



AGENDA
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
JULY 8, 2015

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

STAFF PRESENT:

PLEDGE OF ALLEGIANCE: Commission Member Jaffarian

1. ELECTION OF NEW CHAIR AND VICE CHAIR
2. APPEAL NOTICE: In the event that you disagree with the action taken by the Planning Commission in regards to your application, or with any condition for approval of the application which is not a specific requirement of the Norco Municipal Code, you are entitled to appeal such determination or conditions to the Norco City Council, provided that such appeal is filed with the Norco City Clerk within ten calendar days after the requirements for appeals, inclusive of payment of an appeal fee. Please contact City planning staff at (951) 270-5661 if you have any questions regarding any item you may wish to appeal.
3. PUBLIC COMMENTS: Hearing from the audience on items not listed on the agenda. Please limit your comments to three (3) minutes. Be sure to complete a speaker card at the entrance of the room and present it to the Clerk so that you may be recognized.
4. APPROVAL OF MINUTES:
 - ❖ Minutes of Regular Meeting of June 10, 2015
 - Recommended Action: Approval** (Deputy City Clerk)
5. CONTINUED PUBLIC HEARINGS:
 - A. **Zone Code Amendment 2015-03:** An amendment to Chapter 18.15 – R-1 (Residential-Single Family) Zone of the Norco Municipal Code, to establish animal-keeping standards. **Recommended Action: Continue off-calendar** (Planning Director)
6. PUBLIC HEARING:
 - A. **Conditional Use Permit 2015-15** (Purlinsky): A request for approval to allow two detached accessory buildings consisting of a 1,215 square-foot workshop and a 1,794 square-foot carport at 5142 Viceroy Avenue located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)

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July 8, 2015

- B. **Conditional Use Permit 2015-16** (Swank): A request for approval to allow a detached accessory building consisting of a 1,500 square-foot storage building at 2470 Vine Avenue located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)
 - C. **Variance 2015-02** (Cordero): A request for a variance from the 100-foot rear yard setback requirement of Chapter 18.13 (A-1 Zone) of the Norco Municipal Code, to allow the construction of a residential home with a minimum rear yard setback of about 33 feet, on a vacant parcel identified with the Assessor's Parcel Number of 125-030-057, located on the west side of Valley View Avenue and south of Third Street, and within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)
 - D. **Zone Code Amendment 2015-05** (City): A request to amend the C-4 zone permitted uses. **Recommended Action: Approval** (Planning Director)
7. BUSINESS ITEM:
- A. **Site Plan 2015-14** (Tomaino): A request for approval to allow a detached accessory building consisting of a 448 square-foot shade structure (palapa) at 2662 Vandermolen Drive located within the Norco Ridge Ranch Specific Plan (NRRSP). **Recommended Action: Approval** (Senior Planner)
 - B. **Architectural Review 2015-03 of Conditional Use Permit 2008-09** (Andrade Architects): Architectural review of a proposed concession/kitchen and clubhouse building in the approved Silverlakes concessions area. **Recommended Action: Approval** (Planning Director)
8. CITY COUNCIL MINUTES: Receive and File
- City Council Regular Meeting of May 20, 2015
9. PLANNING COMMISSION:
- A. Oral Reports from Various Committees
 - B. Request for Items on Future Agenda (within the purview of the Commission)
10. ADJOURNMENT

Staff reports are on file in the Planning Division.

Additionally, any writings or documents provided after distribution of the Planning Commission's agenda packet to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Planning Division counter at City Hall located at 2870 Clark Avenue.

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 at (951) 270-5623. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

/di



MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
JUNE 10, 2015

CALL TO ORDER: **7:00 PM**

ROLL CALL: **Chair Leonard, Vice Chair Hoffman, Commission Members Hedges, Jaffarian and Rigler**

STAFF PRESENT: **Planning Director King, Senior Planner Robles and Deputy City Clerk Germain**

PLEDGE OF ALLEGIANCE: **Commission Member Hedges**

1. APPEAL NOTICE: **Read by Planning Director King**

2. PUBLIC COMMENTS:

Lance Gregory noted his concern regarding more restrictions being placed on properties, due to more non-horse related accessory buildings applied for then animal-keeping structures and placed in the animal keeping areas.

Judy Thompson stated her support of Prop 215 to allow medical cannabis in Norco; suggesting a zone change to allow the sale of medical cannabis in commercial zones, noting the benefits to ill patients that are prescribe its use.

3. APPROVAL OF MINUTES:
❖ Minutes of Regular Meeting of May 13, 2015

Recommended Action: Approval (City Clerk)

M/S Rigler/Jaffarian to approve the minutes of regular meeting May 13, 2015, as written

AYES: Leonard, Hoffman, Hedges, Jaffarian, Rigler Motion Passed

4. CONTINUED PUBLIC HEARINGS:

A. **Conditional Use Permit 2015-06** (Duarte): A request for approval to allow a detached accessory building consisting of a 1,250 square-foot storage and barn building at 5060 Pinto Place located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Continue off Calendar** (Senior Planner)

Senior Planner Robles stated that due to issues associated with a code case, that need to be resolved before the project can be presented to the Planning Commission, this item is being continued off calendar. It will be re-advertised once it is ready to be presented.

- B. **Zone Code Amendment 2015-03:** An amendment to Chapter 18.15 – R-1 (Residential-Single Family) Zone of the Norco Municipal Code, to establish animal-keeping standards. **Recommended Action: Continue to July 8, 2015** (Planning Director)

Planning Director King stated that additional time is needed to get background information per the Planning Commission request, so this item is being continued to the next Planning Commission meeting on July 8, 2015.

5. PUBLIC HEARINGS:

- A. **Conditional Use Permit 2015-02** (Core/Verizon Wireless): A request for approval to allow the installation of an unmanned wireless telecommunication facility designed as a water tank, on property located at the northwest corner of Second Street and South Four Wheel Drive (APN 126-130-022) located within the Norco Auto Mall Specific Plan Area "B". **Recommended Action: Approval** (Senior Planner)

Planning Director King presented the staff report on file in the Planning Department. He stated that the project meets all requirements for a wireless telecommunication facility in a commercial zone; adding that the water tower design, with the Horsetown USA trademark logo, will be a fixture for the City. Staff recommends approval.

Chair Leonard OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Joe Fernandes, property owner, stated his support of the project.

Chair Leonard CLOSED the public hearing, bringing the discussion back to the Commission.

Member Rigler stated his preference to this option over a previous request. In response to Member Rigler, Director King stated that the property owner will maintain the design as a stipulation of approval, confirming that FCC approves the location.

In response to Vice Chair Hoffman, the Verizon representative explained the testing requirements and that a tech visits the sites frequently, adding that FCC can also do its own visit to verify that the tower is kept at the proper frequency.

M/S Jaffarian/Hoffman to adopt Resolution 2015-33, to approve Conditional Use Permit 2015-02, to allow the installation of an unmanned wireless telecommunication facility designed as a water tank on property located at the northwest corner of Second Street and south Four Wheel Drive (APN 126-130-022).

AYES: Leonard, Hoffman, Hedges, Jaffarian, Rigler Motion Passed

- B. **Conditional Use Permit 2015-10** (Gould): A request for approval to allow a detached accessory building consisting of a 2,000 square-foot garage and storage building at 5153 Bluff Street located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. She stated that a member of the Architectural Review Subcommittee (ARC) expressed concern regarding the size of the structure, but no suggestion was offered. As proposed, the project meets requirements. Staff recommends approval.

In response to Member Rigler, Senior Planner Robles confirmed that the property has a slight grade but the grounds are flat at the rear of the property.

Chair Leonard OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Mr. Gould, applicant, confirmed that he sold a horse corral that was on the property, and noted that the metal container's use would be to store personal tools.

Chair Leonard CLOSED the public hearing, bringing the discussion back to the Commission.

M/S Jaffarian/Hoffman to adopt Resolution 2015-31, to approve Conditional Use Permit 2015-10, to allow a detached accessory building consisting of a 2,000 square-foot garage and storage building at 5153 Bluff Street.

AYES: Leonard, Hoffman, Hedges, Jaffarian, Rigler Motion Passed

6. BUSINESS ITEM:

- A. **Site Plan 2015-13** (Robert's Construction): A request for approval to allow a detached accessory building consisting of a 720 square-foot garage at 2550 Sierra Avenue located within the A-1-20 (Agricultural Low-Density) Zone. **Recommended Action: Approval** (Senior Planner)

Chair Leonard recused himself due to his relation to the project as its contractor.

Senior Planner Robles presented the staff report on file in the Planning Department. As proposed meets the requirements, staff recommends approval.

M/S Hedges/Rigler to adopt Resolution 2015-32, to approve Site Plan 2015-13, to allow a detached accessory building consisting of a 720 square-foot garage at 2550 Sierra Avenue.

AYES: Hoffman, Hedges, Jaffarian, Rigler Motion Passed

ABSTAIN: Leonard (due to his relation to the project)

- B. **Site Plan 2015-10** (Donaldson): A request for approval to allow a detached accessory building consisting of 600 square-foot horse corral shade structure at 119 Breeders Cup Place located within the Norco Ridge Ranch Specific Plan (NRRSP). **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. She explained that the structure will be entirely within the Primary Animal Keeping Area (PAKA) but has the required setbacks. Staff recommends approval.

Vice Chair Hoffman stated that he visited the property and questioned the archway, as the Norco Municipal Code does not allow it. In response, Senior Planner Robles was unaware as to who placed it or when it was added.

Chair Leonard invited the public to speak.

Mr. Donaldson, applicant, stated that the archway was part of a prior landscape application, which was previously approved; adding that it is not part of this application.

Chair Leonard brought discussions back to the Commission.

M/S Jaffarian/Hedges to adopt Resolution 2015-29, to approve Site Plan 2015-10, to allow a detached accessory building consisting of a 600 square-foot horse corral shade structure at 119 Breeders Cup Place.

AYES: Leonard, Hoffman, Hedges, Jaffarian, Rigler Motion Passed

Under discussion:

Member Jaffarian commended the project.

- C. **Site Plan 2015-07** (Cadena): A request for approval to allow a detached accessory building consisting of a 600 square-foot barn at 3201 Cavaletti Lane located within the Norco Ridge Ranch Specific Plan (NRRSP).

Recommended Action: Approval (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. She stated that as presented, the project meets requirements. Staff recommends approval.

Commission Members noted concerns with the look, the location, lack of windows and the number of inside electrical plugs.

Member Jaffarian stated that the plans are not clear of its purpose for animal use, it appears more like a garage, and is situated in the middle of an animal keeping area. Adding that he cannot support this project as presented.

Vice Chair Hoffman concurred, suggested to deny without prejudice.

The remaining Commission agreed with the previous remarks and suggestion.

M/S Jaffarian/Hedges to deny the project, without prejudice, to allow the applicant to revise or relocate the accessory building based on Commission input.

AYES: Leonard, Hoffman, Hedges, Jaffarian, Rigler Motion Passed

Under discussion:

Member Jaffarian stated the applicant needs to show that this accessory building is for animal keeping by displaying details for boarding animals, feed storage, etc.

- D. **Site Plan 2015-09** (Tuff Shed): A request for approval to allow a detached accessory building consisting of a 720 square-foot garage at 1850 Parkridge Avenue located within the A-1-20 (Agricultural Low-Density Zone).
Recommended Action: Approval (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. Staff recommends approval.

M/S hedges/rigler to adopt Resolution 2015-27, to approve Site Plan 2015-09, to allow a detached accessory building consisting of an 720 square-foot garage at 1850 Parkridge Avenue.

AYES: Leonard, Hoffman, Hedges, Jaffarian, Rigler Motion Passed

- E. **Site Plan 2015-12** (Bartz): A request for approval to allow a detached accessory building consisting of a 730 square-foot horse shelter at 1501 Andalusian Drive located within the Norco Ridge Ranch Specific Plan (NRRSP). **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. Requirements are met. Staff recommends approval.

M/S Jaffarian/Hoffman to approve Resolution 2015-30, to approve Site Plan 2015-12, to allow a detached accessory building consisting of a 730 square-foot horse shelter at 1501 Andalusian Drive.

AYES: Leonard, Hoffman, Hedges, Jaffarian, Rigler Motion Passed

7. CITY COUNCIL MINUTES: **Received and Filed**

- City Council Special Meeting/Budget Workshop May 6, 2015
- City Council Regular Meeting of May 6, 2015

8. PLANNING COMMISSION:

A. Oral Reports from Various Committees

- Member Hedges shared highlights from the recent Ad-Hoc Committee meeting, Monday, June 8, 2015. The next scheduled meeting will be July 7, 2015, to finalize the report to be presented to the City Council.

B. Request for Items on Future Agenda (within the purview of the Commission):
None

9. ADJOURNMENT: Chair Leonard adjourned the meeting at **8:00 PM**

CITY OF NORCO STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Steve King, Planning Director

DATE: July 8, 2015

SUBJECT: **Zone Code Amendment 2015-03 (City):** An amendment to Chapter 18.15 – R-1 (Residential-Single Family) zone of the Norco Municipal Code, to establish animal-keeping standards.

RECOMMENDATION: Continue off-calendar.

BACKGROUND: Staff has received the information from surrounding communities on how the keeping of small animals is regulated. More time is needed to prepare the information in a format that will allow the Planning Commission to do its analysis and make a comprehensive recommendation. It is anticipated that this item will be re-advertised for the August 12, 2015 meeting.

CITY OF NORCO STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: July 8, 2015

SUBJECT: Conditional Use Permit 2015-15 (Purlinsky): A request for approval to allow two detached accessory buildings consisting of a 1,215 square-foot workshop and a 1,794 square-foot carport at 5142 Viceroy Avenue located within the A-1-20 (Agricultural Low Density) Zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2015-39 approving Conditional Use Permit 2015-15.

Conditional Use Permit 2015-15 is a request for approval to allow two detached accessory buildings consisting of a 1,215 square-foot workshop and a 1,794 square-foot carport at 5142 Viceroy Avenue (ref. Exhibit "A" – Location Map). The property consists of about .58 acres/25,265 square-feet and is developed with a single family residence and detached accessory buildings (ref. Exhibit "B" – APN Map and Exhibit "C" – Aerial and Site Photo).

The proposed workshop was started without permits and the applicant was ordered to stop until all required permits are obtained. It is not sure how long the carport has been on the property as there are no permits on file. The applicant claims the carport building was there before he bought the property. Staff was made aware of these buildings via a complaint, and as a result there is an active Code case on the property. The applicant has started the permitting process to legalize the structures, which begins with the submittal of an application for approval of a conditional use permit for both buildings.

The applicant was issued a citation which has been paid, and no further citations will be issued provided the applicant follows through with obtaining all permits.

Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. The site plan and building elevations for the subject buildings are attached (ref. Exhibit "D" – Site Plan and Exhibit "E" – Actual Pictures/Building Elevations). The workshop building consists of metal/steel construction and will be painted to complement the existing house in color. The carport building consists of two different structures connected together. A 520 square foot metal structure with a cream color, and a 1,274 square-foot wood-framed building with a metal roof and with cream colored siding on the east side, make up the 1,794 carport building.

The following is required of accessory buildings in the A-1-20 Zone:

- The minimum setbacks of 5 feet from property lines and 10 feet from any other structure are required for accessory buildings. **Both buildings will meet these requirements.**

- The maximum height of any accessory structure that exceeds 864 square feet is 20 feet, or as approved by the Planning Commission. **The workshop has a height of about 14 feet 2 inches tall. The metal portion of the carport building is 17 feet tall, and the wood framed portion is about 9 feet, 4 inches tall. Both buildings do not exceed the allowed maximum height.**
- The maximum lot coverage of all structures shall be not more than 40% of the total pad area. The pad area is defined as the “flat” part of the lot (4% grade or less). **The subject property is approximately 25,265 square feet, and about 22,253 of the property has an average grade of 4% grade or less. The pad coverage for the property is approximately 25%, which takes into account the existing and proposed structures.**
- A contiguous open animal area must be shown on the site plan which must be rectangular in shape with a minimum of 24 feet on any side. The total open area must be equal to the allowed number of animal units multiplied by 576 square feet. **Based on the size of the property, a total of 6 animal units would be allowed which would require an open area of at least 3,456 square-feet. There is a contiguous open area of over 3,456 square-feet behind the house, down toward the rear of the property, and south of the subject structures.**

The project was provided to the Architectural Review Sub-Committee (ARC). One member of the ARC indicated that placement of the buildings appeared “ok”, but that the appearance was industrial. The ARC member requested that staff ask the applicant what opportunities exist to make the buildings blend better with the residential, and to make the buildings look less fragmented. Staff asked the applicant, who indicated that the workshop building will be painted to complement the house, and that the east side of the carport structure can be enhanced (by adding more siding) since it’s the most visible from the house. No other architectural treatments were proposed. Should the Commission approve the project and determine that more architectural treatments/enhancements are needed, staff is recommending that a condition be added to require that the applicant work with staff and the ARC for final approval architectural revisions.

Comments from the other member of the ARC were not received in time to be included in this report.

As proposed, the project meets the minimum zoning requirements for accessory buildings over 864 square feet. Based on this, a recommendation for approval can be made. Resolution 2015-39 for approval of Conditional Use Permit 2015-15 has been attached, should the Planning Commission concur with staff and approve the project.

/adr

Attachments: Resolution 2015-39
 Exhibit “A” – Location Map
 Exhibit “B” – Assessor’s Parcel Map
 Exhibit “C” – Aerial and Site Photos
 Exhibit “D” – Site Plan
 Exhibit “E” – Actual Pictures / Building Elevations

RESOLUTION NO. 2015-39

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO APPROVING A CONDITIONAL USE PERMIT TO ALLOW TWO DETACHED ACCESSORY BUILDINGS CONSISTING A 1,215 SQUARE-FOOT WORKSHOP AND A 1,794 SQUARE-FOOT CARPORT AT 5142 VICEROY AVENUE LOCATED WITHIN THE A-1-20. (CONDITIONAL USE PERMIT 2015-15)

WHEREAS, an application to the City of Norco, California has been submitted for a conditional use permit under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code by NIKOLAI PURLINSKY for property located at 5142 Viceroy Avenue (APN 153-062-009); and

WHEREAS, notice of a public hearing on said petition has been given in the manner and for times required by law; and

WHEREAS, at the time set, at 7 p.m. on July 8, 2015 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is exempt from environmental assessment.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

- A. The requested Conditional Use Permit will not adversely affect the general welfare of persons residing or working in the neighborhood thereof.
- B. The requested use will not adversely affect the adjoining land uses.
- C. The size and shape of the site proposed for the use is adequate to allow full development of the proposed use.
- D. The traffic generated by the proposed use will not impose an undue burden.
- E. The City of Norco, acting as lead agency, has determined that the project is categorically exempt from environmental assessment per Section 3.13, Class 3 of the City of Norco Environmental Guidelines.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled July 8, 2015 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "D" – Site Plan and Exhibit "E" –Building Elevations dated May 4, 2015 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of this permit.
4. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.
6. The applicant shall obtain building permits and pay all applicable fees for both structures. No further construction is allowed until all applicable permits are issued.
7. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.

8. A home occupation business shall not be permitted from both buildings.
9. Both buildings shall complement the existing house in color.
10. This approval is for an accessory buildings consisting of a workshop and carport building. It is hereby established that it shall be grounds for revocation of this conditional use permit if the property owner has:
 - A. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or
 - B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.
11. Building permits for this accessory building are issued within the confines of this Conditional Use Permit. Any violation of a condition resulting in a revocation of this Conditional Use Permit may result in an order to remove the accessory building at the owner's expense.

##

Resolution No. 2015-39
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PASSED AND ADOPTED by the Planning Commission at a regular meeting held on July 8, 2015.

Robert Leonard, Chairman
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

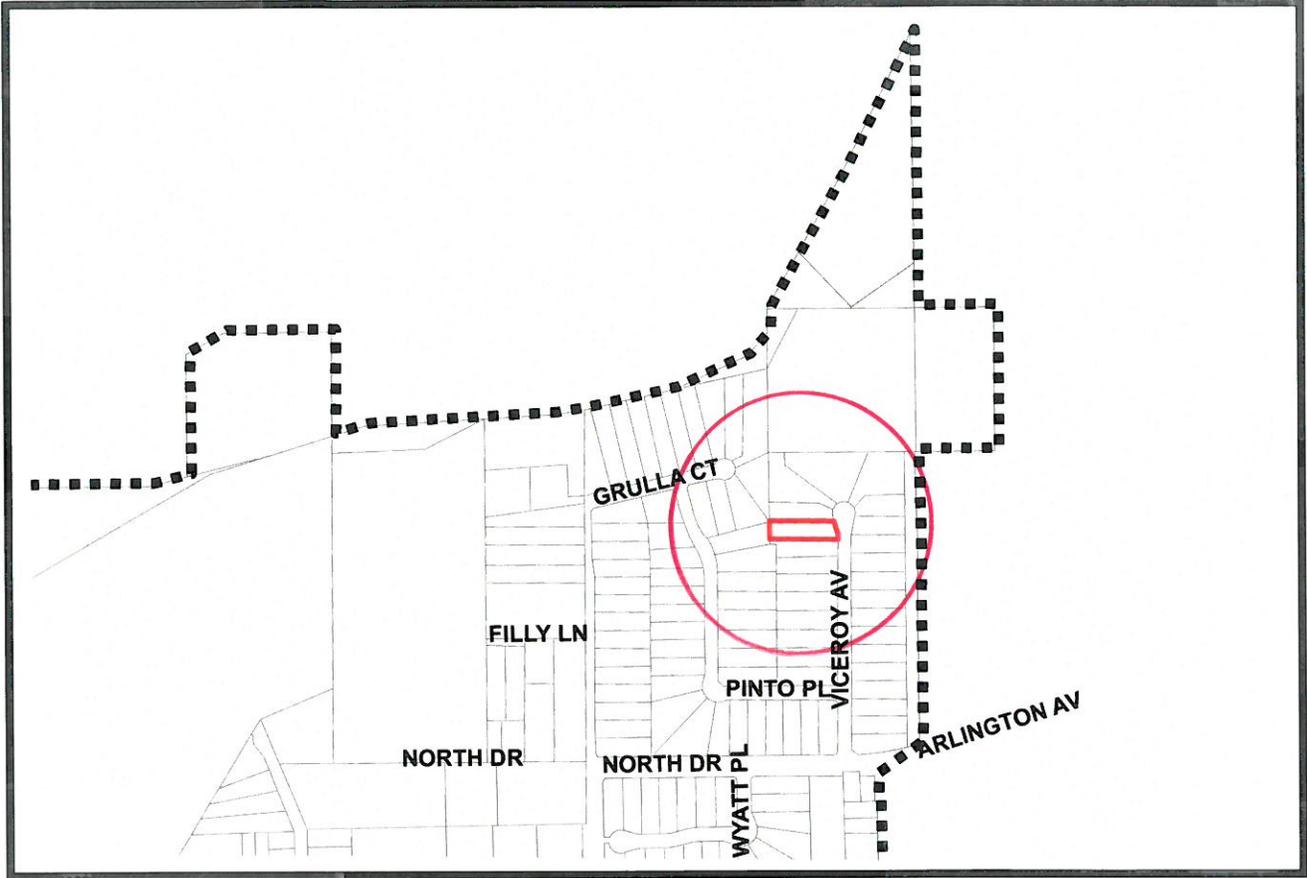
I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on July 8, 2015 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale

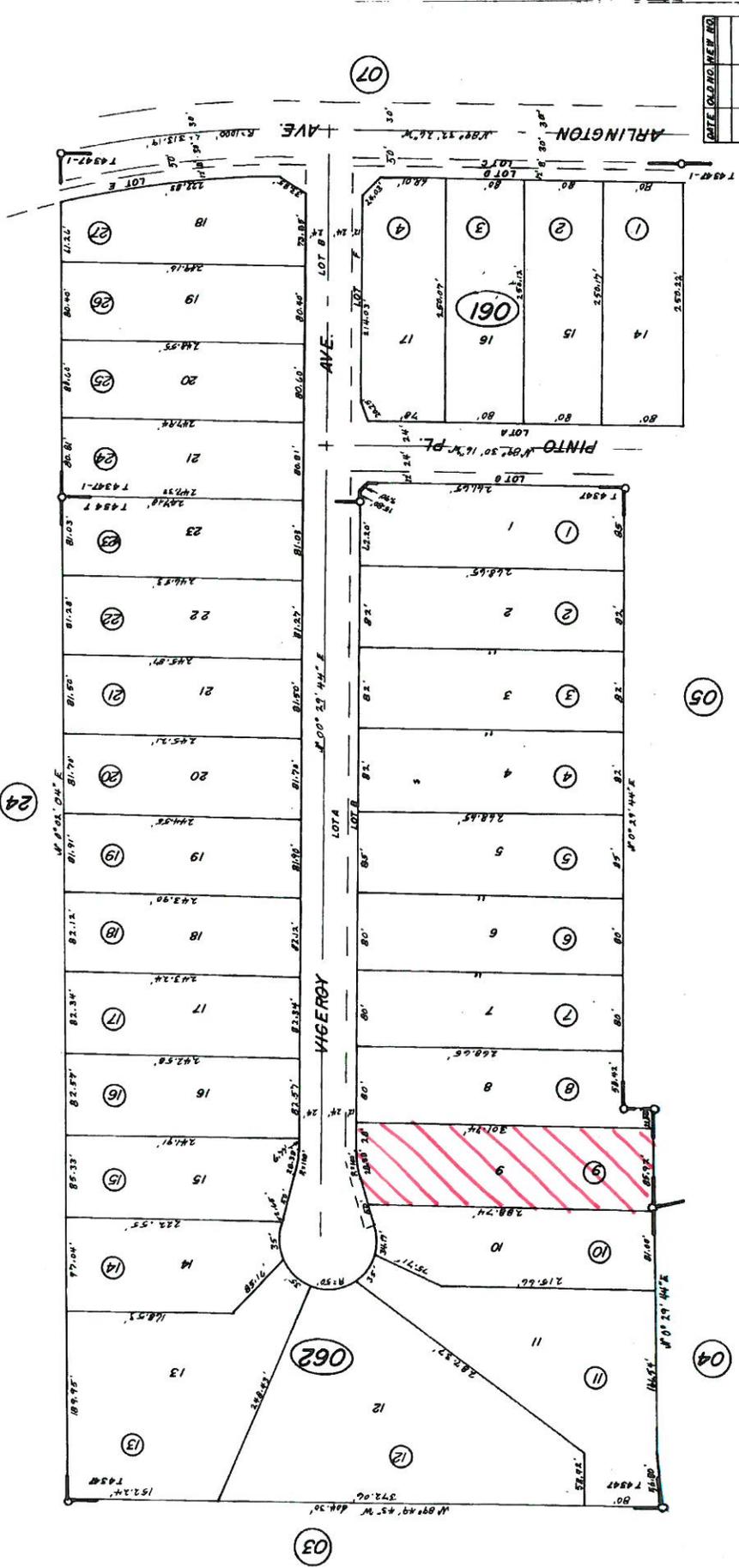


PROJECT: Conditional Use Permit 2015-15
APPLICANT: Nikolai Purlinsky
LOCATION: 5142 Viceroy Avenue

Exhibit "A"

ASSESSOR'S PARCEL MAP

FOR CITY OF NORCO



M.B. 76/30-31 Tract No. 4347-1
M.B. 80/23-24 Tract No. 4347

AUG. 1974

ASSESSOR'S MAP BK. 153 PG. 06
RIVERSIDE COUNTY CALIF.

Exhibit "B"

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: July 8, 2015

SUBJECT: Conditional Use Permit 2015-16 (Swank): A request for approval to allow a detached accessory building consisting of a 1,500 square-foot storage building at 2470 Vine Avenue located within the A-1-20 (Agricultural Low Density) Zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2015-36 approving Conditional Use Permit 2015-16.

Conditional Use Permit 2015-16 is a request for approval to allow an accessory building consisting of a 1,500 square-foot storage building at 2470 Vine Street (ref. Exhibit "A" – Location Map). The property consists of about .46 acres/20,000 square-feet and is developed with a single family residence and accessory buildings (ref. Exhibit "B" – APN Map and Exhibit "C" – Aerial and Site Photo).

Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. The site plan and building elevations for the proposed building are attached (ref. Exhibit "D" – Site Plan and Exhibit "E" – Building Elevations). The building is proposed to be of metal/steel construction and will complement the existing house in color.

The following is required of accessory buildings in the A-1-20 Zone:

- The minimum setbacks of 5 feet from property lines and 10 feet from any other structure are required for accessory buildings. **The proposed building will meet these requirements.**
- The maximum height of any accessory structure that exceeds 864 square feet is 20 feet, or as approved by the Planning Commission. **The structure is proposed with a height of about 15 feet 3 inches as measured to the peak of the roof.**
- The maximum lot coverage of all structures shall be not more than 40% of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less). **The subject property is approximately 20,000 square feet, and at least 17,000 square feet of the property has an average grade of 4% grade or less. The pad coverage for the property is approximately 24%, which takes into account the existing and proposed structures. (Note: the existing accessory buildings located at the rear of the property were not counted in lot coverage since the applicant has indicated that they will be demolished.)**
- A contiguous open animal area must be shown on the site plan which must be rectangular in shape with a minimum of 24 feet on any side. The total open area must be equal to the allowed number of animal units multiplied by 576 square feet. **Based on the size of the property, a total of 5 animal units would be allowed which would require an open area of at least 2,880 square-feet. There will be an open area of over 2,880**

RESOLUTION NO. 2015-36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO APPROVING A CONDITIONAL USE PERMIT TO ALLOW A DETACHED ACCESSORY BUILDING CONSISTING OF A 1,500 SQUARE-FOOT STORAGE BUILDING AT 2470 VINE AVENUE LOCATED WITHIN THE A-1-20 ZONE. (CONDITIONAL USE PERMIT 2015-16)

WHEREAS, an application to the City of Norco, California has been submitted for a conditional use permit under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code by JEFF SWANK for property located at 2470 Vine Avenue (APN 129-142-015); and

WHEREAS, notice of a public hearing on said petition has been given in the manner and for times required by law; and

WHEREAS, at the time set, at 7 p.m. on July 8, 2015 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is exempt from environmental assessment.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

- A. The requested Conditional Use Permit will not adversely affect the general welfare of persons residing or working in the neighborhood thereof.
- B. The requested use will not adversely affect the adjoining land uses.
- C. The size and shape of the site proposed for the use is adequate to allow full development of the proposed use.
- D. The traffic generated by the proposed use will not impose an undue burden.
- E. The City of Norco, acting as lead agency, has determined that the project is categorically exempt from environmental assessment per Section 3.13, Class 3 of the City of Norco Environmental Guidelines.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled July 8, 2015 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "D" – Site Plan and Exhibit "E" –Building Elevations dated May 14, 2015 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of this permit.
4. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.
6. The applicant shall obtain building permits and pay all applicable fees before beginning construction of the structure on the subject property.
7. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.
8. A home occupation business shall not be permitted from the subject building.

9. The subject building shall complement the existing house in color.
10. This approval is for an accessory building consisting of a storage building. It is hereby established that it shall be grounds for revocation of this conditional use permit if the property owner has:
 - A. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or
 - B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.
11. Building permits for this accessory building are issued within the confines of this Conditional Use Permit. Any violation of a condition resulting in a revocation of this Conditional Use Permit may result in an order to remove the accessory building at the owner's expense.
12. All of the existing accessory building located at rear of the property shall be demolished (with any applicable demolition permits) before the building permit for the subject building is issued.

##

Resolution No. 2015-36
Page 4
July 8, 2015

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on July 8, 2015.

Robert Leonard, Chairman
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

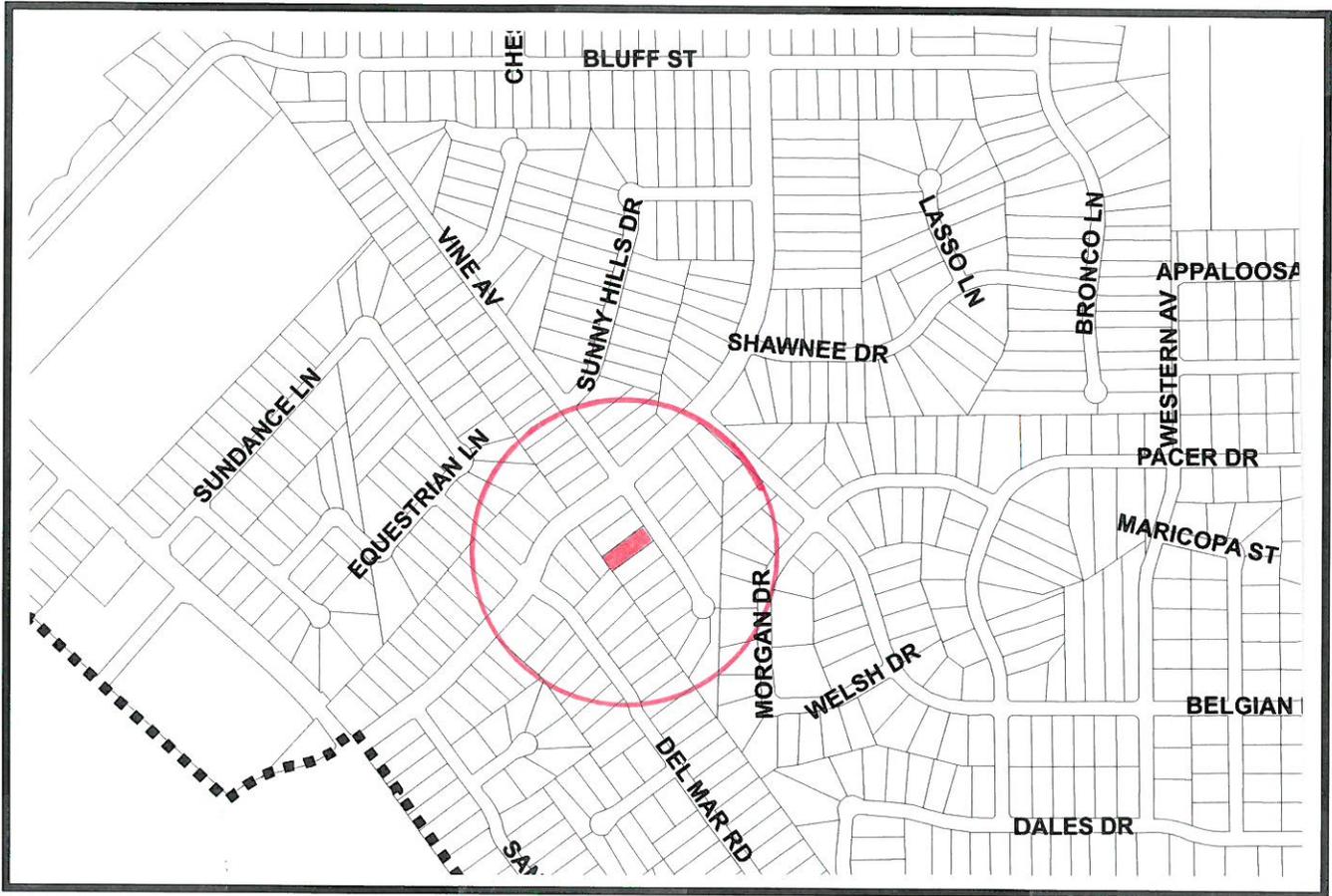
I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on July 8, 2015 by the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale

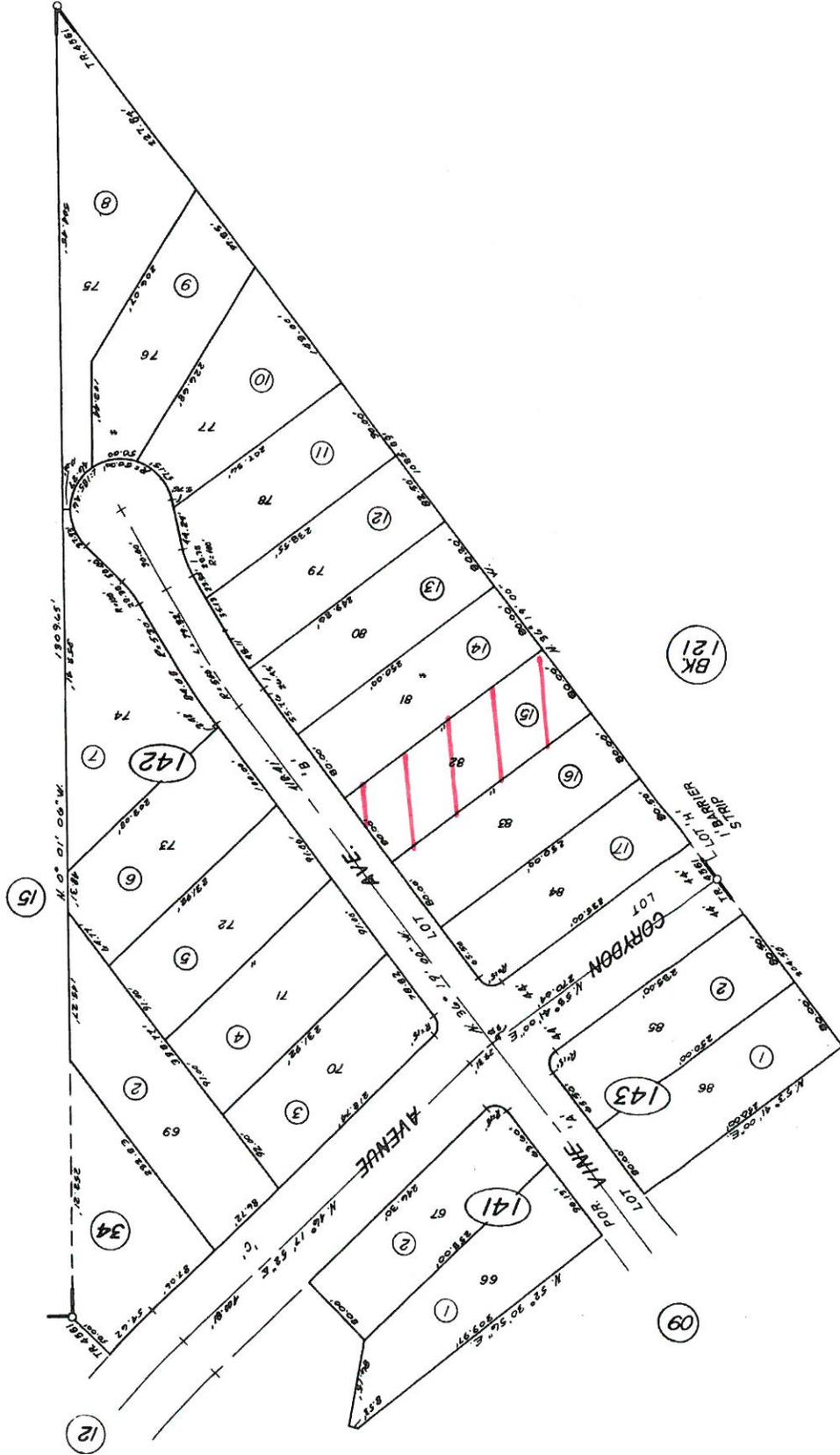


PROJECT: Conditional Use Permit 2015-16
APPLICANT: Jeff Swank
LOCATION: 2470 Vine Avenue

Exhibit "A"

ASSESSOR'S PARCEL MAP

POR. CITY OF NORCO



ASSESSOR'S MAP BK. 129 PG. 14
RIVERSIDE COUNTY, CALIF.

Exhibit "B"

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: July 8, 2015

SUBJECT: **Variance 2015-02 (Cordero):** A request for a variance from the 100-foot rear yard setback requirement of Chapter 18.13 (A-1 Zone) of the Norco Municipal Code, to allow the construction of a residential home with a minimum rear yard setback of about 33 feet, on a vacant parcel identified with the Assessor's Parcel Number of 125-030-057, located on the west side of Valley View Avenue and south of Third Street, and within the A-1-20 (Agricultural Low Density) Zone.

RECOMMENDATION: Adopt Resolution 2015-36, approving Variance 2015-02.

SUMMARY: Variance 2015-02 is a request for a variance from the 100-foot rear yard setback requirement of the A-1 Zone, to allow the construction of a residential home with a minimum rear yard setback of about 33 feet, on a vacant parcel identified with the Assessor's Parcel Number of 125-030-057 (ref. Exhibit "A" – Location Map).

SITE DESCRIPTION: The subject property is an irregular-shaped parcel consisting of approximately 42,688 square feet, having a frontage (and width) on the west side of Valley View Avenue of about 479 feet and a maximum depth of about 143 feet (ref. Exhibit "B" APN Map).

The lot meets the minimum lot size of 20,000 square feet, the minimum lot frontage of 80 feet of the, but not the minimum depth of 200 feet required in the A-1 Zone. The property has a non-conforming depth being about 143 feet on the south end, then is reduced to about 22 feet on the north end.

The site is presently vacant and undeveloped, and is relatively flat with no significant vegetation. Street improvements have not been completed in front of the site (ref. Exhibit "C" – Photos).

PROJECT DESCRIPTION: This project is a request for a variance from the required 100-foot rear yard setback in the A-1 zone, to allow the construction of a single-family dwelling with a 33-foot rear yard setback (ref. Exhibit "D" – Site Plan which notes a rear yard setback of 33 feet 1 inch to be exact).

The site plan submitted shows a conceptual foot print of a home with an attached garage and a small patio attached to the rear of the home. The future dwelling will be constructed to meet all setback requirements (front and side yard setbacks) with the exception of the rear yard, for which the subject variance is being requested.

PROJECT REVIEW STATUS:

Project Review Board (PRB): The proposed project was considered by the PRB at a meeting held May 22, 2015. The PRB had few comments regarding the project, which have been addressed either on the site plan or the proposed conditions of approval for the project.

Environmental Review: City staff has determined that the project is categorically exempt from the provisions of the Norco Environmental Guidelines pursuant to Section 3.13, Class 5 – Minor Alterations in Land Use Limitations.

EVALUATION/DISCUSSION: As the Planning Commission is aware, prior to granting any variance, the following findings are required to be made and addressed:

1. *There are special characteristics attached to the subject property, which do not generally apply to other properties in the area.*

The property has special characteristics that do not generally apply to other properties in the area. The property has a maximum lot depth of about 143 feet on the south end, which is then reduced to about 22 feet on the north end (average depth of only 82 feet between the two side property lines). The minimum lot depth requirement in the A-1 Zone is 200 feet but the subject property falls substantially below this requirement. As such, the property is characterized with a substandard and non-conforming lot depth.

In addition, the property is unique in that the large frontage (approximately 479 feet) and the nonconforming lot depth create a “triangular-shaped” property where the bulk of land is available in width as opposed to depth. This characteristic is not the norm in the A-1 zone where lots are rectangular and the bulk of land is in depth and not in width. This unique characteristic of the property creates a situation where it’s impossible to construct a home without encroaching into the required 100-foot rear yard setback.

2. *Granting of the variance is necessary to avoid practical difficulty, undue hardship, or results inconsistent with the general purpose of the Zoning Code.*

The variance is necessary to avoid practical difficulty and undue hardship for without the variance, a single-family residence cannot be constructed on the site. The requested variance from the rear yard setback requirement is reasonable do to the unique shape and substandard characteristics of the lot. If the lot was conforming in shape and depth, a variance would not be necessary.

3. *Granting of the variance will not result in material damage or prejudice to other properties in the vicinity, nor be detrimental to the public health, safety, or welfare.*

The granting of the variance would not result in prejudice to the other properties in the vicinity and would not give a special privilege to the subject property. Unlike the subject

lot, other vacant properties in the A-1 Zone with conforming characteristics can be developed to meet the required rear yard setback. In addition, all property owners within the A-1 Zone have the right to apply and have a variance approved if conditions warrant the approval. Furthermore, the granting of the variance will not be detrimental to the public health, safety or welfare, as the applicant will be required to obtain building permits for all construction improvements.

4. *Granting of the variance will not be detrimental or contrary to the General Plan.*

The granting of the variance would not be contrary to the City's General Plan, as the general plan designation for the subject property is "Residential Agricultural" and the zoning designation of A-1-20 of the property is consistent with the General Plan that allows residential and associated structures.

The Planning Commission has directed staff to make the following additional finding prior to granting a variance.

5. *Granting of the variance will not limit animal keeping on the subject lot.*

The granting of the variance will not limit animal keeping on the lot. Based on the size of the property (42,688 square feet), 10 animal units would be allowed. Excluding the square footage for the foot print of the future residence and the 25-foot setback along the entire property frontage, the remaining open land would be at least 27,000 square feet. A minimum area 576 square-foot per animal unit is required in the approval of accessory buildings. If this same standard is applied for the subject variance, 5,760 square feet would be required and can be provided. Limitations (if any) on the actual location of animal keeping on the lot would be a result of the unique configuration of the lot, and not the rear yard variance being requested.

The City Attorney has indicated that in granting a rear yard variance, the City can require a Primary Animal-Keeping Area (PAKA); however, staff is recommending that a PAKA not be required for this property. This recommendation is based on the fact that the lot was not created/configured to accommodate a PAKA (which was intended for new subdivisions).

CONCLUSION: Staff believes that the findings can be made for granting the subject variance due to the configuration and non-conforming characteristics of the property. Staff is recommending that the Planning Commission adopt Resolution 2015-36 approving Variance 2015-02.

/adr

Attachments: PC Resolution 2015-36
Exhibit "A" – Location Map
Exhibit "B" – APN Map
Exhibit "C" – Aerial and Site Photos
Exhibit "D" – Site Plan

RESOLUTION NO. 2015-36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO, CALIFORNIA GRANTING WITH CONDITIONS A VARIANCE FROM THE REAR YARD SETBACK REQUIREMENT IN THE NORCO MUNICIPAL CODE SECTION 18.13.16 (YARD SPACES) TO ALLOW THE CONSTRUCTION OF A RESIDENTIAL HOME WITH A MINIMUM REAR YARD SETBACK OF ABOUT 33 FEET, ON A VACANT PARCEL IDENTIFIED WITH THE ASSESSOR'S PARCEL NUMBER OF 125-030-057 AND WITHIN THE A-1-20 (AGRICULTURAL LOW DENSITY) ZONE. VARIANCE 2015-02

WHEREAS, JOSE CORDERO submitted an application to the City of Norco, California, for a variance under provisions of Title 18 of the Norco Municipal Code, on property generally described as:

That portion of Lot 4 in Block 6 of Riverside Orange Heights Tract, as shown by map on file in book 6 page 74 of Maps, Records of Riverside County, California.

More generally described as an irregular-shaped area of about 0.98 acres, having a frontage of about 479 feet on the west side Valley View Avenue, having maximum lot depth of about 143 feet, and being further identified with the Assessor's Parcel Number of APN 125-030-057)

WHEREAS, said application for a variance was submitted to the City of Norco Planning Commission for decision and scheduled for a public hearing on or about 7 p.m. on July 8, 2015 in the City Council Chambers, 2820 Clark Avenue, Norco, California, 92860; and

WHEREAS, notice of public hearing on said variance was given in the manner and for times required by law; and

WHEREAS, at the time and place set, said Planning Commission did hold a public hearing to consider the aforesaid variance and did receive both oral and written testimony pertaining to the said application; and

WHEREAS, the proposed variance on file with the Planning Division is consistent with the City's General Plan; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is categorically exempt from environmental assessment; and

WHEREAS, after the close of said hearing and deliberation, the Planning Commission did find and determine by formal action based on the evidence presented to the Commission during the said hearing as follows:

I. FINDINGS:

A. The property has special characteristics that do not generally apply to other properties in the area. The property has a maximum lot depth of about 143 feet on the south end, which is then reduced to about 22 feet on the north end (average depth of only 82 feet between the two side property lines). The minimum lot depth requirement in the A-1 Zone is 200 feet but the subject property falls substantially below this requirement. As such, the property is characterized with a substandard and non-conforming lot depth.

In addition, the property is unique in that the large frontage (approximately 479 feet) and the nonconforming lot depth create a “triangular-shaped” property where the bulk of land is available in width as opposed to depth. This characteristic is not the norm in the A-1 zone where lots are rectangular and the bulk of land is in depth and not in width. This unique characteristic of the property creates a situation where it’s impossible to construct a home without encroaching into the required 100-foot rear yard setback.

B. The variance is necessary to avoid practical difficulty and undue hardship for without the variance, a single-family residence cannot be constructed on the site. The requested variance from the rear yard setback requirement is reasonable do to the unique shape and substandard characteristics of the lot. If the lot was conforming in shape and depth, a variance would not be necessary.

C. The granting of the variance would not result in prejudice to the other properties in the vicinity and would not give a special privilege to the subject property. Unlike the subject lot, other vacant properties in the A-1 Zone with conforming characteristics can be developed to meet the required rear yard setback. In addition, all property owners within the A-1 Zone have the right to apply and have a variance approved if conditions warrant the approval. Furthermore, the granting of the variance will not be detrimental to the public health, safety or welfare, as the applicant will be required to obtain building permits for all construction improvements.

D. The granting of the variance would not be contrary to the City's General Plan, as the general plan designation for the subject property is “Residential Agricultural” and the zoning designation of A-1-20 of the property is consistent with the General Plan that allows residential and associated structures.

E. The granting of the variance will not limit animal keeping on the lot. Based on the size of the property (42,688 square feet), 10 animal units would be allowed. Excluding the square footage for the foot print of the future residence and the 25-foot setback along the entire property frontage, the remaining open land would be at least 27,000 square feet. A minimum area 576 square-foot per animal unit is required in the approval of accessory buildings. If this same standard is applied for the subject variance, 5,760 square feet would be required and can be provided. Limitations (if any) on the actual location of animal keeping on the lot would be a result of the unique configuration of the lot, and not the rear yard variance being requested.

II. DETERMINATION:

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in regular session assembled July 8, 2015 that the aforesaid application for a variance is hereby granted subject to the following conditions:

1. Approval is based on Exhibit "D" – Site Plan dated June 8, 2015 incorporated herein by reference, and on file with the Planning Division. Development shall remain as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division, for record purposes, written evidence of agreement with all conditions of this approval before said permit becomes effective.
3. The project shall be in compliance with the City of Norco Municipal Codes, Ordinances, and Resolutions. Noncompliance with any provisions of the Norco Municipal Code not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.
4. The applicant shall comply with all the requirements of the Planning, Engineering, Building Divisions; and the Fire and Sheriff's Departments and all other applicable departments and agencies for development of the site.
5. The applicant shall apply for all necessary building permit applications and the applicant shall pay all applicable City of Norco development fees prior to issuance of any permits for development of the site.
6. This is not an approval to begin work. No work shall be commenced until proper permits have been issued by the Building and Engineering Divisions and all other applicable departments.

7. With development of the site off-site street improvements shall be required on Valley View Avenue along with the submittal of street improvement plans, in accordance to the City's Engineering Standards. Cash in-lieu of street improvements shall be allowed only at the discretion of the Public Works/Engineering Director.

8. The storm drain easement depicted on the Site Plan Exhibit "D" – Site Plan dated June 8, 2015 shall be dedicated and recorded in favor of the City, within six months of this approval or before building permits are issued for development of the site, whichever is less.

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Resolution No. 2015-36
Page 5
July 8, 2015

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held on July 8, 2015.

Robert Leonard, Chairman
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

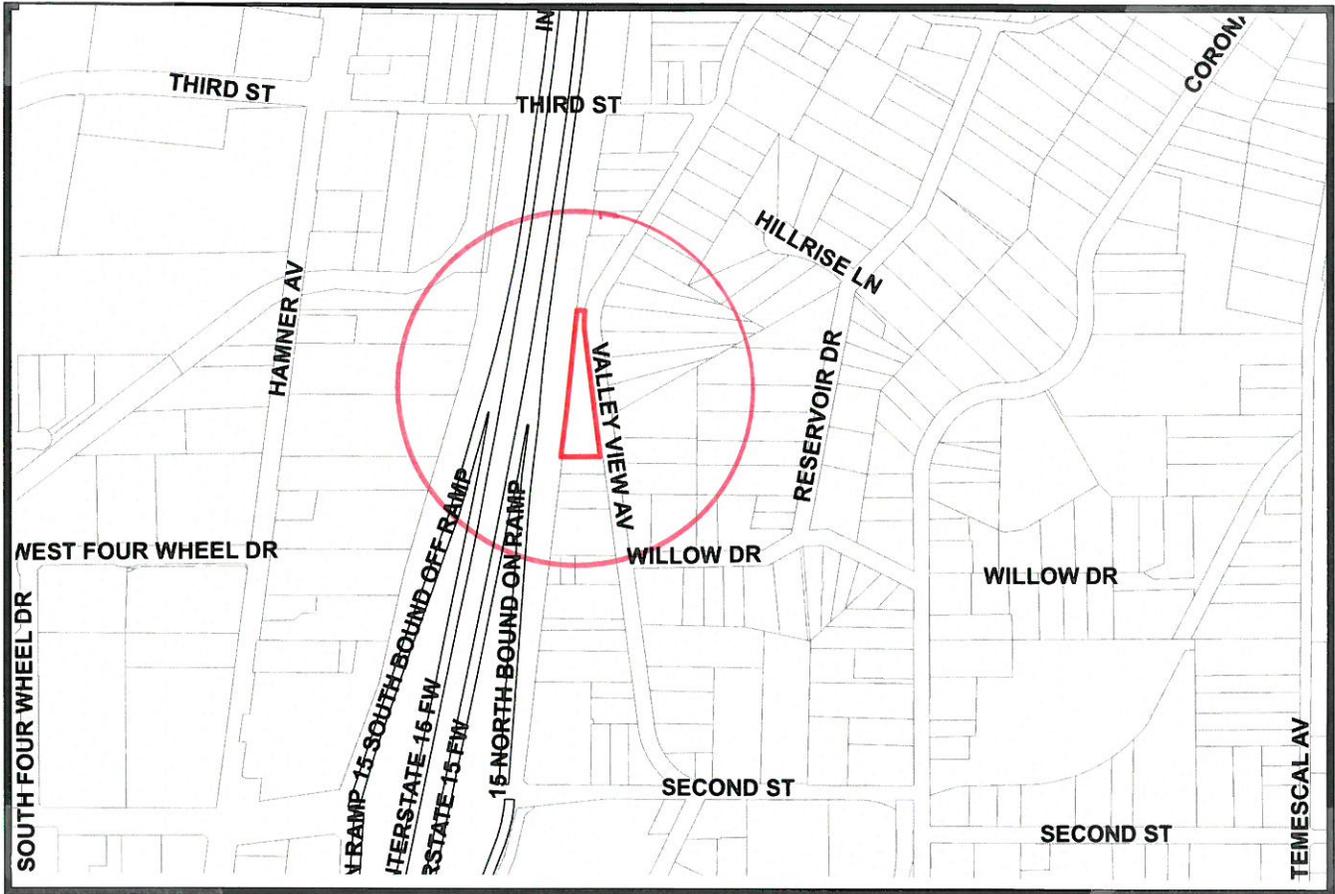
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on July 8, 2015 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale



PROJECT: Variance 2015-02
APPLICANT: Jose Cordero
LOCATION: Vacant parcel located on the west side of Valley View Avenue between Second and Third Streets (APN 125-030-057)

Exhibit "A"

CITY OF NORCO STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Planning Division

PREPARED BY: Steve King, Planning Director

DATE: July 8, 2015

SUBJECT: Zone Code Amendment 2015-05; C-4 Zone Allowed Uses

RECOMMENDATION: Adopt Resolution 2015-35 recommending to the City Council that Zone Code Amendment 2015-05 be approved.

SUMMARY: This is the first phase of a planned update and revision to the C-4 zone to improve economic opportunities on Sixth Street and encourage more retail development. This phase is a proposed revision to the list of permitted uses that are currently allowed in the C-4 zone to broaden and redefine the categories, and eliminate the specificity, thereby allowing more retail uses by inclusion.

PROJECT DESCRIPTION/BACKGROUND: As its first goal the Working Group set out to make the C-4 zone more development friendly, spur more development opportunities and maintain the animal-keeping retail and western theme focus given the parameters of existing site development constraints. This item was discussed at the July 10 and August 14, 2013 Planning Commission meetings before being tabled at the September 11, 2013 meeting. At the September 11, 2013 meeting there had been general agreement on the proposed changes to the list of permitted uses.

For those meetings the staff reports had also contained an exhibit with proposed changes to the main text of the C-4 zone chapter. Some of those changes were recommended by staff to clarify the intent of the C-4 zone. Other sections of the C-4 zone chapter had been highlighted for discussion and input from the Planning Commission regarding possible changes to achieve the original goals that had been set by the Working Group. At the April 8, 2015 meeting the project was broken into two phases. The first phase is a recommendation on and amendment to the allowed uses to which there had already been general agreement.

The second phase will be to continue discussions regarding changes to the development standards that will encourage development with lot consolidation and other incentives. The City Council has also directed that the Planning Commission analyze the possibility of re-adopting the Sixth Street Revitalization Specific Plan, in whole or in parts, as part of an overall goal of making Sixth Street more attractive to commercial development. The review of the Specific Plan will be part of the second phase that will resume at a later date.

ANALYSIS: Exhibit "A" shows a comparison of the current permitted uses in the C-4 zone against the changes that had been proposed by the Working Group which were also previously reviewed by the Planning Commission. Use D7 was modified to allow mixed-use live-work opportunities in existing single-family homes for things such as artist's galleries and the like because it had been discussed by the Working Group even though there was no specific direction provided before the group was disbanded. The Planning Commission in its review agreed with the modification of use D7 to allow live-work opportunities.

This Zone Code Amendment addresses one of constraints of the C-4 zone concerning the limited number of retail uses and the disjointed types of uses that are currently allowed. The intent has been to increase the number and type of allowed commercial uses to make Sixth Street more attractive to retail development. A way to increase the permitted uses was to eliminate the specificity that is currently in the C-4 zone and congregate uses into broader generalized categories that by default would allow more uses. As an example the current retail uses that are allowed are listed as follows:

- I. *Convenience Sales. Activities typically include, but are not limited to:*
 1. *Convenience markets;*
 2. *Drug stores;*
 3. *Beauty and barber shops;*
 4. *Dry cleaning establishments.*

And the uses allowed under animal care are:

- B. *Animal Care. Activities include, but are not limited to:*
 1. *Grooming;*
 2. *Animal care treatment;*
 3. *Boarding services for large and small animals;*
 4. *Veterinary services and animal clinics;*
 5. *Large and small animal hospitals.*

These are the closest categories for someone proposing a pet store which should be a permitted use in an animal-keeping community. A strict interpretation of the Code would say that the use is not permitted unless one takes a broad interpretation of the clause "but are not limited to" with the category Convenience Sales. And at first glance a potential proponent of a pet store would be left with the perception that the use is not permitted on Sixth Street so they would move on to other locations. With the proposed Zone Code Amendment the use would fall under the category:

- D. *General Retail Sales.*

As currently drafted under the above category there are uses listed that are stated as "included" signifying that there are more uses allowed than just these. The discretion would be handled at staff level and if a use is proposed with the potential for controversy then there

is a clause that staff reserves the right to take any proposed use for consideration by the Planning Commission. The proposed draft also includes uses that are specifically prohibited, for clarity so that there is no confusion on the part of a business proponent regarding uses that may approach in definition one of the permitted use categories even though those uses have been determined to not fit the intent of the C-4 zone such as "auto sales".

A recently approved "Similar Use Permit" that added a use to the list of permitted uses in the C-4 zone (gun and ammunition sales) would have been allowed under the category "General Retail Sales" eliminating the need for a prolonged application and Planning Commission review process.

Attachment: Resolution 2015-35

Exhibit "A" – Revised C-4 Zone Permitted Uses Comparison (Existing, Proposed)

RESOLUTION 2015-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CODE AMENDMENT 2015-05 AMENDING CHAPTER 18.23 “C-4” (COMMERCIAL) ZONE, WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO AMEND THE PERMITTED AND CONDITIONALLY-PERMITTED USES. ZONE CODE AMENDMENT 2015-05.

WHEREAS, THE PLANNING COMMISSION, initiated an application for a zone code amendment to amend the permitted and conditionally-permitted uses in the C-4 zone; and

WHEREAS, said application for zone code amendment was duly submitted to said City’s Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set at 7 p.m. on July 8, 2015, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92960, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, said Planning Commission adopted Resolution 2015-35 recommending that the City Council approve Zone Code Amendment 2015-05; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the project is exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines per Class 1.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

- A. The proposed zone code amendment is consistent with the Zoning Ordinance and the intent of the C-4 zone and related zoning standards. The zone code amendment will re-classify and re-group permitted and conditionally-permitted uses so as to clarify the intent of the zone and eliminate specificity that by exclusion restricts uses that are consistent with the intent of the C-4 zone. The Zone Code Amendment will eliminate the need for Similar Use Permits or Zone Code Amendments for uses that are already considered consistent with the intent of the C-4 zone. The proposed revisions will not be detrimental to public health, convenience, or welfare of the community or to any surrounding businesses or residences.

- B. The City of Norco has been determined to be the lead agency for environmental reporting purposes pursuant to State and local environmental guidelines, and has determined that the project is exempt pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines (Class 1).

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled on July 8, 2015 does hereby recommend to the City Council of the same said City that Zone Code Amendment 2015-05 be approved, thereby amending the Norco Municipal Code as follows:

**Chapter 18.23
C-4 Commercial Zone**

Sections:

18.23.06 Review of Proposed Land Uses by the Planning Commission

18.23.04 Permitted Uses.

P – Permitted Use; CUP – Requires a Conditional Use Permit; ● – Not Permitted		
A.	Administrative, Medical, and Professional Offices.	P
	1. Includes dispatch and office support services for the operation of taxicab/vehicles for hire businesses.	P
	2. Includes out-patient health care services.	P
	<ul style="list-style-type: none"> ● Does not include facilities for the storage, staging, standing, or parking of taxicab/vehicles for hire company vehicles on site. 	
	<ul style="list-style-type: none"> ● Does not include facilities for inpatient health care services. 	
B.	Animal Care, Animal Services, Boarding Services, and Animal-Related Equipment Sales.	P
	1. Includes animal-keeping at a lawfully existing or legal non-conforming use pursuant to the animal-keeping standards of the A-1 zone. (Ord. 951 Sec. 1, 2012; Ord. 872, 2007; Ord. 802, 2003; Ord. 539 Sec. 1(part), 1985)	P
C.	Building Supplies Sales and Rentals.	CUP
	1. Includes ancillary truck rentals for delivery of merchandise/equipment.	CUP
	2. Includes companies that provide building maintenance services.	CUP
	<ul style="list-style-type: none"> ● Does not include auto rental facilities or truck rentals as a primary use. 	

D.	General Retail Sales	P
	1. Includes convenience stores.	P
	2. Includes retail equestrian and agricultural supplies/services. Typical uses are feed and grain stores, and saddle/tack shops.	P
	3. Includes food and non-alcoholic beverage sales.	P
	4. Includes the sale of beer and wine for on-site consumption, or for off-site consumption, and either as an ancillary or primary use.	P
	5. Includes the sale of distilled spirits for on-site consumption, or for off-site consumption, and either as an ancillary or primary use.	P
	6. Includes art-craft studios, artist studios, metalsmithing and other craftwork designed for demonstration combined with sales, that can include live-work arrangements in existing single-family residences; or as a stand-alone business in a building with commercial occupancy.	P
	7. Includes the retail sale of goods and equipment, including paint, glass, hardware, fixtures, electrical supplies, yard and garden supplies.	P
	8. Includes lumber stores, hardware stores, and building supply stores such as brick, block, sand, masonry and gravel.	P
	<ul style="list-style-type: none"> • Does not include contractor's storage yards as a primary or ancillary use. • Does not include auto sales facilities, service facilities, or repair facilities. 	
E.	Business Support Services.	P
	1. Includes rental or repair from the premises of office equipment, office supplies, and similar office goods.	CUP
F.	Non Drive-Thru Eating and Drinking Establishments.	P
	1. Includes the sale of beer and wine for on-site consumption, either as an ancillary or primary use.	P
	2. Includes the sale of distilled spirits for on-site consumption, either as an ancillary or primary use.	P
	3. Includes outdoor smoking areas or hookah smoking areas only as an ancillary use (not more than 20% of indoor floor area) to an otherwise permitted use in this category.	P
	<ul style="list-style-type: none"> • Does not include indoor smoking lounges or hookah bars as primary uses. 	
G.	Entertainment/Recreation Establishments.	P
	1. Includes amusement centers: public places of amusement or business in which four or more coin-operated amusement devices are installed.	P

	2. Includes indoor sports and recreation: typical uses are bowling alleys, billiard parlors, skating rinks, indoor sports courts.	P
	3. Includes outdoor sports and recreation: typical uses are tennis courts, batting cages, equestrian riding rings, miniature golf, athletic education, athletic practice facilities, water recreation, equestrian staging areas.	P
	4. Includes rental stables east of Pedley Avenue.	P
	5. Includes sale of prepared foods and beverages ancillary to the primary use.	P
H.	Personal Services/Sales.	P
	1. Includes businesses that provide only facial and scalp massages as an ancillary or primary use.	P
	2. Includes full-body massage, as an ancillary or primary use, upon approval of a conditional use permit and only after compliance with the requirements of NMC Section 5.48.	CUP
	3. Includes indoor tattoo parlors, body art parlors, and permanent make-up as an ancillary use (not more than 20% of interior floor area) to an otherwise permitted use.	P
I.	Civic and Community-Related Uses.	CUP
	1. Includes public, quasi-public, and private civic administrative and management activities.	CUP
	2. Includes public and privately operated cultural facilities.	CUP
	3. Includes public and private education facilities.	CUP
	4. Includes public and private assembly and event facilities, both indoor and outdoor.	CUP
	5. Includes public parking lots.	CUP
	6. Includes churches and facilities for religious assembly.	P
	7. Includes clubs and lodges for fraternal organizations.	CUP
J.	Drive-In/Drive-Thru Facilities (Ref. Section 18.23.08).	CUP
K.	Hospitality Uses (west of Center Street).	CUP
	1. Includes hotels (interior room entrance).	CUP
	2. Includes motels (exterior room entrance).	CUP
	3. Includes bed and breakfast inns subject to the following definitions and requirements.	CUP
	a. Can only be applied to structures classified as single-family residences in the C-4 zone at the time of this adoption.	CUP
	b. Requires residency by the operator with no more than 10 rooms available and advertised for tourist-related overnight stays in addition to the operator's residence rooms.	CUP
	c. Length of stay shall not exceed 14 consecutive overnight stays. (Ord. 951 Sec. 1, 2012; Ord. 802, 2003; Ord. 539 Sec. 1(part), 1985)	CUP

18.23.06 Review of Proposed Land Uses by the Planning Commission.

In the event of uncertainty about the compatibility of a proposed land use, or when a proposed use does not clearly fall within an approved permitted use category, at the discretion of the City said use(s) shall be presented to the Planning Commission for review and approval, or denial.

##

July 8, 2015

PASSED AND ADOPTED by the Planning Commission at a regular meeting held July 8, 2015.

Robert Leonard, Chairman
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a special meeting thereof held on July 8, 2015 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

EXISTING C-4 ZONE	➔ PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	

<p>A. Administrative and Professional Offices. Activities include, but are not limited to:</p>	<p>A. Administrative, Medical, and Professional Offices.</p>	P
<p>1. Data storage;</p>	<p><i>INCLUDED UNDER BROAD CATEGORY</i></p>	
<p>2. Financial records;</p>		
<p>3. Auditing centers;</p>		
<p>4. Architects;</p>		
<p>5. Lawyers;</p>		
<p>6. Insurance sales and claims offices;</p>		
<p>7. Real estate offices;</p>		
<p>8. Financial planners;</p>		
<p>9. Accountants' and bookkeepers' offices.</p>		
	<p>1. Includes dispatch and office support services for the operation of taxicab/vehicles for hire businesses.</p>	P
	<p>2. Includes out-patient health care services.</p>	P
	<p>* Does not include facilities for the storage, staging, standing, or parking of taxicab/vehicles for hire company vehicles on site.</p>	*
	<p>* Does not include facilities for inpatient health care services.</p>	*
<p>B. Animal Care. Activities include, but are not limited to:</p>	<p>B. Animal Care, Animal Services, Boarding Services and Animal-Related Equipment Sales.</p>	P
<p>1. Grooming;</p>	<p><i>INCLUDED UNDER BROAD CATEGORY</i></p>	
<p>2. Animal care treatment;</p>		
<p>3. Boarding services for large and small animals;</p>		
<p>4. Veterinary services and animal clinics;</p>		
<p>5. Large and small animal hospitals.</p>		
<p>C. Building Maintenance Services. Activities typically include, but are not limited to:</p>	<p><i>INCLUDED UNDER CATEGORY C: "RETAIL BUILDING SUPPLIES AND RENTAL SERVICES."</i></p>	
<p>1. Custodial services;</p>		
<p>2. Window cleaning services;</p>		
<p>3. Disinfecting and exterminating</p>		

EXISTING C-4 ZONE	➔ PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	CUP

services;		
4. Janitorial services.		
D. Building Supplies and Sales. Activities typically include, but are not limited to:	C. Building Supplies Sales and Rentals	CUP
1. The retail sale or rental from the premises of goods and equipment, including paint, glass, hardware, fixtures, electrical supplies, yard and garden supplies;	<i>RETAIL USES INCLUDED UNDER CATEGORY D: "General Retail Sales" RENTAL USES INCLUDED IN CATEGORY D ONLY AS ANCILLARY USES</i>	
2. Lumber stores;		
3. Hardware stores;		
4. Building materials, such as brick, block, masonry, sand, and gravel;		
5. Ancillary rental of trucks.	1. Includes ancillary truck rentals for delivery of merchandise/equipment.	CUP
	2. Includes companies that provide building maintenance services.	CUP
	* Does not include auto rental facilities or truck rentals as a primary use.	*
E. Business Printing Services.	<i>INCLUDED UNDER CATEGORY E: "BUSINESS SUPPORT SERVICES."</i>	
F. Business Supply Retail and Services. Activities typically include, but are not limited to:	D. General Retail Sales.	P
1. Retail sales;	<i>INCLUDED UNDER BROAD CATEGORY D: "General Retail Sales"</i>	
2. Rental or repair from the premises of office equipment, office supplies and similar office goods.	<i>INCLUDED UNDER CATEGORY E: "BUSINESS SUPPORT SERVICES."</i>	
	1. Includes convenience stores.	P
	2. Includes retail equestrian and agricultural supplies/services. Typical uses are feed and grain stores, and saddle/tack shops.	P
	3. Includes food and non-alcoholic beverage sales.	P

EXISTING C-4 ZONE	➔ PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	

	4. Includes the sale of beer and wine for on-site consumption, or for off-site consumption, and either as an ancillary or primary use.	P
	5. Includes the sale of distilled spirits for on-site consumption, or for off-site consumption, and either as an ancillary or primary use.	P
	6. Includes art-craft studios, artist studios, metalsmithing, and other craftwork designed for demonstration combined with sales, that can include live-work arrangements in existing single-family residences; or as a stand-alone business in a building with commercial occupancy.	P
	7. Includes the retail sale of goods and equipment, including paint, glass, hardware, fixtures, electrical supplies, yard and garden supplies;	P
	8. Includes lumber stores, hardware stores, and building supply stores such as brick, block, sand, masonry and gravel.	P
	* Does not include contractor's storage yards as a primary or ancillary use.	*
	* Does not include auto sales facilities, service facilities, or repair facilities.	*
G. Business Support Services. Activities typically include, but are not limited to:	E. Business Support Services.	P
	1. Rental or repair from the premises of office equipment, office supplies and similar office goods.	CUP
1. Firms rather than individuals of a clerical, employment, or minor processing nature, including bookkeeping and medical transcribing, multi-copy and blueprint services;	<i>INCLUDED UNDER CATEGORY E: "BUSINESS SUPPORT SERVICES."</i>	
2. Dispatch and office support services for the operation of taxicab/vehicles for hire businesses. This does not include the	<i>INCLUDED UNDER CATEGORY A: "ADMINISTRATIVE, MEDICAL, AND PROFESSIONAL OFFICES."</i>	

EXISTING C-4 ZONE	PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	CUP

storage, staging, standing, or parking of company vehicles on site.			
H. Child Care Homes and Facilities. Activities typically include, but are not limited to:	<i>USES ELIMINATED FROM C-4 ZONE</i>		
1. Daytime nonmedical care and supervision of children or seniors in an appropriate environment. Typical uses include:			
a. Family home day care infant centers;		<i>USES ELIMINATED FROM C-4 ZONE</i>	
b. Preschools;			
c. Extended child care facilities.			
I. Convenience Sales. Activities typically include, but are not limited to:	<i>INCLUDED UNDER CATEGORY D: "GENERAL RETAIL SALES."</i>		
1. Convenience markets;	<i>INCLUDED UNDER CATEGORY D: "GENERAL RETAIL SALES."</i>		
2. Drug stores;			
3. Beauty and barber shops;	<i>INCLUDED UNDER CATEGORY H: "PERSONAL SERVICES/SALES."</i>		
4. Dry cleaning establishments.			
J. Eating and Drinking Establishments. Activities typically include, but are not limited to (ref. Section 18.23.08):	F. Non Drive-thru Eating and Drinking Establishments.	P	
1. Restaurants;	<i>INCLUDED UNDER BROAD CATEGORY</i>		
2. Donut shops;			
3. Coffee sales.			
	1. Includes the sale of beer and wine for on-site consumption, either as an ancillary or primary use.	P	
	2. Includes the sale of distilled spirits for on-site consumption, either as an ancillary or primary use.	P	
	3. Includes outdoor smoking areas or hookah smoking areas only as an ancillary use (not more than 20% of indoor floor area) to an otherwise permitted use in this category.	p	
	* Does not include indoor smoking lounges or hookah bars as primary uses.	*	

EXISTING C-4 ZONE	→ PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	

K. Entertainment/Recreation. Specific entertainment/recreation use types include (ref. Section 18.23.08):	G. Entertainment/Recreation Establishments.	P
1. Amusement Center. Public places of amusement or business in which four or more coin-operated amusement devices are installed.	1. Includes Amusement Centers: Public places of amusement or business in which four or more coin-operated amusement devices are installed.	P
2. Clubs and Lodges. Predominantly halls and meeting facilities for fraternal organizations. Typical groups include Elk and Moose.	<i>INCLUDED UNDER CATEGORY I: "CIVIC AND CIVIC-RELATED USES."</i>	
3. Indoor Sports and Recreation. Typical uses include:	2. Includes Indoor Sports and Recreation: Typical uses are bowling alleys, billiard parlors, skating rinks, indoor sport courts.	P
a. Bowling alleys;	<i>INCLUDED UNDER BROAD CATEGORY</i>	
b. Billiard parlors;		
c. Ice and roller skate rinks;		
d. Indoor basketball and racquetball courts;		
e. Sale of prepared foods and beverages is permitted ancillary to the primary sports and recreational character of the use.		
4. Outdoor Sports and Recreation. Typical uses:	3. Includes Outdoor Sports and Recreation: Typical uses are tennis courts, batting cages, equestrian riding rings, miniature golf, athletic education, athletic practice facilities, water recreation, equestrian staging areas.	P
a. Tennis courts;	<i>INCLUDED UNDER BROAD CATEGORY</i>	
b. Batting cages;		
c. Equestrian riding rings;		
d. Miniature golf;		
e. Athletic education;		

EXISTING C-4 ZONE	PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	

<p>f. Athletic practice facilities;</p> <p>g. Sale of prepared foods and beverages is permitted ancillary to the primary use.</p>		
	<p>4. Includes rental stables east of Pedley Avenue.</p>	P
	<p>5. Includes sale of prepared foods and beverages ancillary to the primary use.</p>	P
<p>L. Equestrian and Agricultural Supplies and Services. Uses typically include, but are not limited to:</p>	<p><i>INCLUDED UNDER CATEGORY D: "GENERAL RETAIL SALES."</i></p> <p><i>OR UNDER CATEGORY B: "ANIMAL CARE, ANIMAL SERVICES, BOARDING SERVICES AND ANIMAL-RELATED EQUIPMENT SALES."</i></p>	
<p>1. Feed and grain stores;</p> <p>2. Retail saddle/tack shops.</p>		
<p>M. Financial Institutions. Uses typically include, but are not limited to:</p>	<p><i>INCLUDED UNDER CATEGORY A: "ADMINISTRATIVE, MEDICAL, AND PROFESSIONAL OFFICES."</i></p>	
<p>1. Banks;</p> <p>2. Savings and loans;</p> <p>3. Credit unions.</p>		
<p>N. Food and Beverage Sales. Uses typically include:</p>	<p><i>INCLUDED UNDER CATEGORY D: "GENERAL RETAIL SALES."</i></p>	
<p>1. Markets;</p> <p>2. Mini-markets;</p> <p>3. Liquor stores;</p> <p>4. Retail bakeries.</p>		
<p>O. Health Care Services. Does not include facilities for inpatient treatment.</p>	<p><i>INCLUDED UNDER CATEGORY A: "ADMINISTRATIVE, MEDICAL, AND PROFESSIONAL OFFICES."</i></p>	
<p>P. Newsstands.</p>	<p><i>INCLUDED UNDER CATEGORY D: "GENERAL RETAIL SALES."</i></p>	
<p>Q. Nurseries.</p>	<p><i>INCLUDED UNDER CATEGORY D: "GENERAL RETAIL SALES."</i></p>	
<p>R. Personal Services and Sales. Uses typically include:</p>	<p>H. Personal Services/Sales.</p>	P
<p>1. Beauty and barber shops;</p> <p>2. Florist shops;</p>	<p><i>INCLUDED UNDER BROAD CATEGORY</i></p>	

EXISTING C-4 ZONE	➔ PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	

<p>3. Photography studios;</p> <p>4. Apparel laundering and dry cleaning agencies;</p> <p>5. Contract post offices;</p> <p>6. Travel agencies.</p>		
	<p>1. Includes businesses that provide only facial and scalp massages as an ancillary or primary use.</p>	P
	<p>2. Includes full-body massage, as an ancillary or primary use, upon approval of a conditional use permit and only after compliance with the requirements of Section 5.48.</p>	CUP
	<p>3. Includes indoor tattoo parlors, body art parlors, and permanent make-up as an ancillary use (not more than 20% of interior floor area) to an otherwise permitted use.</p>	P
	<p>4. Includes outdoor smoking areas or hookah smoking areas only as an ancillary use (not more than 20% of indoor floor area) to an otherwise permitted use.</p>	P
	<p>* Does not include businesses that provide tattoos, body piercing, or body branding, permanent makeup or similar service as a primary use.</p>	*
	<p>* Does not include indoor smoking lounges or hookah bars as primary uses.</p>	*
<p>S. Artcrafts. Uses typically include, but are not limited to:</p> <p>1. Restoration and repair of antiques;</p> <p>2. Artists' studios (including painting and sculpting);</p> <p>3. Basket making;</p> <p>4. Blacksmithing;</p> <p>5. Candle making;</p> <p>6. Cartoon and animation;</p> <p>7. Book restoration and custom binding;</p>	<p><i>INCLUDED UNDER CATEGORY D: "GENERAL RETAIL SALES." and CATEGORY M: "SINGLE-FAMILY RESIDENTIAL LIVE/WORK"</i></p>	

EXISTING C-4 ZONE	➔ PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	

8. Ceramics and pottery;		
9. Production of glass crystal figures, glass art, and stained glass;		
10. Custom jewelry design and manufacturing;		
11. Metal engraving;		
12. Manufacture and repair of musical instruments;		
13. Photography studios;		
14. Picture mounting and framing;		
15. Leather goods, including custom shoe making;		
16. Ornamental iron;		
17. Silk screen production;		
18. Taxidermy;		
19. Textile weaving by hand looms;		
20. Watch and clock making;		
21. Woodcarving;		
22. Custom furniture.		
T. Civic Use Types.	I. Civic and Civic-Related Uses.	CUP
1. Civic Administration. Activities typically include, but are not limited to:	1. Includes public, quasi-public, and private civic administration and management activities.	CUP
a. Public and private post offices and mail processing;	<i>INCLUDED UNDER BROAD CATEGORY</i>	
b. Management, administration, or clerical services performed by public, quasi-public, and utility agencies.		
2. Cultural Facilities. Activities typically include:	2. Includes public and privately-operated cultural facilities	CUP
a. Museums and art galleries;	<i>INCLUDED UNDER BROAD CATEGORY</i>	
b. Public and private libraries;		
c. Public and private observatories;		
d. Facilities for the performing arts.		
3. Education Facilities. Activities typically include:	3. Includes public and private education facilities.	CUP
a. Public or private instruction	<i>INCLUDED UNDER BROAD CATEGORY</i>	

EXISTING C-4 ZONE	PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	CUP

required to be taught by the California Education Code;		
b. Vocational instruction;		
c. Music, art, or dance instruction in a classroom or studio setting.		
4. Flood control/utility corridor.		
5. Public Assembly.	4. Includes public and private assembly and event facilities, both indoor and outdoor.	CUP
a. Parks, gardens, and passive open space areas;	<i>INCLUDED UNDER BROAD CATEGORY</i>	
b. Public and semi-public playgrounds and playing fields and active use recreation areas;		
c. Public meeting halls, gymnasiums and youth and community centers;		
d. Public parking lots;	5. Includes public parking lots.	CUP
e. Equestrian staging areas;	<i>G. ENTERTAINMENT/RECREATION</i>	
6. Religious assembly.	6. Includes churches and facilities for religious assembly.	CUP
	7. Includes clubs and lodges for fraternal organizations.	CUP
U. Ancillary and Accessory Uses.	ANCILLARY AND ACCESSORY USES	
1. Animal keeping at a lawfully existing or legal nonconforming use. (Ord. 951 Sec. 1, 2012; Ord. 872, 2007; Ord. 802, 2003; Ord. 539 Sec. 1 (part), 1985)	1. Includes animal keeping at a lawfully existing or legal nonconforming use. (Ord. 951 Sec. 1, 2012; Ord. 872, 2007; Ord. 802, 2003; Ord. 539 Sec. 1 (part), 1985)	P
CONDITIONALLY PERMITTED USES	CONDITIONALLY PERMITTED USES	
A. Drive-in/Drive-Through Facilities (Ref. Section 18.23.08).	A. Drive-in/Drive-Through Facilities (Ref. Section 18.23.08).	CUP
B. Building Contractors Offices and Storage Yards. Activities typically include, but are not limited to (ref. Section 18.23.08):	<i>USES ELIMINATED FROM C-4 ZONE</i>	
1. Offices;	<i>INCLUDED UNDER BROAD CATEGORY</i>	
2. Storage of equipment, materials,	<i>USES ELIMINATED FROM C-4 ZONE</i>	

EXISTING C-4 ZONE	 PROPOSED REVISIONS	P or CUP
PERMITTED USES	PERMITTED USES	

vehicles and contractors supplies.		
C. Hospitality Uses (West of Center Street Only).	B. Hospitality Uses (West of Center Street Only).	CUP
1. Hotels (interior room entrance);	1. Includes hotels (interior room entrance);	CUP
2. Motels (exterior room entrance);	2. Includes motels (exterior room entrance);	CUP
3. Bed and Breakfast Inns. A bed and breakfast inn is subject to the following definitions and requirements:	3. Includes bed and breakfast inns. A bed and breakfast inn is subject to the following definitions and requirements:	CUP
a. Can only be applied to structures classified as a single-family residence in the C-4 zone at the time of the adoption of Ordinance No. 951.	a. Can only be applied to structures classified as a single-family residence in the C-4 zone at the time of the adoption of Ordinance No. 951.	CUP
b. Requires residency by the operator with no more than 10 rooms available and advertised for tourist-related overnight stays in addition to the operator's residence rooms.	b. Requires residency by the operator with no more than 10 rooms available and advertised for tourist-related overnight stays in addition to the operator's residence rooms.	CUP
c. Length of stay shall not exceed 14 consecutive overnight stays. (Ord. 951 Sec. 1, 2012; Ord. 802, 2003; Ord. 539 Sec. 1 (part), 1985)	c. Length of stay shall not exceed 14 consecutive overnight stays. (Ord. 951 Sec. 1, 2012; Ord. 802, 2003; Ord. 539 Sec. 1 (part), 1985)	CUP

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: July 8, 2015

SUBJECT: Site Plan 2015-14 (Tomaino): A request for approval to allow a detached accessory building consisting of a 448 square-foot shade structure (palapa) at 2662 Vandermolen Drive located within the Norco Ridge Ranch Specific Plan (NRRSP).

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2015-38 approving Site Plan 2015-14.

Site Plan 2015-14 is a request for approval to allow an accessory building consisting of a 448 square-foot shade structure (palapa) at 2662 Vandermolen Drive (ref. Exhibit "A" – Location Map). The property consists of about 1.66 acres/72,122 square feet and is developed with a single family residence (ref. Exhibit "B" – APN Map and Exhibit "E" – Aerial and Site Photos). The property includes a recorded Primary Animal Keeping Area (PAKA) of 3,330 square feet at the rear of the property.

Accessory buildings 864 square-feet or less require site plan approval by the Planning Commission. The site plan and building elevation for the proposed shade structure are attached (ref. Exhibit "C" – Site Plan and Exhibit "D" – Building Elevations). The structure is wood framed construction, proposed at about 18 feet behind the existing house and not in the PAKA.

The structure is already constructed but was constructed by a previous owner. The applicant recently received approval of a building permit for additions to the house and was informed that the shade structure would have be permitted before the home additions were finalized. Site plan approval by the Planning Commission is necessary first before a building permit can be applied for.

The following is required of accessory buildings in the NRRSP:

- The minimum setbacks of 5 feet from interior property lines and pools, 15 feet from street side property lines, and 10 feet from any other structure are required for accessory buildings. **The building is proposed to meet these requirements (note: the south end of the shade structure may need to be cut back slightly to meet the required minimum 10-foot distance between structures).**

RESOLUTION 2015-38

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS, SITE PLAN APPROVAL TO ALLOW A DETACHED ACCESSORY BUILDING CONSISTING OF A 448 SQUARE-FOOT SHADE STRUCTURE (PALAPA) AT 2662 VANDERMOLLEN DRIVE LOCATED WITHIN THE NORCO RIDGE RANCH SPECIFIC PLAN (NRRSP). SITE PLAN 2015-14.

WHEREAS, RAN TOMAINO submitted an application for a site plan review to the City of Norco, California under the provisions of Chapter 18.40, Title 18 of the Norco Municipal Code, on property located at 2622 Vandermolen Drive (APN 123-640-021).

WHEREAS, at the time set; at 7 p.m. on July 8, 2015 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place set, said Planning Commission considered the aforesaid site plan and received both oral and written testimony pertaining to said application; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is categorically exempt from environmental assessment.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

A. The proposal does comply with all applicable requirements of the NRRSP, Norco Municipal Zoning Ordinance and the General Plan.

B. The overall site and architectural design is consistent with the intent and purpose of the NRRSP, the Norco General Plan and Norco Municipal Zoning Ordinance.

C. The proposal is reasonably compatible with the area immediately surrounding the site.

D. The proposal is not detrimental and will be desirable to the overall public convenience or general welfare of the persons residing or working in the neighborhood.

E. The City of Norco, acting as lead agency, has determined that the project is categorically exempt from environmental assessment per Section 3.13, Class 3 of the City of Norco Environmental Guidelines.

DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled July 8, 2015 that the application for Site Plan 2015-14 is approved, subject to the conditions provided in Section 18.40.10 of the Municipal Code of Norco, and including, but not limited to the following conditions:

1. Approval is based on Exhibit "C" – Site Plan and Exhibit "D" – Building Elevation May 18, 2015 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.
4. In the event conditions for approval by the Planning Commission or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. No occupancy and/or use of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.
6. A building permit shall be obtained for the subject structure.
7. This is not an approval to begin or continue work/construction. No work/construction shall commence or continue until the applicant has obtained building permits and has paid all applicable fees for the subject building.

8. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.
9. A home occupation shall not be allowed out of the subject building.
10. This site plan approval is for a shade structure (palapa). Building permits for this accessory building are issued within the confines of this permit/site plan approval. Any violation of a condition resulting in a revocation of this permit/site plan approval may result in an order to remove the accessory building at the owner's expense.
11. The subject structure shall meet the required minimum 10-foot distance between buildings on the same lot. The structure shall be modified if necessary to meet this requirement.

Resolution 2015-38
Page 4
July 8, 2015

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on July 8, 2015.

Robert Leonard, Chairman
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

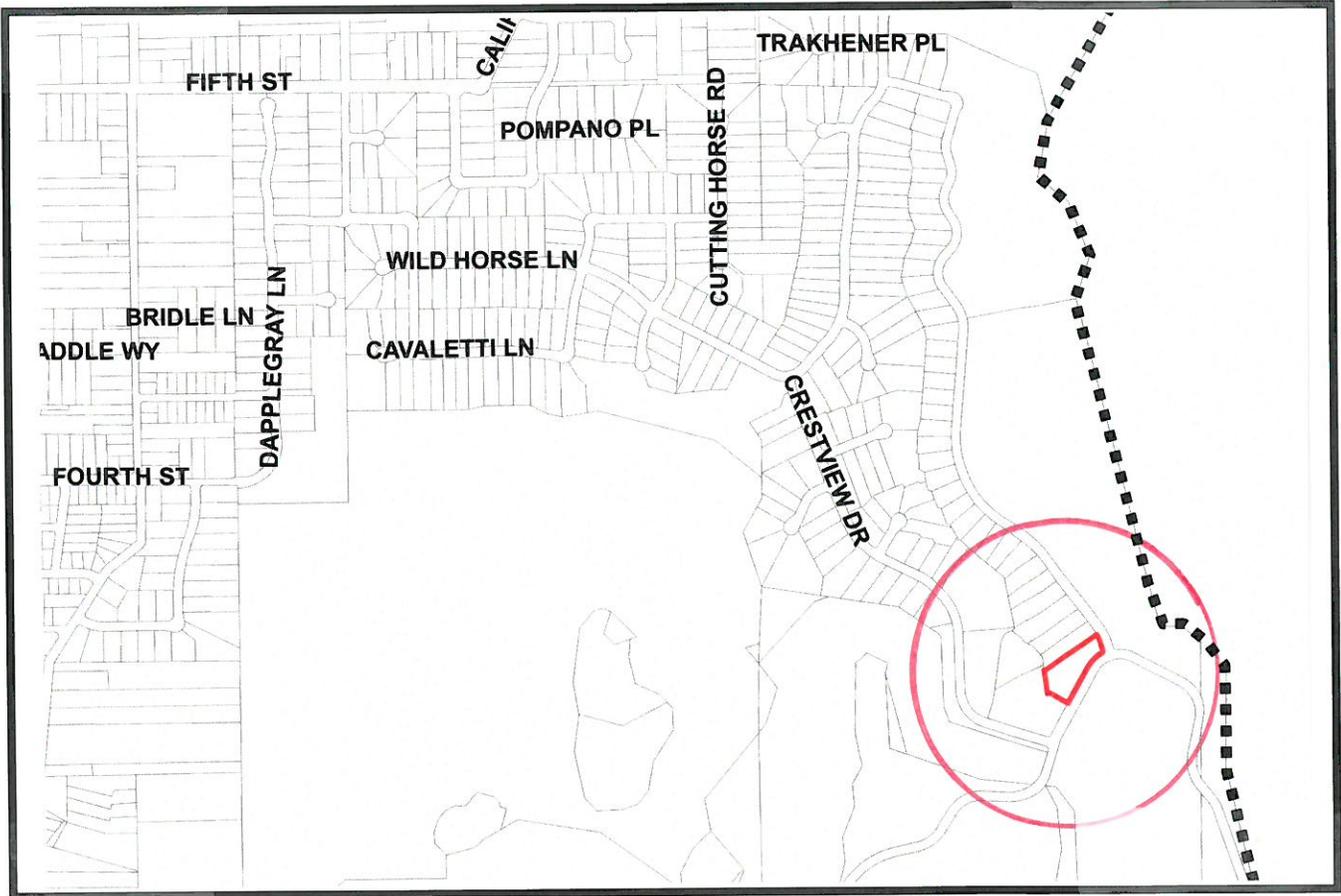
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held July 8, 2015 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



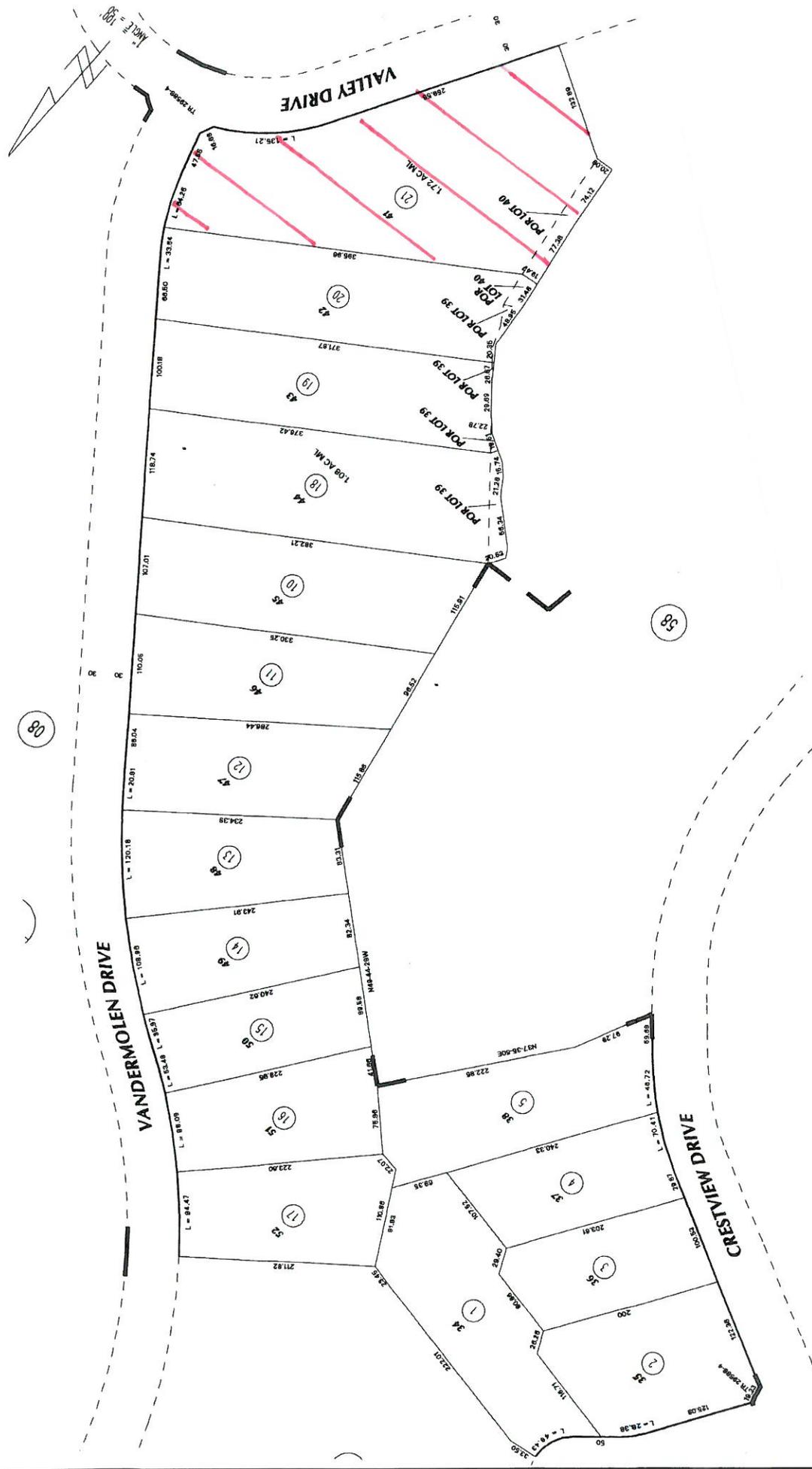
Not to Scale



PROJECT: Site Plan 2015-14
APPLICANT: Ran Tomaino
LOCATION: 2662 Vandermolen Drive

Exhibit "A"

ASSESSOR'S PARCEL MAP



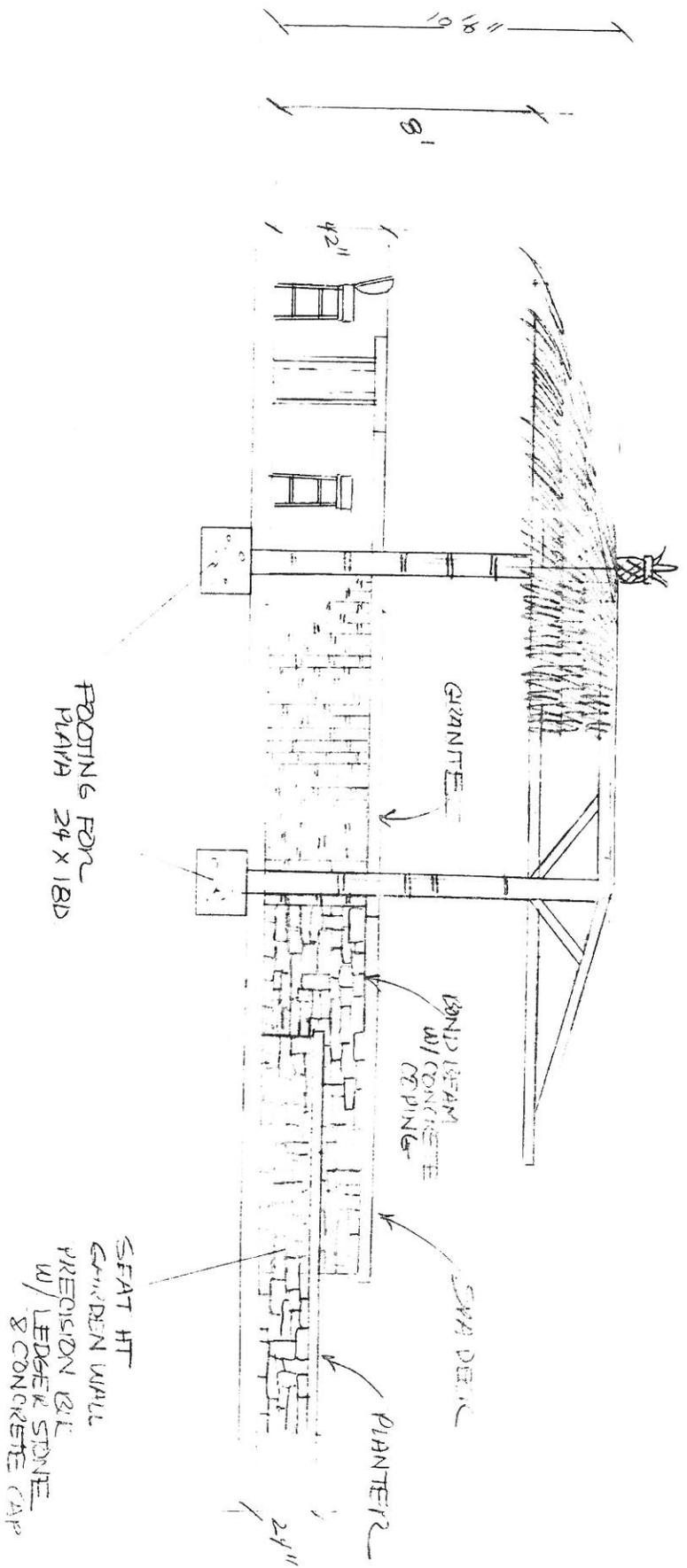


EXHIBIT "D"

5.18.15

CITY OF NORCO STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Steve King, Planning Director

DATE: July 8, 2015

SUBJECT: **Conditional Use Permit 2008-09, Architectural Review 2015-03 (Andrade Architects, Inc.):** Architectural review of a proposed concession/kitchen and clubhouse building in the approved Silverlakes concessions area.

RECOMMENDATION: Adopt Resolution 2015-34, approving Architectural Review 2015-03.

SUMMARY: This is the architectural review of a proposed concessions/kitchen and clubhouse building for Silverlakes. Planning Commission approval of the architecture is required by the conditions approved with Conditional Use Permit (CUP) 2008-09. All of the site plan requirements have already been conditioned with the CUP so just the architectural review is all that is needed now.

BACKGROUND: CUP 2008-09 approved the development of the Silverlakes Equestrian and Sports Park. The Development Agreement was approved in 2011 to which a revised site plan was also approved (ref. Exhibit "A"). The revised site plan included a concessions area toward the center of the park facility at the easterly extension of Citrus Avenue.

When the revised site plan was approved it was not known at the time how concessions were going to operate at the park, whether there would be a permanent facility or temporary moveable food stands only where food would be brought in. Because of the uncertainty the central concessions area was designed with flexibility so that it could ultimately be designed to accommodate the needs of the park and the various types of events to be held there.

The "temporary moveable food stands" has been eliminated as an option because of the logistics involved with the anticipated size of events. The direction now is that there will be a permanent building for all on-site food preparation. There will still be some special events that could have food brought in by caterers depending on the type of event. The food will be purchased by guests through a bank of service windows similar to how other sporting venues operate.

The location of the concession/kitchen and clubhouse (clubhouse) building is within the approved concession area that was approved with the Development Agreement so the

only approval needed is the architecture of the building and its appurtenant site improvements such as the loading zone, ADA parking, etc.

ANALYSIS: The building is a two-story building with approximately 6,300 square feet on the bottom floor, with an attached 3,800 square-foot service yard on the back, and an outdoor dining area on the front. The second floor consists of a 4,000 square-foot clubhouse room with approximately 9,278 square feet of open terrace surrounding it. The building is going to be constructed in two phases. The second phase will be the roof over a portion of the second story open terrace that will come at a later date. Everything else including the second story open terrace that will be the roof over the ground floor dining area will be part of the first phase (ref. Exhibit "C").

Parking for the clubhouse facility is contained within the overall parking supply for the entire park some of which is paved and some decomposed gravel and at times the grass areas. There is a paved parking area immediately adjacent to the building for facilities that require pavement such as ADA parking. Other issues such as landscaping plans, lighting plans, and other items that are typically shown and approved on a site plan have already been conditioned with the approval of Conditional Use Permit 2008-09; and those will be handled under separate permits.

Condition No. 10 from City Council Resolution 2011-51 requires approval of architecture by the Planning Commission:

10. Building elevations and building colors and materials shall be as approved by the Planning Commission. Minor deviations from the approved colors and materials approved shall be subject to the approval of the Planning Division prior to their application. Material boards and colored renderings shall be presented to the Planning Division as part of the permanent file. The multi-purpose barn/event structure is only conceptually approved with this application. Final building elevations shall be submitted to the Planning Commission for approval prior to submittal of building plan check plans.

Silverlakes was not conditioned for a western theme and the Development Agreement does not require it either. The criteria for architectural review from the NMC is as follows:

18.41.10 Criteria for Architectural Review and Approval.

In addition to those criteria listed in this chapter, the Planning Commission shall consider and weigh: The nature of specific uses, in particular zones and geographic areas, and the requirements of utility with respect to the structures proposed for uses; site dimensions with relation to the structures proposed and the required utility thereof; the adequacy and conformity and harmony of external design, colors, materials, and architectural features with neighboring structures and use of the improvements proposed on the parcel with improvements existing or permitted on neighboring sites, and compatibility with established design parameters such as those outlined in specific plans.

RESOLUTION 2015-34

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO, CALIFORNIA, GRANTING WITH CONDITIONS, ARCHITECTURAL APPROVAL OF A CONCESSION/KITCHEN AND CLUBHOUSE BUILDING FOR THE SILVERLAKES EQUESTRIAN AND SPORTS PARK (CONDITIONAL USE PERMIT 2008-09). ARCHITECTURAL REVIEW 2015-03

WHEREAS, ANDRADE ARCHITECTS, INC. submitted an application to the City of Norco, California, for architectural approval under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code and Conditional Use Permit 2008-09, for the construction of a 10,870 square-foot concession/kitchen and clubhouse building in the concession area of approved Silverlakes Equestrian and Sports Park; and,

WHEREAS, at the time set, at 7 p.m. on July 8, 2015 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission considered the aforesaid architectural review and heard and considered both oral and written evidence pertaining to said application; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the project is exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

- A. The requested architectural review will not adversely affect the General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof, by reason that the Norco General Plan designates the site as Park and the Open Space zoning of the site is consistent with that designation. The proposed building is consistent with Conditional Use Permit 2008-09 and Development Agreement thereto and the proposed use can be operated in a manner so as to be compatible with other permitted and conditionally permitted uses.
- B. The requested use will not adversely affect adjoining land uses or future growth per the Open Space zone through undue environmental impacts. The proposed development will not inhibit or induce growth or development beyond what is already anticipated per the City General Plan and the Development Agreement and Approved Site Plan for Silverlakes Equestrian and Sports Park.

- C. The size and shape of the proposed site is adequate to allow full development of the proposed use consistent with applicable development and public safety standards.
- E. The City of Norco, acting as Lead Agency, has determined that the project is exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines pursuant to Class 32.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled July 8, 2015 that the aforesaid application for architectural approval is granted, subject to the conditions provided in Section 18.45.16 of the Municipal Code of Norco and the approved conditions of approval for Conditional Use Permit 2008-09, and including but not limited to, the following conditions:

1. Approval is based on Exhibits: "B" (Illustrated Elevation); "C" (Site Plan, Floor Plans & Elevations) dated Received June 23, 2015 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division, for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances, and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.
4. In the event conditions for approval by the Planning Commission require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. The subject property and use shall be conducted in accordance with the approved plans and specifications, and with the conditions of approval for Conditional Use Permit 2008-09 on file in the Norco Division of Planning.
6. Any change of land use from the approved concession/kitchen and clubhouse use cannot occur without prior approval of a revised site plan, and any related exhibits, by the Planning Commission.

7. This is not an approval to begin work. No work shall be commenced until the City of Norco has issued appropriate permits.
8. The developer shall submit for necessary permits from the Building Division and pay all applicable City of Norco development fees prior to issuance of any permits.
9. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations, shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereto.
10. Building elevations, building colors and materials shall be as approved by the Planning Commission. Minor deviations from the approved colors and materials shall be subject to the approval of the Planning Director prior to their application.
11. No sign is authorized by approval of this architectural review. Plans for any sign(s) proposed to be placed related to this building shall first be submitted to the Planning Division for approval, and to the Building Division for issuance of a building permit.
12. All related landscape, hardscape, and lighting shall be as approved under separate permits per Conditional Use Permit 2008-09.
13. All ground-mounted utility appurtenances such as transformers shall be located out of public view of main building areas and adequately screened through the use or combination of concrete masonry walls, berms, and landscaping to the satisfaction of the Planning Division.
14. Any mechanical equipment such as: air conditioning, heating or cooling equipment, etc. and/or appurtenant ducts, vents, pipes or cable which are proposed to be mounted either on top of, or outside of, any building or structure shall be subject to review and approval by the Planning Division prior to the issuance of building permits. Plans showing the nature, extent, and location of all such appendages and method of architectural integration, visual, and acoustical treatment of same shall be submitted to the Planning Division for review and approval prior to issuance of building permits.
15. Approved numbers or addresses shall be placed on all buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Rooftop addressing shall be applied on a flat roof, in a contrasting color, and with a minimum size of

1'x4' and shall be located so as not to be visible from the street or adjoining properties at ground level.

16. Complete architectural and structural building plans, including all specifications, shall be submitted to the Fire Department for review prior to the issuance of any building permits. These plans and specifications shall include, but not be limited to, construction type, exits, fire protection equipment, building protection, and interior finish. The developer is responsible for, and shall apply for and receive, all Fire Department permits, paying all necessary fees, prior to beginning construction.

Resolution No. 2015-34
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July 8, 2015

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on July 8, 2015.

Robert Leonard, Chairman
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on July 8, 2015, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

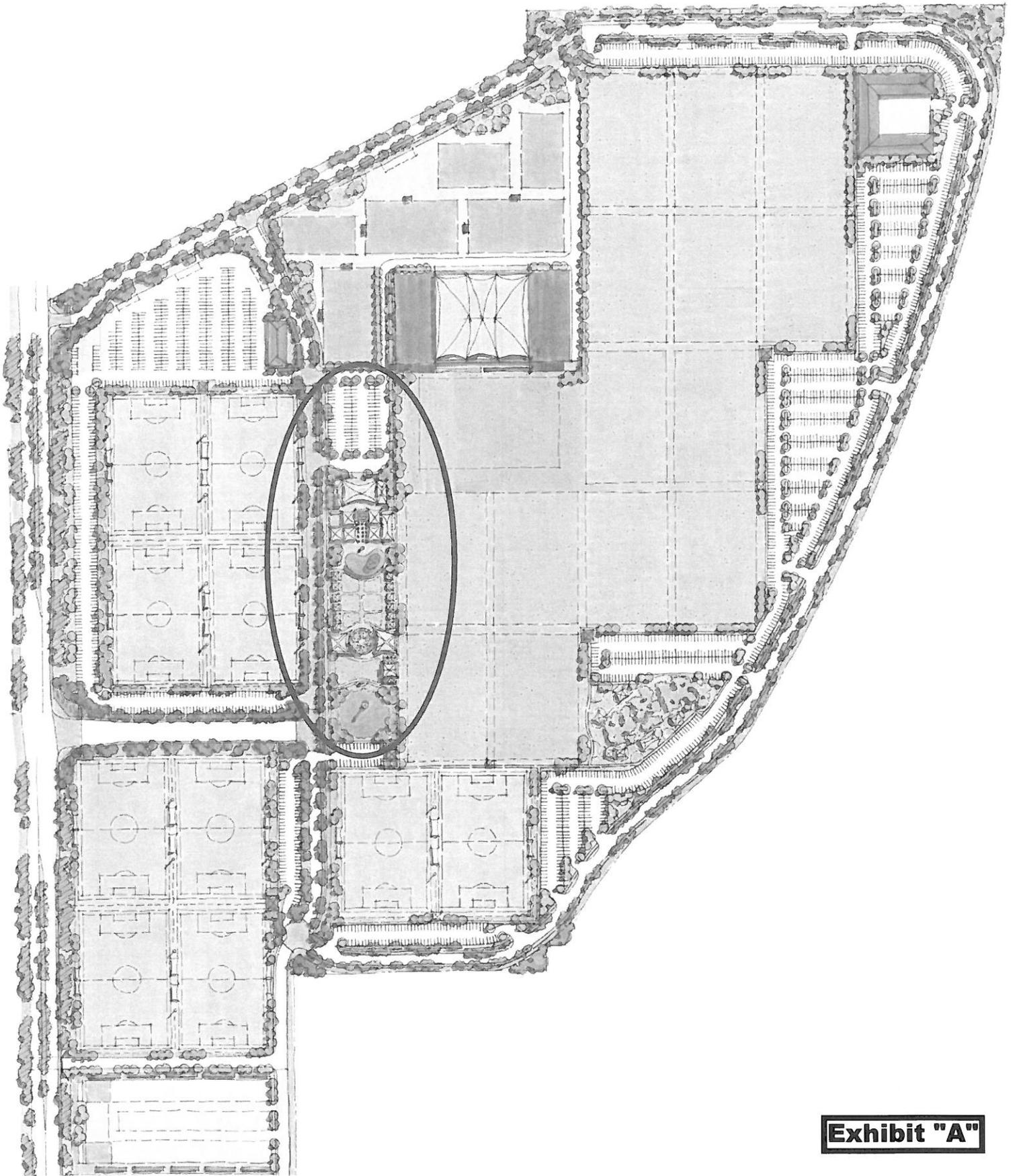


Exhibit "A"

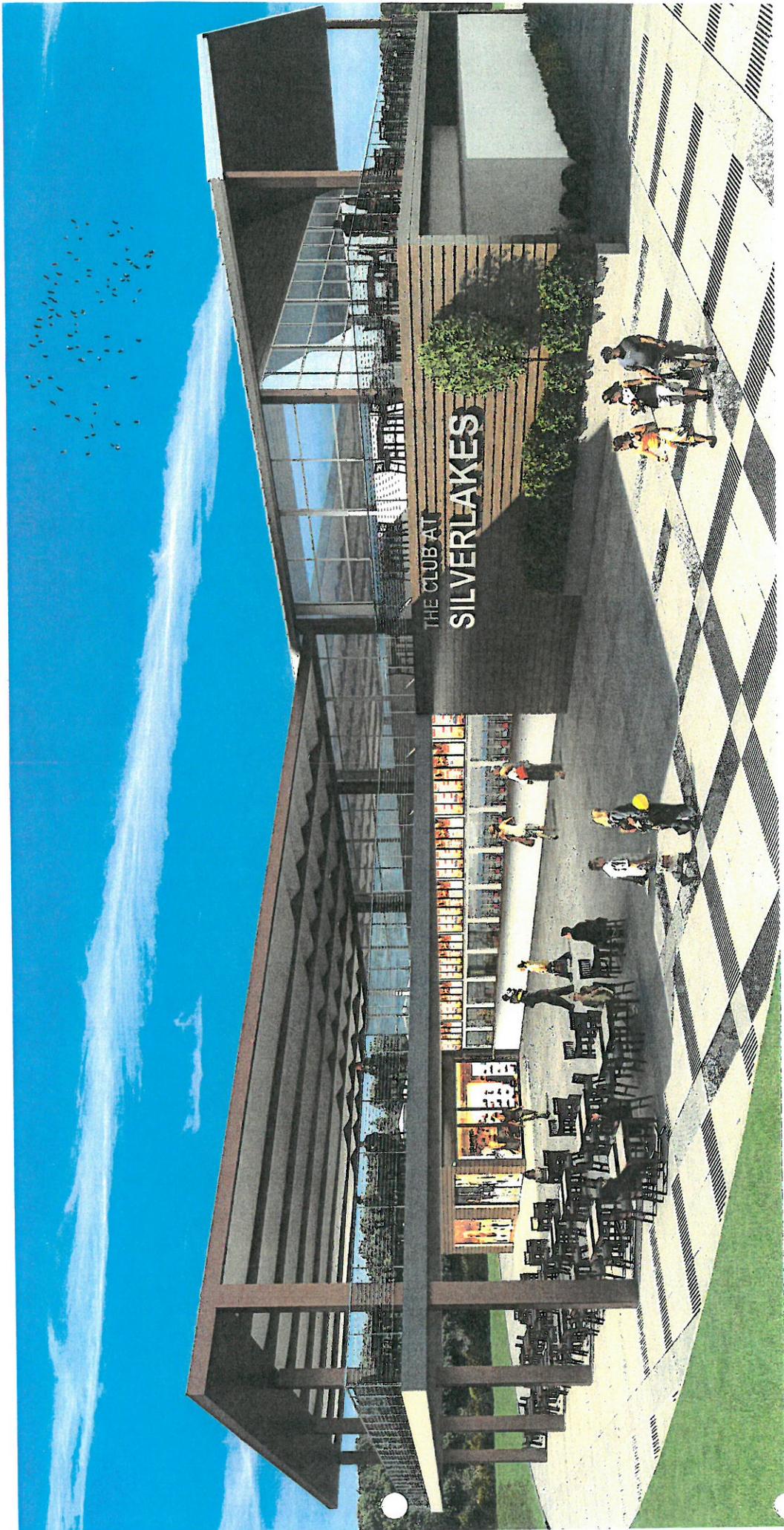


EXHIBIT "B"