



MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
August 12, 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, City Clerk Link and Deputy City Clerk Germain**

PLEDGE OF ALLEGIANCE: **Commission Member Rigler**

1. **ELECTION OF NEW CHAIR AND VICE CHAIR**

Vice Chair Hoffman and Commission Member Rigler both declined the nomination to serve as Chairman for the Planning Commission. The following motion and vote was then taken.

M/S Rigler/Leonard to nominate Commission Member Hedges to serve as Chair to the Planning Commission for the next fiscal year.

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

M/S Hedges/Jaffarian to nominate Chair Leonard to serve as Vice Chair to the Planning Commission for the next fiscal year.

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

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

3. **PUBLIC COMMENTS:**

Lance Gregory questioned if a denial by the Planning Commission is not appealed to the City Council, does it then become a code case.

4. **APPROVAL OF MINUTES:**

❖ Minutes of Regular Meeting of July 8, 2015

Recommended Action: Approval (Deputy City Clerk)

Deputy City Clerk Germain reported that the draft minutes for July 8, 2015, were not completed prior to the meeting; she asked that the draft minutes be continued to the next regular meeting.

M/S Jaffarian/Hoffman to continue the approval of the draft minutes of July 8, 2015, to the next regular meeting.

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

5. PUBLIC HEARING:

- A. **Conditional Use Permit 2014-12 (Bowers):** A request for approval to allow a detached accessory building consisting of a 1,680 square-foot barn and storage building at 3231 Cutting Horse Road located in 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 the only concern brought up by the Architectural Review Subcommittee (ARC) was the height of the building. The applicant preferred keeping it at the proposed height unless directed otherwise by the Commission. She noted the pool on the lot, which could make it difficult to access the Primary Animal Keeping Area (PAKA).

In reply to questions from the Commission, Planner Robles noted that she has verified that additional structures shown on exhibit "E" have been removed, confirmed that the pool area is 16 feet from the property line, and that the back portion of the lot is all hill, and that only the flat portion of the lot is being considered.

Member Rigler noted numerous "toys" from Exhibit "E" photo, which makes this plan appear more like a garage use as opposed to animal keeping.

Chair Hedges OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak, no one wishing to speak. Chair Hedges CLOSED the public hearing, bringing the discussion back to the Commission.

Based on the configuration of the proposed building, shown to be 80 percent into the PAKA, Member Jaffarian stated his concern of its potential use as a garage.

Member Hoffman agreed that it does appear to be more of a storage building.

Vice Chair Leonard concurred, and noted his concern that the City does not have staff to police its usage. He cannot approve this project.

Chair Hedges also agreed, noting that she would reconsider if the structure was smaller and off the PAKA.

M/S Jaffarian/Hoffman to deny the approval of Conditional Use Permit 2014-12.

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

Under discussion:

Member Jaffarian suggested that the Commission address potential dual usage of accessory buildings, placing restrictions on actual usage.

- B. **Conditional Use Permit 2015-17 (Navarrete):** A request for approval to allow a detached accessory building consisting of a 2,800 square-foot workshop and storage building at 2180 Reservoir Avenue located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Continue to regular meeting of September 9, 2015** (Senior Planner)

Senior Planner Robles stated this item is being continued to the next regular meeting to allow applicant additional time to submit plans.

M/S Jaffarian/Hoffman to continue the public hearing of Conditional Use Permit 2015-17 to the next regular meeting.

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

C. Conditional Use Permit 2015-19 (Navarro): A request for approval to allow a detached accessory building consisting of a 1,080 square-foot garage building at 2879 Sierra 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. She noted that the ARC had concerns with the height, but applicant chose to keep the height as proposed and allowed. As proposed, the project meets all requirements. Staff recommends approval.

In response to Member Hoffman, Planner Robles stated that a Building Inspector accompanied her for a visit to the property to verify its approximate measurement.

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

David Navarro, applicant, explained that the garage is needed for the property owner to park cars and RV. In response to Vice Chair Leonard, Mr. Navarro stated that if the animal keeping area is moved to the front of the building, it would block access to the garage.

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

In discussion, the Commission Members voiced their concerns regarding the building's location and size, and access to the animal keeping area; all concurred in requesting a reduction in size of the accessory building.

M/S Jaffarian/Rigler to deny the request without prejudice.

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

Under discussion:

Member Jaffarian suggested to the applicant to have access of 10-12.5 feet, reduce the structure size to accommodate what needs to be stored, and consider neighbors.

D. Conditional Use Permit 2014-33 / Variance 2015-03 (Core/Verizon Wireless): A request for approval to allow the installation of an unmanned wireless telecommunication facility at 3659 Corona Avenue located within the A-1-20 zone. A variance is being requested to allow the facility to exceed the height of 35 feet allowed in the A-1-20 zone. **Recommended Action: Approval** (Senior Planner)

Vice Chair Leonard recused himself from discussions as he was the original contractor for the building being used.

Senior Planner Robles presented the staff report on file in the Planning Department. She noted that the ARC commented on one concern, the height requested is too tall for the neighborhood. As proposed, staff recommends approval.

In response to the Commission, Planner Robles stated that the public hearing notices did not indicate the actual height requested, but that it will be over 35 feet; and if the request had been for 35 feet or less the variance would not be required.

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

Henry Castro, with Verizon, has been working with staff and property owner, to accommodate the need for service to be provided. In response to Member Rigler, Mr. Castro explained that the height requested will allow for better function; the height of the tower is determined by a RF Engineer's input for the best usage. He also confirmed that the antenna is at the allowed height of 35 feet, the surrounding tower is requested at 42 feet to cover the antenna.

Reverend Alfredo Somoza, property owner, spoke in favor of the project.

Cindy Kendred stated that she has property that borders the church; she noted her concern about the height and the potential health hazard.

Jerry Lundy stated his concern with the height, its effect on property value, asked for additional research on radiation from these towers.

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

Member Jaffarian remarked on previous approvals for telecommunication towers which provided some kind of public benefit, such as field lighting, and has otherwise been in commercial areas. He added that the height is pushing boundaries, and is not necessarily needed.

Member Rigler also noted concerns about the height, and stating his own concern with potential effects of radiation. He stated that the FCC is not diligent at monitoring.

Member Hoffman and Chair Hedges concurred with the same concerns.

M/S Jaffarian/Rigler to deny Variance 2015-03 without prejudice.

AYES: Hedges, Hoffman, Jaffarian, Rigler

Motion Passed

ABSTAIN: Leonard

Under discussion:

Member Jaffarian noted that the key item may be to consider an alternative property which may allow the height outside residential areas, noting that the height is the issue at this location.

M/S Jaffarian/Rigler to continue Conditional Use Permit 2014-33 off calendar, in consideration of the denial of the Variance.

AYES: Hedges, Hoffman, Jaffarian, Rigler

Motion Passed

ABSTAIN: Leonard

- E. Conditional Use Permit 2014-32, Modification No. 1 (Core/Verizon Wireless):** A request for approval to amend the conditions of approval for an approved unmanned wireless telecommunication facility at 1101/1161 Hidden Valley Parkway within the Norco Hills Specific Plan. **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. This item was previously approved with an added condition to require a RF emissions study to be submitted annually even though FCC regulates radio frequency regularly.

Member Hoffman stated that he had originated the request to add the condition, but new information has come to light and would like the amendment.

Planner Robles explained the FCC required testing to keep license.

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

Henry Castro, with Verizon, stated that a pre-test has been provided prior to construction. He also explained that a Verizon staff member visits all sites every 4-6 weeks for testing and screens the sites via a monitoring system.

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

Member Rigler noted that he is still concerned with testing and the lack of FCC monitoring.

M/S Hoffman/Leonard to amend Conditional Use Permit 2014-32, by minute approval only, to replace condition no. 24 to "a post construction RF emissions study shall be submitted to Planning Department, add condition 25.

AYES: Hedges, Leonard, Hoffman, Jaffarian

Motion Passed

NOES: Rigler

- F. Conditional Use Permit 2015-18 (South Hills Church):** A request to locate a church within 6,080 square feet of the second floor of an existing office building located at 3240 Hamner Avenue in the C-G (Commercial General) zone. **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. Staff recommends approval based on findings listed in the staff report. Peak times are different from other business-tenants, which allows for the parking requirement to be met. He stated that item "D" under Findings on the resolution needs to be eliminated; it is not required for this project.

In response to the Commission, Director King stated that parking for the existing and future restaurants are calculated separately, and do not affect the church's required parking. He assured the Commission that ADA accessible parking is present, future tenants' parking is also not affected.

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

Adam Smith, applicant, in response to the Commission, Mr. Smith stated that schedules are tentatively set as such, Sunday services will be 9:00 a.m. to 11:00 a.m., Wednesday nights will be small group gatherings for bible study, and Thursdays are slotted for band rehearsal with 10-12 people, from 7:00 p.m. to 10:00 p.m.. The church currently meets in Corona. He also confirmed that day-care and pre-school are not in the plans.

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

M/S Rigler/Leonard to adopt Resolution 2015-44, to approve Conditional Use Permit 2015-18, to allow for the location of a church in an existing office building located at 3240 Hamner Avenue.

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

Under discussion:

Member Jaffarian stated that in the future consideration must be given to revenue-based businesses; the center's use is not to its original intent. He suggested that traffic be reviewed in the area based on churches in nearby areas.

- G. **Variance 2015-02 (Cordero):** Reconsideration of 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, within the A-1-20 (Agricultural Low Density) Zone.

Recommended Action: Approval (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. He stated that the Norco Municipal Code stipulates that the City Engineer makes the determination if a cash in-lieu can be accepted in place of fees. Staff recommends approval without that condition.

Vice Chair Leonard questioned that in the past the Planning Commission was allowed to set such a condition.

Member Rigler stated that his previous vote could be affected as he voted based on the added condition. In response, Director King indicated that staff did not make the recommendation to add the condition noted above.

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

Jose Cordero, applicant, shared information of a drainage problem in the center of the property; adding that the City is asking for funds to place an easement in the area to create a drain and gutter which should help keep the area, including the neighboring properties, cleared of water puddles.

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

M/S Jaffarian/Hoffman to adopt Resolution 2015-43, to approve Variance 2015-02, 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 parcel number 125-030-057.

AYES: Hedges, Hoffman, Jaffarian, Rigler Motion Passed

NOES: Leonard

Recess: 9:00 PM / Reconvene: 9:10 PM

H. 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: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. the City Council has asked for the Planning Commission to review this zone code amendment once more for additional details. Staff recommends approval.

Member Hoffman inquired about previous discussions of involving Animal Control to inspect the properties to make sure it would be conducive to a large animal.

In response to Member Jaffarian, Director King stated that the guidelines on fowl is similar to A-1 Zone, the only limits are set on large animal units such as horses. He also shared that miniature pigs require permits as noted in the Norco Municipal Code.

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

Mike Thompson asked for consideration to back yard access.

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

Director King clarified that this zone code amendment pertains to small animals only, and that access requirements apply only when an accessory building is being used.

M/S jaffarian/Leonard to adopt Resolution 2015-24, to recommending that the City Council approve Zone Code Amendment 2015-03, amending Chapter 18.15 “R-1” (Residential Single Family) Zone, with any related cross-references in other chapters as needed to add animal-keeping as a permitted use; modify item 15 under Section 18.23.06 to not allow roosters, and require a conditional use permit for miniature pigs.

AYES: Leonard, Jaffarian, Rigler Motion Passed

NOES: Hedges, Hoffman

Under discussion: (prior to vote)

Member Jaffarian suggested amending his motion to include a modification to item 5 under 18.23.06 "Permitted Uses" to not allow roosters, and require a CUP for miniature pigs.

6. BUSINESS ITEMS:

- A. **Site Plan 2015-15** (Pimlico Properties, Inc.): A request to locate a 107 square-foot ice vending machine in an existing parking lot for a retail store located at 816 Sixth Street in the C-4 (Commercial) zone. **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. He noted the applicant's concern with the western-look requirement; the final architecture design approval will be by ARC. Staff recommends that the vending machine be moved to the front of the trail fencing and add a wood frame to achieve the western look.

Director King confirmed for Commission Member Hoffman that the vending machine will have its own water and electrical service.

Chair Hedges invited the public to speak.

Juan Diaz, applicant, answered questions from the Commission, agreeing to comply with any requirements by the City.

Chair Hedges brought discussions back to the Commission.

M/S Leonard/Rigler to adopt Resolution 2015-42, to approve Site Plan 2015-15, to allow an ice vending machine proposed within the parking lot of an existing retail store at 816 Sixth Street.

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

- B. **Special Sign Permit 2015-01** (Bovee): A request for approval of a freeway-oriented sign to advertise three businesses on property located at 1701-1713 Hamner Avenue in the CTO (Commercial Transition Overlay) zone. **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. He stated that this project is being reviewed by the Commission first, for its height and size; and the final approval will be by ARC for the design. The permit is conditioned for the sign to be at the maximum square-footage per the NMC, and the design will also incorporate the community such as the Horsetown USA logo.

Vice Chair Leonard asked if the incorporation of a City logo affects its height, in response, Director King stated that the City gives leeway when a community feature is included, but for this request the height will be kept at its approved height.

In response to Member Hoffman, Director King shared that sign pollution has been a topic of discussion by the City Council and the Commission alike; restrictions have been put in place and its size is determined by the lot size.

Member Jaffarian suggested that the sign have an increased height, to allow for freeway drivers time to get off the freeway in order to go visit the businesses advertised.

M/S Jaffarian/Rigler to deny without prejudice Special Sign Permit 2015-01.

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

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

- City Council Special Meeting of May 20, 2015
- City Council Special Meeting of June 3, 2015
- City Council Regular Meeting of June 3, 2015
- City Council Regular Meeting of June 17, 2015

8. PLANNING COMMISSION:

A. Oral Reports from Various Committees: None

B. Request for Items on Future Agenda (within the purview of the Commission):

- Member Jaffarian requested a discussion on dual usage of buildings on PAKAs, clarify allowed uses and how it can be monitored.
- Member Hoffman requested clarification on a 25-foot paved apron requirement in front of garages and its inclusion in the 40% lot coverage.

9. ADJOURNMENT: Chair Hedges adjourned the meeting at **9:55 PM**

Respectfully submitted,

Steve King
Secretary
Planning Commission

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