

ORDINANCE NO. 2744

AN ORDINANCE OF THE CITY OF REDLANDS DELETING CHAPTER 13.84 OF THE REDLANDS MUNICIPAL CODE RELATING TO SCHOOL IMPACTION FEES, ADDING CHAPTER 15.56 TO THE REDLANDS MUNICIPAL CODE RELATING TO FENCING AND SCREENING FOR BUILDING AND CONSTRUCTION SITES AND AMENDING CHAPTERS 15.36, 17.07, 17.13, 18.12, 18.52, 18.56, 18.60, 18.100, 18.180, 18.200 AND 18.208 OF THE REDLANDS MUNICIPAL CODE RELATING TO FREEWAY-ORIENTED SIGNS, TENTATIVE SUBDIVISION MAP EXTENSIONS, SITE PLAN APPROVALS, VESTING TENTATIVE MAPS, BUILDING LENGTH LIMITATIONS FOR R-2, R-2-2000 AND R-3 ZONING DISTRICTS, PERMITTED USES WITHIN THE CM ZONING DISTRICT, BONDS ASSOCIATED WITH THE MOVING OF BUILDINGS, ZONE CHANGES, AND ZONING ENFORCEMENT, RESPECTIVELY

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 13.84 of the Redlands Municipal Code, entitled "School Impaction," is hereby deleted in its entirety.

Section 2. Section 15.36.420 C of the Redlands Municipal Code relating to the maximum size of freeway-oriented signs is hereby amended to read as follows:

"C. The maximum size of a freeway oriented sign shall be one hundred twenty (120) square feet, unless a conditional use permit is approved for such a sign pursuant to Section 15.36.100 F of this Chapter. The area of a freeway oriented sign shall not be counted toward the maximum sign area for the business."

Section 3. Chapter 15.56, entitled "Fencing and Screening for Building and Construction Sites;" is hereby added to the Redlands Municipal Code to read as follows:

"CHAPTER 15.56

FENCING AND SCREENING FOR BUILDING AND CONSTRUCTION SITES

15.56.010: PURPOSE

15.56.020: FENCING AND SCREENING REQUIRED

15.56.010: PURPOSE. The purpose of this Chapter is to require building and construction sites to be fenced and screened to protect adjacent properties from construction activities and debris, to safeguard the public by restricting public access to such sites, and to preserve the aesthetics of the neighborhood and minimize construction nuisance by screening the clutter and disrepair of construction sites, thereby ensuring the comfort, safety and welfare of the residents of the City.

15.56.020: FENCING AND SCREENING REQUIRED. Prior to the commencement of grading, excavation, construction of a new structure or reconstruction of an existing structure, the City's Development Services Department shall require the site to be temporarily fenced and screened for the duration of the construction project. The Development Services Director, or his designee, shall determine the height of the fence and the fencing material, and the fencing material shall be overlaid on the exterior with an opaque or decorative vinyl screen, or other screening material as determined by the Development Services Director.

Section 4. Section 17.07.070 B of the Redlands Municipal Code, entitled "Action," is hereby amended to read as follows:

"17.07.070 B: ACTION

B. Action: The planning commission shall make its recommendation to the city council, or shall approve, conditionally approve or deny the tentative map if the planning commission is the approving body, and the department shall report the decision of the planning commission to the city council and the subdivider within fifty (50) days after the tentative map application has been determined to be complete. If the approving body is the city council, the city council shall approve, conditionally approve, or disapprove the tentative map within thirty (30) days after it receives the recommendation of the planning commission. In reaching a decision upon the tentative map, the approving body shall consider the effect of that decision on the housing needs of the region and balance these needs against the public service needs of its residents and available fiscal and environmental resources."

Section 5. Section 17.07.120 C of the Redlands Municipal Code, entitled "Extensions," is hereby amended to read as follows:

"17.07.120: EXTENSIONS.

C. Time Limit Of Extensions: The time at which the tentative map expires may be extended by the Planning Commission for a period not exceeding a total of six (6) years."

Section 6. Section 17.13.030 of the Redlands Municipal Code, entitled "Definitions," is hereby amended to read as follows:

"17.13.030 DEFINITIONS.

A. "Vesting Tentative Map" means a "Tentative Map" for a subdivision, as defined in 17.03.010 of this Code, that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed in accordance with Section 17.07.050 of this Code, and is thereafter processed in accordance with the provisions hereof. For purposes of this Chapter, "Vesting Tentative Map" includes a vesting tentative map prepared in connection with a parcel map.

B. All other definitions set forth in this Title are applicable to a “Vesting Tentative Map.”

Section 7. Section 17.13.040 of the Redlands Municipal Code, entitled “Application,” is hereby amended to read as follows:

“17.13.040 APPLICATION.

A. This Chapter shall apply to residential and non-residential development. Whenever a provision of the Subdivision Map Act, as implemented and supplemented by this Chapter, requires the filing of a Tentative Map for a development, a Vesting Tentative Map may instead be filed, in accordance with the provisions of this Chapter.

B. If a subdivider does not seek the rights conferred by the Vesting Tentative Map statute, the filing of a Vesting Tentative Map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction.”

Section 8. Section 18.12.080 of the Redlands Municipal Code, entitled “Site Plan Approval Procedures,” is hereby amended to read as follows:

“18.12.080: SITE PLAN APPROVAL AND PROCEDURES.

A. The applicant must be the property owner or an authorized agent of the property owner. A completed application and payment of the applicable fee, as established by resolution of the City Council, shall be submitted to the Development Services Department accompanied by thirty (30) copies of the site plan and elevations. The site plan shall be prepared to scale, showing accurately, and with complete dimensioning, all buildings and facilities proposed for the property. The data contained on the site plan shall include information on the location of the buildings, structures, signs, parking, landscaping, walls, or fences, and the points of ingress and egress. In addition, all necessary information to clearly show the intended use of the property and its relationship to adjacent properties shall be included.

B. **Security:** Prior to the issuance of any building permit, the applicant shall furnish security to the City guaranteeing the faithful performance of the public work, in the sum equal to the cost as estimated by the City Engineer, including a percentage for contingencies. Ninety percent (90%) of this security shall be in the form of a bond furnished by a surety company satisfactory to the City, and ten percent (10%) of the security amount shall be cash, an irrevocable letter of credit, or other security satisfactory to the City. The security may be used to pay the City’s costs of maintaining barricades, correcting street hazards, site cleanup, or repairing any street, irrigation line or other utility causing a hazard, nuisance or inconvenience to the public. In addition, the applicant shall furnish a labor and materials payment bond to the City, furnished by a surety company satisfactory to the City, in the amount of One Hundred percent (100%) of the cost of the public work as estimated by the City Engineer.

C. **Requirements For Dedications And Improvements:**

1. **Dedications, Easements:** The City Engineer may require dedications and/or easements for streets, alleys, drainage, public utilities, bridge crossings, flood control, and such other rights of way as may be determined to ensure the orderly development of the property and abutting properties.

2. **Improvements:** The City Engineer may require improvements, including but not limited to the following: to ensure orderly development of the property and abutting properties:

- a. Grading, drainage and drainage structures necessary to protect the public safety,
- b. Curbs and gutters,
- c. Sidewalks,
- d. Street pavement,
- e. Adequate domestic water service,
- f. Sanitary sewer facilities and connections,
- g. Services from public utilities, where provided,
- h. Street trees,
- i. Traffic signals, streetlights and street name signs,
- j. All water lines are to be laid and fire hydrants installed pursuant to plans and specifications of the Municipal Utilities and Engineering Department of the City.”

D. Findings And Conditions Of Approval: The City Planning Commission shall have the authority to approve, conditionally approve, or deny an application for Site Plan Approval, except in instances when all application for a Site Plan Approval is processed concurrently with other land use entitlements requiring action by the City Council. In such instances, the Planning Commission shall make a recommendation on the Site Plan Approval to the City Council. In granting Site Plan Approval, the Planning commission or City Council, as applicable, shall find as follows:

- 1. The site for the intended use is adequate in size and shape to accommodate the use, and all of the required yards, setbacks, walls or fences, landscaping and other features will adjust the use to those existing or permitted future uses of land in the neighborhood;
- 2. The site for the proposed use relates to streets and highways which are properly designed and improved to carry the type and quantity of traffic generated or to be generated by the proposed use;

3. The conditions set forth in the approval and those shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare. Such conditions may include:
- a. Special yards, spaces and buffers,
 - b. Fences and walls,
 - c. Surfacing of parking areas subject to city specifications,
 - d. Regulation of points of vehicular ingress and egress,
 - e. Regulation of signs,
 - f. Required landscaping and maintenance thereof,
 - g. Regulation of noise, vibration, odors and lights,
 - h. Regulation of time for certain activities, and
 - i. Such other conditions as will make possible the development of the City in an orderly and efficient manner and in conformity with the intent and purposes set forth in this title.”

Section 9. Section 18.52.160 B.4 of the Redlands Municipal Code relating to building length limitations in the R-2 Zone district is hereby deleted.

Section 10. Section 18.56.190 B.4 of the Redlands Municipal Code relating to building length limitations in the R-2-2000 Zoning District is hereby deleted.

Section 11. Section 18.60.160 D. of the Redlands Municipal Code relating to Building length limitations in the R-3 Zoning District is hereby deleted.

Section 12. Section 18.100.040 of the Redlands Municipal Code, entitled “Permitted Uses and Similar Uses Permitted by Commission Determination,” is hereby amended to delete Animal Hospitals and read as follows:

“18.100.040: PERMITTED USES:

Principal permitted uses in the C-M zone include:

Auto services: No open service bays shall face a public street, or they shall be screened:

Brake relining.

Glass installation.

Mechanical or self-service auto wash.

Muffler installation.

Painting.
Repair.
Upholstery.

Commercial sales and service:

Agricultural supplies and equipment.
Automobile equipment.
Automobile, new and used.
Bicycle, boat and motorcycle.
Building material and hardware.
Cabinet shop.
Camper and mobilehome.
Drive-in liquor, milk and food.
Electrical apparatus and equipment.
Furniture, appliances and carpeting.
Garden and farm supplies.
Interior decorator studios.
Machinery, equipment and supplies.
Nurseries; no outdoor display of merchandise other than plants.
Office equipment.
Paint.
Pet and pet supply.
Plumbing, heating, air conditioning and refrigeration equipment and supplies.
Radio, television and musical instruments.

Industrial:

Uses permitted in the M-P planned industrial district.

The following uses are subject to approval of a conditional use permit if within three hundred feet (300') of a residential area:

Bowling lanes, skating rinks, and sports arenas.
Cocktail lounges and bars.
Drive-in theaters and eating establishments.

Services:

Auction houses.
Auto rental.
Bus terminals and similar transit facilities.
Cleaning and dyeing plants, laundries, linen and towel service.
Furniture upholstery.
Governmental agencies.
Ice manufacture, cold storage, and frozen food lockers.
Mail order houses.
Motels and hotels.
Parcel delivery.
Pest control.
Public scales.
Radio and television broadcasting studios.
Restaurants.
Retreading of tires.

Sign painters.

Other uses:

Agricultural uses permitted in the M-P district.

Business, technical, trade or professional schools.

Clubs, lodges, and similar organizations.

Electric distribution substations, public utility buildings and service yards.

Van and storage.

Warehouses and wholesalers.”

Section 13. Section 18.180.030 of the Redlands Municipal Code relating to the bond required before obtaining a permit to move a building or structure is hereby amended to read as follows:

“18.180.030: PERMIT: BOND REQUIRED.

“Before a building permit may be granted, the City may require the posting of a security, in a form and amount satisfactory to the City, to cover the estimated costs of expenditures involved in complying with the conditions related to improvements of the property which may have been established in the granting of the permit. The security shall also cover the costs involved in cleaning up the vacated site and restoring it to a safe and sightly condition.”

Before a building permit may be granted, there shall be a posting of a cash bond with the city treasurer, in an amount as determined by the City’s Chief Building Official and the Director of the Municipal Utilities and Engineering Department to cover costs of the activities involving the City, and the expenditures involved in complying with the conditions related to improvements of the property which may have been established in the granting of the permit. The bond shall also cover the costs involved in cleaning up a vacated site and restoring it to a safe and sightly condition.”

Section 14. Section 18.200.050 of the Redlands Municipal Code regarding public hearing and notice requirements is hereby amended to read as follows:

“18.200.050: PUBLIC HEARING; NOTICE REQUIREMENTS:

A. A public hearing shall be held by the Planning Commission on the application; and notice shall be published in a newspaper of general circulation not less than ten (10) days before the date set for the Planning Commission hearing.

B. Notice shall be mailed not less than ten (10) days prior to the date of the meeting to owners of property within a radius of three hundred feet (300') of the boundaries of the property described in the application, using for this purpose the name and address of such owners as are shown on the most recent Assessor’s Role of the county of San Bernardino.

C. Not later than ten (10) days following the hearing, the Planning Commission shall render its decision in the form of a recommendation to the City Council.”

Section 15. Section 18.200.060 of the Redlands Municipal Code regarding required conditions for a recommended zone change is hereby amended to read as follows:

“18.200.060: PUBLIC HEARING; COMMISSION CONSIDERATION: In considering any request for a change of zone, the commission shall satisfy itself before recommending to the City Council that the change be granted that the proposed change of zone is in conformity with the General Plan of the City, and that the proposed change of zone is rescinded related to the public health, safety or general welfare.”

Section 16. Section 18.200.070 of the Redlands Municipal Code regarding zone change actions by the Planning Commission is hereby amended to read as follows:

“18.200.070: ACTION BY COMMISSION: The commission, based on the evidence submitted and its own study and knowledge of the circumstances involved, may recommend to the City Council that the City Council deny, modify or approve all or any part of a request for a change of zone. ”

Section 17. Section 18.200.080 of the Redlands Municipal Code regarding Council consideration and public hearing on a proposed zone change is hereby amended to read as follows:

“18.200.080: PUBLIC HEARING; COUNCIL CONSIDERATION:

A. Upon receipt of the recommendation of the Planning Commission, the City Council shall hold a public hearing. Notice of the time and place of the hearing shall be given in the manner provided by law. In addition to notice by publication, the City Council may give notice of the hearing in such other manner as it may deem necessary or desirable. Any hearing may be continued from time to time.

B. The City Council may approve, modify, or disapprove the recommendation of the Planning Commission; provided, that any modification of the proposed change of zone by the City Council shall first be referred to the Planning Commission for report and recommendation.

C. Failure of the Planning Commission to report within forty (40) days after the reference, or such longer period as may be designated by the City Council, shall be deemed to be approval of the proposed modification.”

Section 18. Section 18.208.050 of the Redlands Municipal Code regarding violations of the City’s zoning regulations is hereby amended to read as follows:

“18.208.050: VIOLATION; PENALTY.


A. No person shall violate any of the provisions or fail to comply with any of the requirements of Title 18 of this Code or of any applicable specific plan, or the terms or conditions of any land use entitlement issued by the City.

B. Any person, firm or corporation who violates any of the provisions of this Title or any applicable specific plan of the City, or the terms or conditions of any land use entitlement issued by the City, is guilty of a misdemeanor. Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this title is committed or continued by such person, firm or corporation, and shall be punishable as herein provided.”

Section 19. The City Council hereby determines that the adoption of this Ordinance is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Section 15061(b)(3).


Section 20. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 21. The Mayor shall sign this Ordinance and the City Clerk shall certify to the adoption of this ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter, this ordinance shall take effect in accordance with law.



Pete Aguilar, Mayor

ATTEST:



Sam Irwin, City Clerk

I, Sam Irwin, City Clerk of the City of Redlands, hereby certify that the forgoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 4th day of February, 2014 by the following vote:

AYES: Councilmembers Harrison, Foster, Gardner, Gilbreath; Mayor Aguilar
NOES: None
ABSTAIN: None
ABSENT: None

Sam Irwin, City Clerk

