issuance of building permits for the dental office building. Upon Planning Commission approval, the art piece must be completed, installed, and inspected prior to the issuance of the final Certificate of Occupancy of the building.

ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act (CEQA), this action is not subject to CEQA pursuant to CEQA Guidelines section 15303, New Construction or Conversion of Small Structure provides an exemption for projects that result in minor new construction or modification of existing structure. The instillation of public art at a scale proposed by this project is well below the scale of projects allowed under section 15303 and, therefore, this project is exempt from CEQA review.

NOTIFICATION:

The Public Hearing Notice for the Project was published in compliance with the City's Municipal Code and the City's "Expanded Public Noticing and Outreach Policy for Public Hearings and Public Workshops." The Public Hearing Notice was published for this agenda item in the Thursday, November 7, 2024, edition of the *Grand Terrace City News.com* local newspaper. A mailer was sent out to all owners of real property located within a mailing notification radius of 500' feet from the Project site. The Public Hearing Notice was also posted in three public places, including the Grand Terrace News Paper, City Hall Lobby and Kiosk, and at the project site.

CONCLUSION:

Based on the information provided and the analysis of the proposed public art installation, it is recommended that the Planning Commission/Site and Architectural Review Board adopt Resolution, approving Amendment No. 1 to Site and Architectural Review 23-23 and Environmental Review 24-04. The installation of a 10-foot-high and a 6-foot-high steel donkey sculpture at 12167 Mt. Vernon Avenue. The project will improve the area's visual appeal and contribute to the community's cultural and artistic vibrancy. Approval of this project will further support the city's ongoing efforts to develop public art, fostering community engagement and artistic expression.

The Planning Commission/Site and Architectural Review Board is the designated body for approving Amendment No. 1 to Site and Architectural Review 23-23. The Municipal Code required findings for approval of Amendment No. 1 to Site and Architecture Review 23-23 are provided as **"EXHIBIT A"** to *Attachment 1*. Additionally, a set of fourteen (14) Conditions of Approval has been prepared, provided as **"EXHIBIT B"** in *Attachment 1*, to ensure the orderly development of the project within the Village Commercial Planning Area 2 of the Barton Road Specific Plan and to maintain the quality of life in Grand Terrace. The Public Art Proposal related to this amendment is included as **"EXHIBIT C"** in *Attachment 1* of the Resolution and is in compliance with Chapter 18.81- Art In Public Spaces.

ATTACHMENTS:

Attachment 1 – Resolution with Exhibits (Exhibit A: Findings; Exhibit B: Conditions of Approval; Exhibit C: Public Art Proposal)

EXHIBIT A

FINDINGS OF APPROVAL FOR AMENDMENT NO. 1 TO SITE AND ARCHITECTURAL REVIEW 23-23

Vacant 1.67-acre Property Located At The Corner Of Mount Vernon And City Center Court (12167 Mt. Vernon Avenue)

Public Art Project

As required by Section 18.63.060 of the Grand Terrace Municipal Code, approval Amendment No.1 of Site and Architectural Review 23-23 for approval to install for a public art installation proposed by Firestation Properties, LLC, represented by David Lang. The proposal includes the installation of a 10-foot-tall steel donkey sculpture and a 6-foot-tall steel donkey sculpture at 12167 Mt. Vernon Avenue, located at the corner of Mt. Vernon Avenue and City Center Court as depicted on the comprehensive architectural design package included as “**EXHIBIT C**” of this Resolution; and, subject to the Conditions of Approval for Amendment No. 1 to Site and Architectural Review 23-23, which are included as “**EXHIBIT B**” to this Resolution and incorporated herein by this reference, is based on the following findings:

1. **Finding:** The proposed use is consistent with the intent of the Grand Terrace Municipal Code and General Plan.

Facts in Support of Finding: The proposed dental office building aligns with the goals and policies set forth in the General Plan and is consistent with the provisions of the Grand Terrace Municipal Code, particularly as it relates to the permitted uses within the Village Commercial zone of the Barton Road Specific Plan. Additionally, the public art installation proposed for the site further enhances the project’s alignment with the city’s cultural and aesthetic objectives, as outlined in the City’s Art in Public Places Program. The inclusion of the donkey-themed sculptures reinforces the historical heritage of Grand Terrace, ensuring the project meets the city’s goal of fostering public spaces that reflect community identity.

2. **Finding:** The location and configuration of all structures associated with this Project are visually harmonious with this site and surrounding sites and structures, as they do not interfere with the neighbor’s privacy and do not unnecessarily block scenic views from other structures and/or public areas and are in scale with the townscape and natural landscape of the area.

Facts in Support of Finding: The dental office building is designed with a setback of over fifty (50) feet from the nearest commercial properties to the north, ensuring privacy for both the project and surrounding properties. The placement of the building is designed to complement the townscape, ensuring that it does not block scenic views or impact the overall aesthetic of the area. The proposed public art installation, located at the southwest corner of the site, is strategically positioned behind the future monument sign. This placement ensures that the artwork remains a focal point without interfering with the flow of the site or detracting from the building’s architectural features. The art installation is

integrated into landscaping, maintaining harmony with the surrounding natural environment.

3. **Finding:** The architectural design of structures, their materials and colors are visually harmonious with surrounding development, natural landforms, are functional for the proposed Project and are consistent with this code.

Facts in Support of Finding: The architectural design of the dental office building, developed by Lampert Dias Architects, Inc., incorporates materials such as stone trim, articulated window surrounds, and a corner tower element, which complement both the building's functional and aesthetic needs. These materials are selected to blend harmoniously with the surrounding commercial and residential development. Additionally, the steel donkey sculptures, crafted from stainless steel and accented with acid-etched and stainless-steel details, are designed to harmonize with the architectural style of the building and surrounding landscape. The integration of the sculptures into the landscape further enriches the overall aesthetic appeal, maintaining consistency with the goals of the Municipal Code.

4. **Finding:** The plan for landscaping and open spaces provides a functional and visually pleasing setting for the structures on this site and is harmonious with the natural landscape of the area and nearby developments.

Facts in Support of Finding: The landscaping plan includes a public plaza along Mount Vernon Avenue with benches and the proposed public art installation, which consists of two steel donkey sculptures prominently displayed at the center of the plaza. The landscaping integrates natural elements with the sculptures, using native plants, trees, and shrubs to soften the space and enhance the overall aesthetic. Special attention has been given to the durability of the sculptures, including measures such as thorny bushes around the base of the sculptures to deter vandalism and climbing, ensuring the longevity of the artwork. The stainless-steel material used for the sculptures ensures that they will withstand weathering and corrosion, making them a durable and lasting addition to the site. This integration of art with landscaping creates a welcoming and engaging public space that aligns with the City's vision for a vibrant, community-oriented environment.

5. **Finding:** There is no indiscriminate clearing of property, destruction of trees or natural vegetation or the excessive and unsightly grading of hillsides, thus the natural beauty of the city, its setting and natural landforms are preserved.

Facts in Support of Finding: The site is currently vacant and does not contain significant trees or natural vegetation that require preservation. The site is relatively flat, with a slight grade from east to west, so no excessive grading or alteration of natural landforms will be required. The art installation area, which will be located at the southwest corner of the site, will be carefully landscaped to complement the natural surroundings. The use of native plants and shrubs around the base of the sculptures will enhance the natural beauty of the area, without compromising the integrity of the site's natural features.

6. **Finding:** The design and location of all signs associated with this project are consistent with the scale and character of the building to which they are attached or otherwise associated with and are consistent with this code.

Facts in Support of Finding: The project's design does not include signage as part of

this review, but per Condition of Approval No. 44, any future signage will be reviewed separately for compliance with the Grand Terrace Municipal Code. Signage will be designed to complement the scale and character of the building, ensuring it does not detract from the overall aesthetic of the site or the public art installation. The placement of the future monument sign will be situated in a manner that maintains the visual harmony of the property and ensures that both the signage and the art installation are balanced within the site's overall design.

7. **Finding:** Conditions of Approval for this project necessary to secure the purposes of this code and general plan are made a part of this approval.

Facts in Support of Finding: The City has imposed a total of fourteen (14) Conditions of Approval on Amendment No. 1 to Site and Architectural Review 23-23 to ensure that the project complies with the Grand Terrace Municipal Code and supports the goals of the General Plan. Specific conditions are included to ensure the public art installation meets the City's standards for durability, maintenance, and visual integration with the surrounding site, reinforcing the City's commitment to enhancing public spaces with meaningful and high-quality art. The required review of the art installation by the Planning Commission prior to occupancy ensures that the public art piece contributes positively to the site's character and supports the City's broader vision for public art.

EXHIBIT B

CONDITIONS OF APPROVAL FOR ADMENDMENT NO. 1 TO SITE AND ARCHITECTURAL REVIEW 23-23

Vacant 1.67-acre Property Located At The Corner Of Mount Vernon And City Center Court (12167 Mt. Vernon Avenue).

Public Art Project

PROJECT DESCRIPTION:

1. This Project is approved to install two acid-etched stainless steel donkey sculptures on a site located at the Northeast corner of Mounter Vernon Avenue and City Center Court. The application materials are approved as submitted and conditioned herein and shall not be further altered except as modified by these conditions of approval, and unless reviewed and approved by the Planning Commission.

GENERAL CONDITIONS:

2. If not appealed, this approval shall become effective on the eleventh (11th) day after the date of the Planning Commission's approval; or the next city business day following such eleventh (11th) day when the eleventh (11th) day is not a city business day. This approval shall expire two (2) years from the date of adoption of this Resolution unless building permits have been issued and a substantial investment in reliance of those permits has occurred; all conditions of approval have been met; or a time extension has been granted by the Planning and Development Services Director, in accordance with Chapter 18.83, and Chapter 18.63 of the Zoning Code. Time extensions shall be filed at least sixty (60) days prior to the expiration date. The Planning Director may, upon application by the Applicant, extend the compliance period for a up to one year.
3. Within 24 hours of this approval of the subject Project, the Applicant shall deliver a payment of \$50.00 and (check should be made out to the "Clerk of the Board of Supervisors" to enable the City to file the Notice of Exemption. If within such 48-hour period the payment has not been delivered to the Community Development Department by the above-noted check, the statute of limitations for any interested party to challenge the environmental determination under the provisions of the California Environmental Quality Act could be significantly lengthened.
4. Minor modifications to this approval which are determined by the Planning and Development Services Director to be in substantial conformance with the approved site plan, and which do not intensify or change the use or require any deviations from adopted standards, may be approved by the Planning and Development

Services Director upon submittal of the required application(s) and the required fee(s) consistent with the Grand Terrace Municipal Code

5. The Applicant shall indemnify, protect, defend, and hold harmless the City, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the Project and the approvals granted herein. Furthermore, the Applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against another governmental entity in which the Applicant's Project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend such governmental entity.
6. In the event that this approval is legally challenged, the City will promptly notify the Applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the Applicant agrees to defend, indemnify, and hold harmless the city, their affiliate's officers, agents and employees from any claim, action or proceeding against the City of Grand Terrace. The Applicant further agrees to reimburse the City of any costs and attorneys' fees, which the City may be required by a court to pay as a result of such action, but such participation shall not relieve Applicant of his or her obligation under this condition.
7. Upon approval of these conditions by the Planning Commission and prior to becoming final and binding, the Applicant must sign and return an "Conditions of Approval" form. The form and content shall be prepared by the Planning and Development Services Department.
8. In the event that exhibits, and written conditions are inconsistent, the written conditions shall prevail.
9. The Applicant shall comply with all laws, including but not limited to all Federal, State, County and Local laws, at all times.

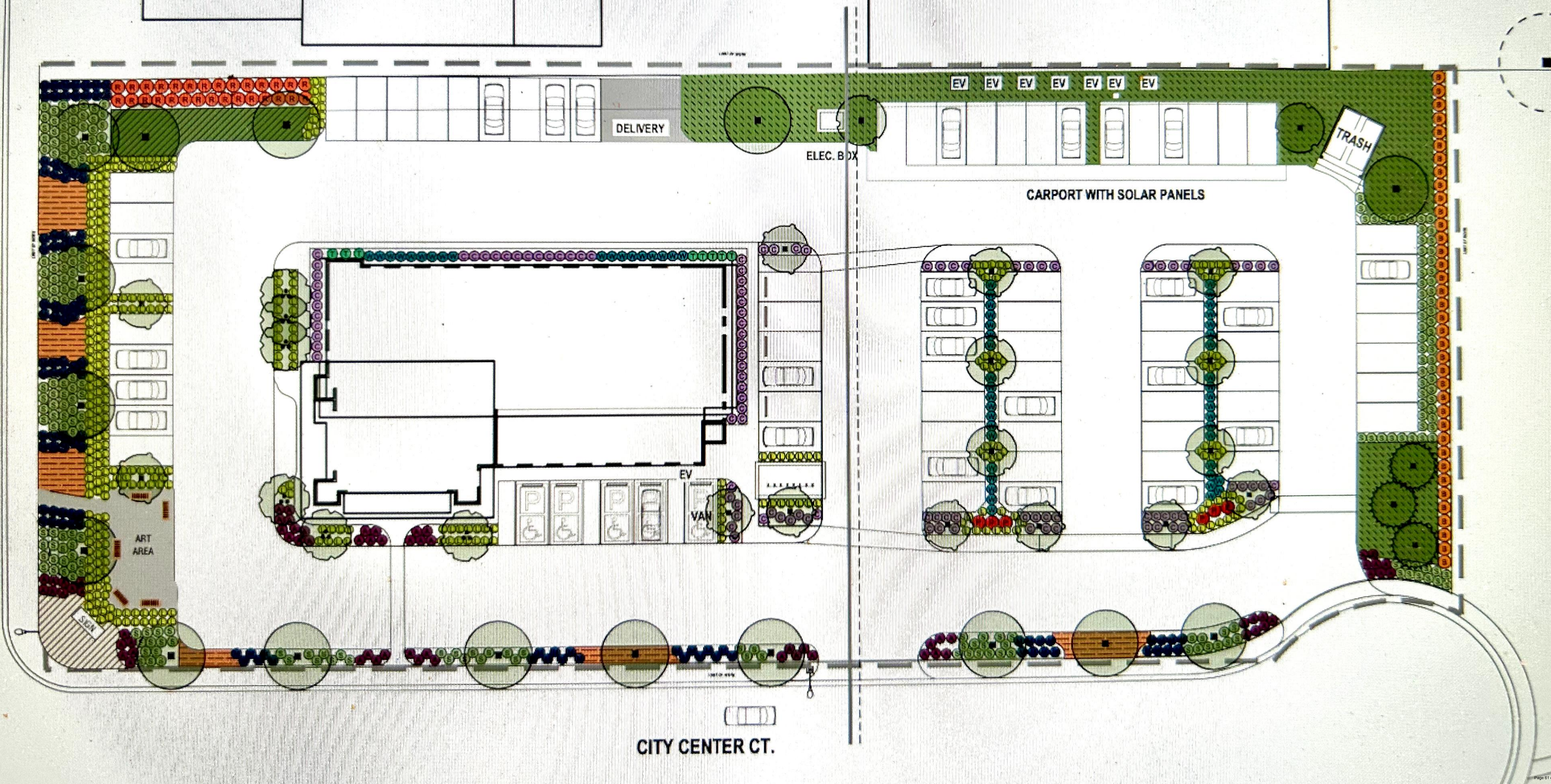
PUBLIC ART:

10. The Art in Public Places art piece shall be completed, installed, and inspected prior to issuance of the final Certificate of Occupancy of the building.
11. It will be the responsibility of the property owner to provide ongoing maintenance and upkeep of the art piece(s) to preserve and maintain the work(s) of art in good condition, ensuring that they remain structurally sound, visually intact, and free

from damage, deterioration, or degradation. Maintenance efforts should include, but are not limited to, periodic cleaning, repair of any weathering or wear, preservation of colors, and addressing any damage caused by environmental factors, vandalism, or accidents. The work(s) of art must be maintained in a manner consistent with the original design and aesthetic intent as approved by the City. If restoration or significant repairs are needed, the property owner must seek prior approval from the City before proceeding.

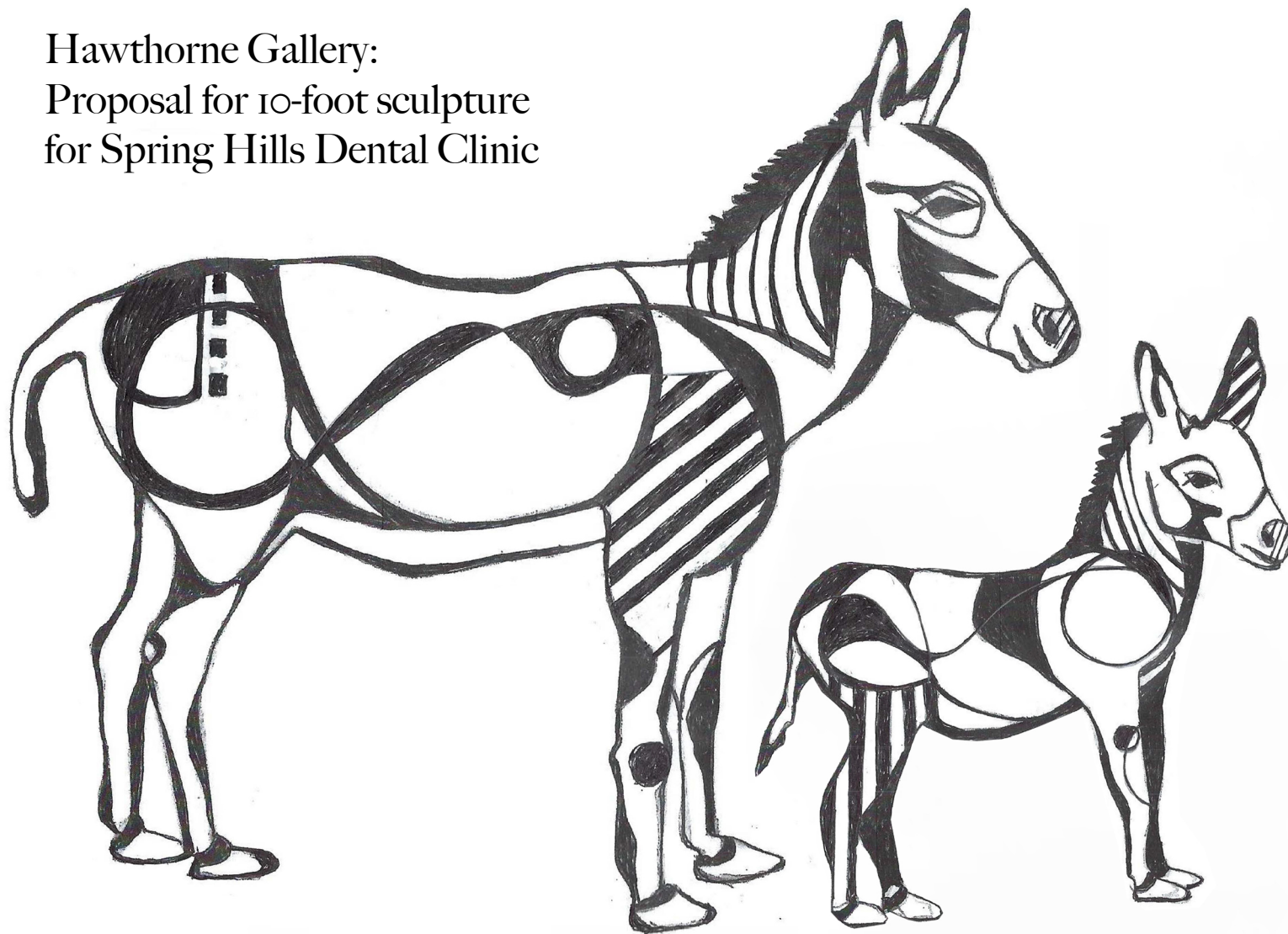
12. Site preparation and installation of sculptures shall be completed by a contractor approved by the Building and Safety Department.
13. In the event that the current owner or any successor in interest decides to replace or remove any installed artwork, such replacement or removal shall be subject to the provisions outlined in Chapter 18.81 – Art in Public Places and Planning Commission approval.
14. The City shall have the right to inspect the public art, with reasonable notice, to ensure compliance with Chapter 18.81 – Art in Public Places. Failure to maintain public art in accordance with this Section and Condition #11, or failure to meet the established standards, may result in public art being deemed a public nuisance. The City may take appropriate action to remedy the nuisance and pursue additional measures to enforce compliance with this Chapter. In addition to any other remedies available by law, if the owner fails to maintain the public art after reasonable notice, the City may perform the necessary repairs and maintenance or may secure insurance or other required services. The costs of such repairs or services shall become a lien against the property

MT. VERNON AVE.



CITY CENTER CT.

Hawthorne Gallery:
Proposal for 10-foot sculpture
for Spring Hills Dental Clinic

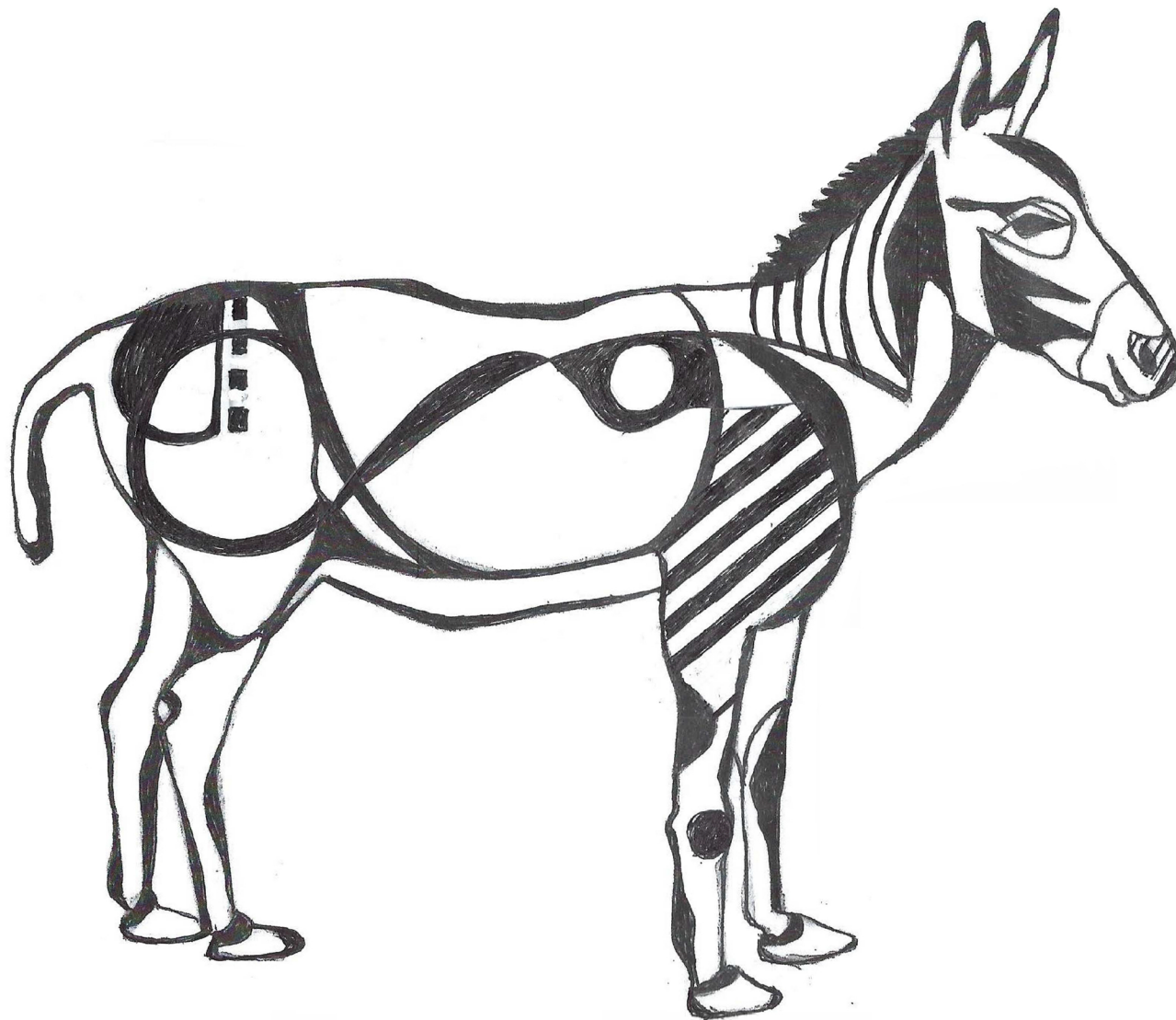


Hawthorne

Artist: Greg Hawthorne

■ - ACID ETCHED
STEEL
□ - STAINLESS
STEEL

Dimensions



10 feet high

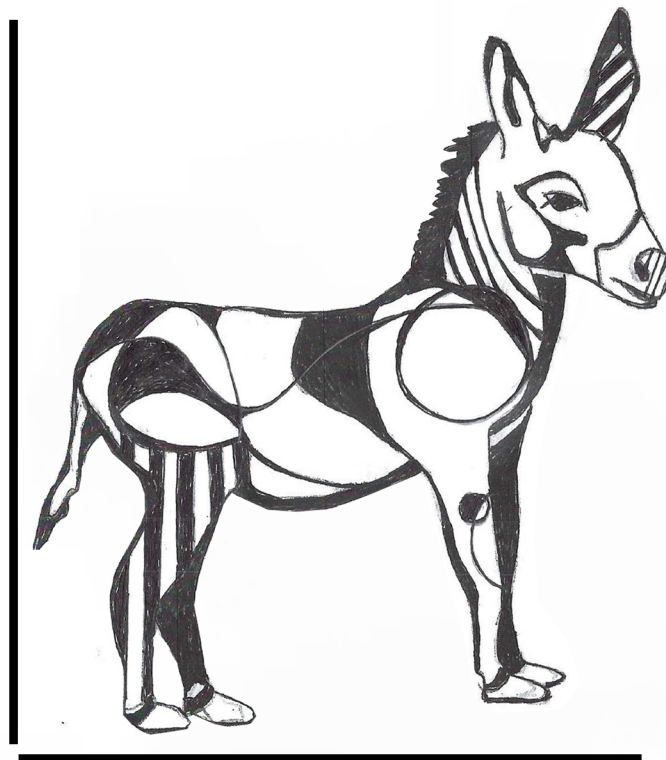
11.5 feet wide

WALL MOUNT

■ - ACID ETCHED
STEEL

□ - STAINLESS
STEEL

6 feet high

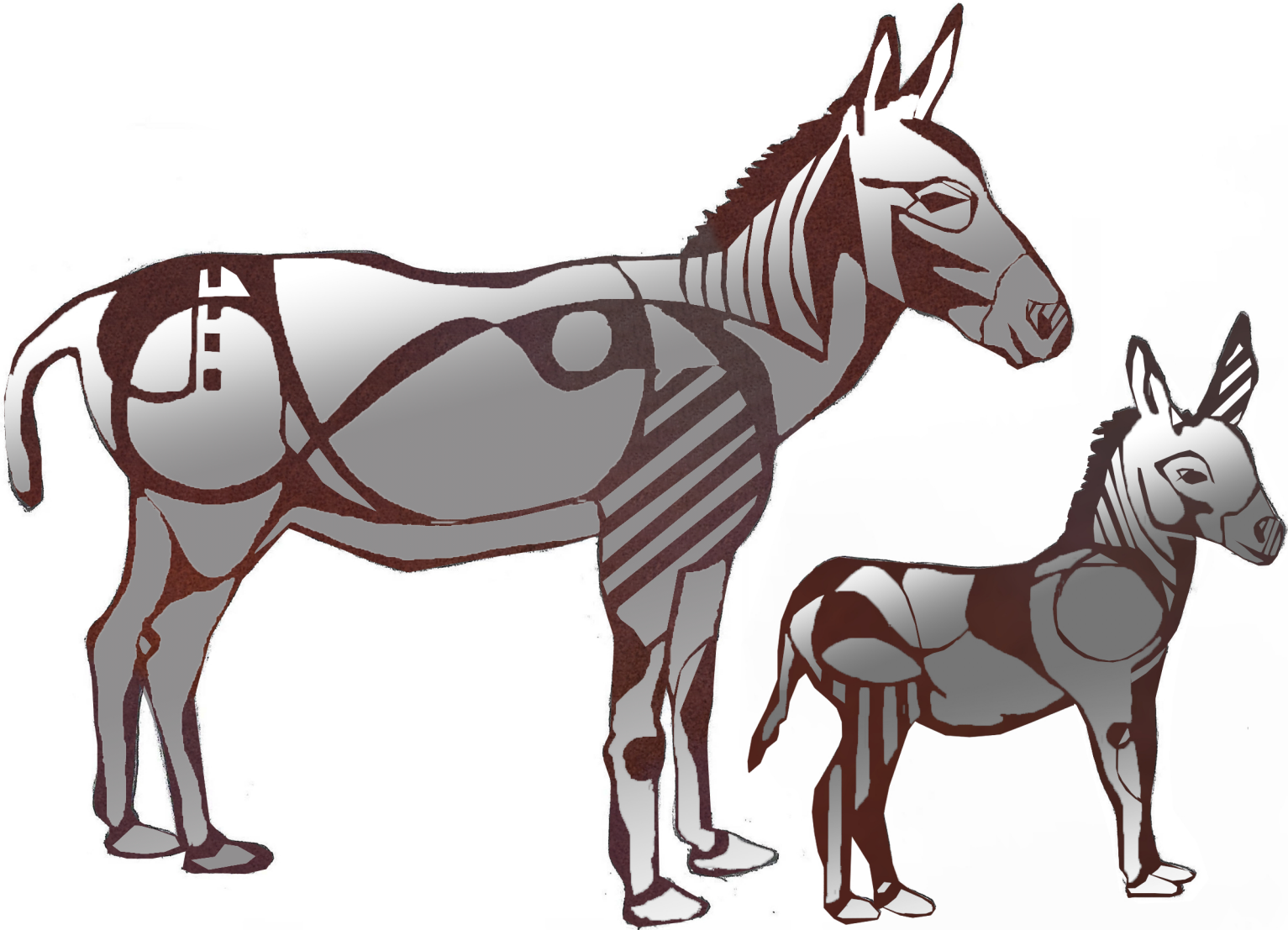


5.8 feet wide

WALLINGFORD

■ - ACID ETCHED
STEEL

□ - STAINLESS
STEEL



WALLING

- - ACID ETCHED STEEL
- - STAINLESS STEEL









GREGORY HAWTHORNE

48481 Highway 1, Big Sur, CA 93920

greg@hawthornegallery.com

hawthornegallery.com

(831) 238-3956

Gregory Hawthorne is an ambitious individual who dedicates his life to art, family, and community. As a third generation artist, he has enjoyed 50 years creating art and 29 years running an art gallery, which also represents 9 of his family members. His paintings, function steel designs, and mixed media sculptures are in private and corporate collections worldwide. He continues to create in his studio along the California coast, always looking forward to the next venture.

EDUCATION

- Studied Pre-Med at Michigan Technological University in Houghton, MI
- Transferred and Graduated from Wayne State University in Detroit, MI

BUSINESS OWNER & PARTNER

- 1982 to 2024 - Owner of Hawthorne Studios in Big Sur, CA
- 1991 to 2024 - Partner of Post Ranch Inn in Big Sur,
- 1995 to 2024 - Owner of Hawthorne Gallery in Big Sur, CA
- 2000 to 2024 - Owner of Hawthorne Warehouses in Sand City, CA
- 2010 to 2024 - Partner of Hawthorne Gallery in Port Orford, OR
- 2010 to 2024 - Partner of Redfish Restaurant in Port Orford, OR
- 2018 to 2024 - Owner of Hawthorne Glass & Metal in Sand City, CA

ADDITIONAL ACCOMPLISHMENTS

- 7 years as a city council member in Sand City, CA
- 3 years with a published book, *Working Outside the Box*

NOTABLE PROJECTS

- Hawthorne Gallery in Big Sur, CA - Founded by Gregory Hawthorne, the awe-inspiring gallery was designed by legendary Big Sur architect Mickey Muennig. The gallery sells Gregory's artwork, along with the art of 9 of his family members, and 16 additional talented artists. It has become a beloved destination in Big Sur.
- Post Ranch Inn in Big Sur, CA - This award winning resort displays over 100 pieces of Gregory Hawthorne's art throughout the stunning grounds and intimate interiors. Additional Hawthorne Gallery artists are also represented.
- West End Celebration in Sand City, CA - Originating in 2001, largely influenced by Gregory, West End is an annual art festival that celebrates art of all genres, inspires the public, and brings the community together.
- Independent in Sand City, CA - Towering confidently above the courtyard of the Independent, a multipurpose building featuring apartments and a local craft beer house, is Gregory's "Genoa," a 20-ft tall, 7-ton steel sculpture.
- Wareham Development in San Rafael, CA - This Bay Area based real estate development has acquired many works of art from Gregory Hawthorne, including a commissioned large-scale stainless steel and fused glass water feature in Emeryville, titled "Aquatic Circus."

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION/SITE AND ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE, CALIFORNIA, APPROVING ADMENDMENT NO. 1 TO SITE AND ARCHITECTURAL REVIEW 23-23 AND ENVIRONMENTAL REVIEW 24-04, A PUBLIC ART PROPOSAL SUBMITTED BY THE APPLICANT, FIRESTATION PROPERTIES, LLC, REPRESENTED BY DAVID LANG, FOR THE INSTALLATION OF TWO STAINLESS STEEL DONKEY SCULPTURES AT 12167 MOUNT VERNON AVENUE. THE PROJECT IS LOCATED WITHIN THE BARTON ROAD SPECIFIC PLAN (BRSP) VILLAGE COMMERCIAL (VC) PLANNING AREA 2 (P.A.2.).

WHEREAS, Firestation Properties, LLC (the “Applicant”) represented by David Lang, has submitted a request to amend the approval for Site and Architectural Review 23-23. The proposed amendment involves the installation of two acid-etched and stainless-steel donkey sculptures (the “Project”) as part of a public art requirement for a new commercial development; and,

WHEREAS, the subject property is zoned Barton Road Specific Plan (BRSP), Village Commercial (VC), Planning Area 2 (P.A.2.); and,

WHEREAS, Municipal Code Section § 18.81- Art in Public Places – establishes the guidelines for the review and approval of public art installations in Grand Terrace; and,

WHEREAS, the City of Grand Terrace wishes to protect and preserve the quality of the Barton Road Specific Plan area of the City, as well as the quality of life throughout the City, through effective land use and planning; and,

WHEREAS, Municipal Code Section §18.63.010 of the Grand Terrace Municipal Code states that a Site and Architectural Review application provides a process for reviewing all major new construction projects, and the process calls for the review of the design of the development, an identification of potential impacts on the surrounding properties, and an assurance that the proposed Project complies with the provisions of the Barton Road Specific Plan, Zoning Code and General Plan; and,

WHEREAS, Site and Architectural Review 23-23 requires the applicant to submit a public art proposal as part of the conditions of approval, as specified in Condition #33. The applicant shall comply with the requirements outlined in Chapter 18.81 of Grand Terrace Municipal Code – Art in Public Places and shall submit a comprehensive Art in Public Places Program proposal to the City. The proposed public art for the project will be presented to the Planning Commission for review and approval prior to the issuance of building permits. Spring Hills Dental Clinic Public Art Program proposal in attached as “**EXHIBIT C**” to this resolution; and,

WHEREAS, Amendment No. 1 to Site and Architectural Review 23-23 pertains solely to the installation of public art; and,

WHEREAS, a set of fourteen (14) Conditions of Approval have been prepared and attached as “**EXHIBIT B**” of this resolution to Site and Architectural Review 23-23, to ensure the orderly development of the Project.

WHEREAS, the City has determined that this project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section §15303, New Construction or Conversion of Small Structures provides an exemption for projects that result in minor new construction or modification of existing structure. The installation of public art as a scale proposed by this project is well below the scale of projects allowed under section 15303 and, therefore, this project is exempt from CEQA review; and,

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, THE PLANNING COMMISSION/SITE ARCHITECTURAL REVIEW BOARD OF THE CITY OF GRAND TERRACE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals set forth above are true and correct and incorporated herein by this reference and made a part hereof.

SECTION 2. The Planning Commission/Site and Architectural Review board hereby finds that Amendment No. 1 to Site and Architectural Review 23-23 is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section §15303, New Construction or Conversion of Small Structures.

SECTION 3. The public art proposal complies with the criteria outlined in Municipal Code Chapter 18.81, titled "Art in Public Places," which governs the review of public art in Grand Terrace. Specifically, the proposed art installation meets the following criteria:

- 1) The conceptual compatibility of the design with the immediate environment of the site; and,
- 2) Appropriateness of the design to the function of the site; and,
- 3) Compatibility of the design and location within a unified design character or historical character of the site; and,
- 4) Creation of an internal sense of order and a desirable environment for the general community by the design and location of the work of Art; and,
- 5) Preservation and integration of natural feature with the project; and,
- 6) Consideration given to the structural and surface integrity, permanence, and protection against theft, vandalism, weathering, excessive maintenance, and repair cost; and,
- 7) Representation of a broad variety of tastes within the community and the provision of a balanced inventory of Art in Public Places to ensure a variety of style, design and media throughout the community that will be representative of the eclectic tastes of the community; and,
- 8) Works of Arts or Art places should be appropriate in scale, form, and content for the immediate, general, social, and physical environments with which they relate.

SECTION 4.

The findings for Amendment No.1 to Site and Architectural Review 23-23 pursuant to Grand Terrace Municipal Code Section §18.63.060 can be made supporting the project application as follows:

1) The proposed project is consistent with the intent of this code and the general plan; and,

2) The location and configuration of all structures associated with this project are visually harmonious with this site and surrounding sites and structures, that they do not interfere with the neighbors' privacy, that they do not unnecessarily block scenic views from other structures and/or public areas and are in scale with the townscape and natural landscape of the area; and,

3) The architectural design of structures, their materials and colors are visually harmonious with surrounding development, natural landforms, are functional for the proposed project and are consistent with this code; and,

4) The plan for landscaping and open spaces provides a functional and visually pleasing setting for the structures on this site and is harmonious with the natural landscape of the area and nearby developments; and,

5) There is no indiscriminate clearing of property, destruction of trees or natural vegetation or the excessive and unsightly grading of hillsides, thus the natural beauty of the city, its setting and natural landforms are preserved; and,

6) The design and location of all signs associated with this project are consistent with the scale and character of the building to which they are attached or otherwise associated with and are consistent with this code; and,

7) Conditions of approval for this project necessary to secure the purposes of this code and general plan are made a part of this approval.

The factual findings for which are attached as “**EXHIBIT A**” to this Resolution and incorporated herein by this reference.

SECTION 5. Based upon the forgoing and all oral and written communications from members of the public and City staff (including, but not limited to, all oral and written staff reports and attachments) presented at the November 21st, 2024, Public Hearing, the Planning Commission/Site and Architectural Review Board approves Amendment No. 1 to Site and Architectural Review 23-23, authorizing the installation of a 10-foot and 6-foot steel donkey sculpture at 12167 Mt. Vernon Avenue.

SECTION 6. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase contained approved by this Resolution, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Resolution or any part thereof. The Planning Commission/Site and Architectural Review Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 7. This approval shall become effective following the expiration of a ten (10) calendar day appeal period, provided no appeal is filed.

SECTION 8. Amendment No. 1 to Site and Architectural Review 23-23 shall expire two (2) years from the date of its approval unless the following actions occur:

- 1) The applicant applies for a building permit and commits substantial investment in accordance with the approved plans prior to the expiration date.
- 2) A business license is issued in accordance with this Code, as applicable.
- 3) The applicant has complied with all applicable conditions of approval.

In case the Applicant is not able to comply with actions 1, 2 or 3 listed above, then the Applicant shall apply for maximum of a one (1) year extension at least sixty (60) days prior to expiration date of the initial two (2) year approval period.

SECTION 9. City staff are hereby authorized and directed to file a Notice of Exemption (NOE) per Environmental Review 24-04 with respect to the approval of Amendment No. 1 to Site and Architectural Review 23-23.

APPROVED AND ADOPTED by the Planning Commission/Site and Architectural Review Board of the City of Grand Terrace, California, at a regular Public Hearing held on the 21st day of November 2024.

ATTEST:

Debra L. Thomas
City Clerk

Edward A. Giroux
Chairman

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) SS.
CITY OF GRAND TERRACE)

I Debra Thomas, City Clerk of the CITY OF GRAND TERRACE, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2024-02, was duly passed, approved and adopted by the Planning Commission/Site and Architectural Review Board, approved and signed by the Chairman, and attested by the City Clerk, at the regular meeting of said Planning Commission/Site and Architectural Review Board held on the 4th day of April 2024, and that and that it was adopted by the called vote as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Executed this 4th day of April 2024, at Grand Terrace, California.

Debra Thomas
City Clerk