



**CITY OF NORCO
PLANNING COMMISSION REGULAR MEETING AGENDA**

**Wednesday, September 14, 2016
City Council Chambers, 2820 Clark Avenue, Norco CA 92860**

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Robert Leonard, Chair
John Rigler, Vice Chair
Danny Azevedo, Commission Member
Patricia Hedges, Commission Member
Phil Jaffarian, Commission Member

PLEDGE OF ALLEGIANCE: Chair Robert Leonard

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.

1. **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.
2. **APPROVAL OF MINUTES:**
 - A. Minutes of Regular Meeting of July 13, 2016, Minutes of Special Meeting of July 27, 2016, and Minutes of Regular Meeting of August 10, 2016.
Recommended Action: Approval (Minutes Clerk)
3. **CONTINUED PUBLIC HEARING:**

Order of Presentation for Public Hearing Items:

1. *Staff Presentation*
2. *Commission Questions of Staff*
3. *Open Public Hearing*
 - a. *Comments by Applicant*
 - b. *Public Speakers in Favor, Against, or Neutral*
 - c. *Applicant Response to Comments*
 - d. *Questions of Applicants*
4. *Close Public Hearing*
5. *Commission Discussion and Action*

- 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 building at 5060 Pinto Place located within the A-1-20 (Agricultural Low Density) Zone **Recommended Action: Approval** (Senior Planner)
4. PUBLIC HEARINGS:
- A. **Conditional Use Permit 2016-24 (Foley):** A request for approval to allow a detached accessory building consisting of a 1,560 square-foot storage building at 2272 Lonestar Drive located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)
- B. **Conditional Use Permit 2016-30 (Sandoval):** A request for approval to allow a detached accessory building consisting of a 1,750 square-foot barn at 219 Gulfstream Lane located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)
- C. **Conditional Use Permit 2016-07 (Chavez):** A request for approval to allow 11 additional dogs above the four dog limit, at 3800 Pedley Avenue located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)
- D. **Variance 2016-01 (Sahil Investment Group):** A request for approval to allow the height of an approved hotel building to exceed 50 feet in height on the southeast corner of Hamner Avenue and Fifth Street in the C-G (Commercial General) zone. **Recommended Action: Approval** (Planning Director)
5. BUSINESS ITEMS:
- A. An oral report on the demolition of the interior of the accessory building located at 2348 Valley View Avenue, required under the approval of Site Plan 2015-08.
6. PLANNING COMMISSION / STAFF COMMUNICATIONS:
- A. Oral Reports from Various Committees
B. Request for Items on Future Agenda (within the purview of the Commission)

ADJOURNMENT:

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)

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.

The meeting is recorded.

Agenda Item 2.A. Minutes of Regular Meeting of July 13, 2016, Minutes of Special Meeting of July 27, 2016, and Minutes of Regular Meeting of August 10, 2016. Recommended Action: Approval

Minutes of the Planning Commission ~~Regular meeting of July 13, 2016, Special Meeting of July 27, 2016, and Regular Meeting of August 10, 2016~~ were not completed at the time of the agenda packet preparation on September 8, 2016.

All the noted minutes above will be completed on or before Sunday, September 11, 2016 and delivered to the Commission Member via e-mail. Hardcopies will be delivered on Monday, September 12, 2016.



**CITY OF NORCO
PLANNING COMMISSION REGULAR MEETING MINUTES**

**Wednesday, July 13, 2016
City Council Chambers, 2820 Clark Avenue, Norco CA 92860**

CALL TO ORDER: 7:00 p.m.

ROLL CALL:
Patricia Hedges, Chair - **Present**
Robert Leonard, Vice Chair - **Present**
Danny Azevedo, Commission Member - **Present**
Phil Jaffarian, Commission Member - **Absent**
John Rigler, Commission Member - **Absent**

PLEDGE OF ALLEGIANCE: Vice Chair Leonard

APPEAL NOTICE: Read by Director King

OATH OF OFFICE: Re-appointed Commission Member Patricia Hedges
City Clerk Link provided the Oath of Office for re-appointed Commission Member Patricia Hedges for her continued service on the Planning Commission.

1. **PUBLIC COMMENTS: None**

2. **APPROVAL OF MINUTES:**

A. Minutes of Regular Meeting of May 11, 2016. **Recommended Action: Approval** (Minutes Clerk)

M/S LEONARD/AZEVEDO to approve Planning Commission Regular Meeting Minutes of May 11, 2016, as written; the motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD, AZEVEDO

NOES: NONE

ABSENT: JAFFARIAN, RIGLER

ABSTAIN: NONE

3. **CONTINUED PUBLIC HEARING:**

A. **Conditional Use Permit 2016-13 (Davis):** A request for approval to allow a detached accessory building consisting of a 2,400 square-foot storage/hobby shop building at 2579 Echo Hill Drive located within the A-1-20 (Agricultural Low Density) Zone **Recommended Action: Continue public hearing to August 10, 2016 Planning Commission Regular Meeting** (Senior Planner)

Senior Planner Robles recommended the continuance of this project to the next regular meeting of August 10, 2016, to allow the applicant time to submit the required project exhibits for the presentation.

4. PUBLIC HEARINGS:

- A. **Conditional Use Permit 2016-23 (Coleman):** A request for approval to allow a detached accessory building consisting of a 960 square-foot garage/storage building at 2697 Shadow Canyon Circle located within the A-E (Agricultural Estate) Zone. **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. She noted discussions from the previous Planning Commission meeting, which denied the project, without prejudice, as it was determined that the location of the proposed building precluded an adequate animal-keeping area on the property. The Commission analyzed the project for potential animal keeping since it is zoned for it, although not required to be shown on the plan. The applicant submitted a revised plan showing a new location for the proposed building, allowing for an open animal-keeping area. Staff recommends approval.

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

Vice Chair Leonard commended the applicant for taking into consideration Commission's comments and presenting a plan based on those comments.

M/S Leonard/Hedges to adopt Resolution 2016-38, to approve Conditional Use Permit 2016-23, to allow a detached accessory building consisting of a 960 square-foot garage/storage building at 2697 Shadow Canyon Circle; the motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD, AZEVEDO
NOES: NONE
ABSENT: JAFFARIAN, RIGLER
ABSTAIN: NONE

- B. **Conditional Use Permit 2016-16 (Jackson):** A request for approval to allow a detached accessory building consisting of a 1,760 square-foot garage/workshop building with 204 square feet of covered patio area at 4192 Center 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. The project was reviewed by the Architectural Review Subcommittee (ARC), with no major concerns expressed. As proposed all requirements have been met, a continued open animal area can be provided; staff recommends approval.

In response to Chair Hedges, Planner Robles noted that based on its size, the bathroom will only accommodate a toilet and sink.

Commissioner Azevedo stated a tank-less water heater was not need for only a sink.

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

Dale Sessions, draftsman and spoke on behalf of applicant, responded to questions from Vice Chair Leonard in reference to a urinal being added, and why a tank-less water heater is needed. Mr. Session stated that the applicant's father is disabled and a larger restroom would allow wheelchair access. In response to Chair Hedges, Mr. Sessions explained that the porch is more of a façade aspect.

Vice Chair Leonard emphasized that the applicant understand all conditions and what the consequences will be if not followed.

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

Member Azevedo appreciated the look of the porch; he felt the plan was well presented.

Vice Chair Leonard noted concerns with the building looking more like a house, potential for it to be converted as such. He suggested that instead of a water heater, he would allow for an InstaHot under the sink to heat water, since only has a toilet and sink.

M/S AZEVEDO/ ----- to adopt Resolution 2016-42, to approve Conditional Use Permit 2016-16, to allow a detached accessory building consisting of a 1,760 square-foot garage/workshop building with 204 square feet of covered patio area at 4192 Center Avenue; requiring an instahot, or similar, under the sink.

Motion died due to a lack of a second.

M/S LEONARD/HEDGES to adopt Resolution 2016-42, to approve Conditional Use Permit 2016-16, to allow a detached accessory building consisting of a 1,760 square-foot garage/workshop building with 204 square feet of covered patio area at 4192 Center Avenue; adding conditions to allow an instahot under the sink, no large water heater, and allow for a 2-piece bathroom only; motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD,
NOES: AZEVEDO
ABSENT: JAFFARIAN, RIGLER
ABSTAIN: NONE

- C. **Conditional Use Permit (Morris):** A request for approval to allow a detached accessory building consisting of a 2,400 square-foot storage building at 4714 Pedley 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. The ARC was concerned with the industrial look; this was shared with the applicant.

The building as proposed meets all requirements, as well as the open animal keeping area; staff recommends approval.

Vice Chair Leonard questioned the access from the back of the property through the side yard area; in response, Planner Robles stated 15 feet is the requirement.

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

Cheryl Morris, applicant, responded to Vice Chair Leonard's question regarding the size of the building, stating that she will be storing an RV and classic cars. She confirmed she has no plans to have a business operating from the building.

Tom Deitrick, as a neighbor, he noted concern with flooding once the large building is in place.

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

Chair Leonard questioned that there are two houses on the property and the excessive amount of trailers already on the property. He further stated his concern that a business may be run out of the proposed building, and doesn't care for the industrial look of the building. Director King confirmed that both current homes are permitted on the property.

Member Azevedo pointed out potential difficulty with turn-around and access by the RV due to a large tree near the access area.

Chair Hedges stated she doesn't like large metal buildings, but it fits on the property.

M/S AZEVEDO/HEDGES to adopt Resolution 2016-41, to approve Conditional Use Permit 2016-18, to allow a detached accessory building consisting of a 2,400 square-foot storage building at 4714 Pedley Avenue; the motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD, AZEVEDO
NOES: NONE
ABSENT: JAFFARIAN, RIGLER
ABSTAIN: NONE

- D. **Conditional Use Permit 2016-19 and 2016-20 (Holly/HC&D Architects):** A proposal to allow a pediatric therapy riding and education facility at 4211 Valley View Avenue which includes: a new therapy facility building, two adjoining caretaker dwelling units, and related accessory buildings on an existing residential lot with an existing residence that will serve as the facility manager's residence. The property is located in 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 provided an overview of the property as it currently stands, and the current allowed usage. Although landscape is not a requirement in residential, when a property may be used as business, the commercial requirements are added to the conditions. Per the Norco Municipal Code, parking areas need to be paved but applicant is proposing gravel; upon review staff agreed. Staff recommends approval.

Member Azevedo questioned if flooding concerns have been addressed. In response, Director King stated that grading requirements will be reviewed by the Engineering Department through the permit process.

In response to Vice Chair Leonard, Director King stated that caretaker units are allowed as permanent structures, whereas granny flats are handled differently; and the maximum elevation of a proposed structure is 35 feet.

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

Cassandra Holly, applicant, explained that the additional caretaker unit is to allow additional accommodation for a full time trainer, a full time groundskeeper, and a full time horse caretaker.

Mike Thompson noted this is a great project for the area, but concerned with the property when the owner leaves, 35-45 years down the road when someone else buys the property.

Lance Gregory spoke in favor of the project.

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

Chair Hedges has concerns with the caretaker unit as permanent structure; as well as with the height of the proposed facility building. Director King stated that the structure will look residential and may be slightly visible from Valley View Avenue.

Vice Chair Leonard liked the proposed project and its use. If 500 square-foot structures are a concern for future use, it can be conditioned to remain for current uses.

M/S LEONARD/AZEVEDO to adopt Resolution 2016-44, to approve Conditional Use Permit 2016-19, to allow a pediatric therapy riding and education facility located at 4211 Valley View Avenue; the motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD, AZEVEDO
NOES: NONE
ABSENT: JAFFARIAN, RIGLER
ABSTAIN: NONE

M/S LEONARD/AZEVEDO to adopt Resolution 2016-45, to approve Conditional Use Permit 2016-20, to allow a second caretaker's dwelling on property located at 4211 Valley View Avenue; the motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD, AZEVEDO

NOES: NONE

ABSENT: JAFFARIAN, RIGLER

ABSTAIN: NONE

- E. **Specific Plan 90-01 Amendment 13:** A proposal to amend the Permitted Uses and Development Standards sections of the Industrial District of the Gateway Specific Plan. **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. He stated that this report is to provide for a language review of the specific plan, more specifically to the industrial district of the specific plan, as directed by City Council. He stated that discussions have taken place with Wells Fargo representatives, including two Planning Commission Members, EDAC members, and staff on options for uses and any restraints that may be needed. He turned discussions over to the Commission, asking for its recommendation.

Vice Chair Leonard attended the meetings mentioned; he touched on the building height discussed at the meeting, noting that the current height stay as it is set.

Member Azevedo noted that 250,000 square-feet is quite large, which would entail potential traffic issues, both cars and trucks. Industrial buildings are not inviting, as opposed to smaller business structures.

In response to Chair Hedges, Director King stated that the City has approximately 3-4 industrial developments, with a maximum height of 40,000 square-feet.

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

Jeff Rosano, Wells Fargo representative, explained that manufacturing is coming back to California and there is a need for office space. He noted that many industrial buildings in Norco were visited, suggesting a desire to have a manufacturing business with a point-of-sale office and showroom, such as EZup. In response to Vice Chair Leonard, Mr. Rosano stated that the proposed manufacturing businesses will not compete or interfere with feed stores or other retailers like Target. Once these parameters are set, the interested developers will be advised what is expected, and provide support to the City.

Mike Thompson questioned notations on the staff report asking if information was missing, Director King responded that only the proposed changes were addressed. Mr. Thompson asked the Commission to take into consideration the residences surrounding the area.

Debby Bukky questioned the economic impact and if a study had been done to compare large industrial as opposed to smaller ones.

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

Member Azevedo commented on the size of proposed structures, and its effect on the neighboring residences. He pointed out the importance of point-of-sale generating tax income for Norco.

Vice Chair Leonard agreed that residences surrounding the area must be taken into consideration. He suggested keeping the maximum height at 43 feet, adding that 250,000 square-feet may be pushing it.

Chair Hedges stated she has a problem with the whole thing, giving an approval to adding additional buildings and allowed uses without any kind of study, including a traffic study. Although costly for the City, she cannot approve this without further review or information on what may be considered for use.

Director King indicated that land use in the Gateway Specific Plan is broad, with a long list of uses which can be categorized.

In response to Vice Chair Leonard, Director King explained that being that there isn't a master developer for the property; the property may be divided up into smaller lots which may streets through it. He shared that Wells Fargo is attempting to make the lot more marketable.

Vice Chair Leonard stated that he would like to get input from Commission Member Jaffarian, he suggested that discussions be continued for his return.

M/S HEDGES/LEONARD to continue further discussions to the next regular meeting of August 10, 2016; the motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD, AZEVEDO

NOES: NONE

ABSENT: JAFFARIAN, RIGLER

ABSTAIN: NONE

- F. **Specific Plan 91-02 Amendment 7:** A proposal to amend the regulations for the Equestrian Residential District with regards to the allowed lot and pad area coverage. **Continue public hearing to August 10, 2016 Planning Commission Regular Meeting** (Planning Director)

Planning Director King stated this item is being continued to the next regular meeting of August 10, 2016, to allow staff time to gather required information for a presentation.

M/S LEONARD/AZEVEDO to continue the public hearing of Specific Plan 91-02, Amendment 7, to the next regular meeting on August 10, 2016; the motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD, AZEVEDO
NOES: NONE
ABSENT: JAFFARIAN, RIGLER
ABSTAIN: NONE

Recessed 8:37 p.m. / Reconvened 8:45 p.m.

5. BUSINESS ITEMS:

- A. **Site Plan 2016-10 (Cisneros):** A request for approval to allow a detached accessory building consisting of a 640 square-foot workshop/storage building at 2310 Red Cloud Court 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. All requirements have been met; staff recommends approval.

M/S LEONARD/AZEVEDO to adopt Resolution 2016-40, to approve Site Plan 2016-10, to allow a detached accessory building consisting of a 640 square-foot workshop/storage building at 2310 Red Cloud Court; the motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD, AZEVEDO
NOES: NONE
ABSENT: JAFFARIAN, RIGLER
ABSTAIN: NONE

- B. **Special Sign Permit 2016-01 (AD/S/Balboa Management Group LLC):**
A request for approval of a freeway-oriented pylon sign on property located at 5555 Hamner Avenue (Silverlakes) located within the OS (Open Space Zone). **Recommended Action: Continue to special meeting on July 27, 2016 Planning Commission Special Meeting** (Planning Director)

Director King stated this item is being continued to a special meeting scheduled for July 27, 2016, by request of the applicant.

6. DISCUSSION ITEM:

- A. Discussion of Lot Coverage with Regards to the Massing of Accessory Buildings. **Recommended Action: Provide Direction for a public hearing (Planning Director)**

Director King stated this item is being continued to the next regular meeting on August 10, 2016, to allow staff time to gather information to make the presentation.

7. PLANNING COMMISSION / STAFF COMMUNICATIONS:

A. Oral Reports from Various Committees: None

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

- Chair Hedges noted that she had noticed trucks parking overnight in an empty lot off of Sixth Street, on the Southwest corner; she asked staff that signage be posted for No Parking.

ADJOURNMENT: Chair Hedges adjourned the meeting at **8:51 p.m.**, to a Special Meeting scheduled for July 27, 2016.

Respectfully submitted,

Steve King, Secretary
Planning Commission



**CITY OF NORCO
PLANNING COMMISSION REGULAR MEETING MINUTES**

**Wednesday, August 10, 2016
City Council Chambers, 2820 Clark Avenue, Norco CA 92860**

CALL TO ORDER: **7:00 p.m.**

ROLL CALL: Patricia Hedges, Chair - **Present**
Robert Leonard, Vice Chair - **Present**
Danny Azevedo, Commission Member – **Absent**
Phil Jaffarian, Commission Member - **Present**
John Rigler, Commission Member - **Present**

PLEDGE OF ALLEGIANCE: **Commission Member Jaffarian**

APPEAL NOTICE: **Read by Director King**

1. ELECTION OF CHAIR AND VICE CHAIR

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

AYES: HEDGES, LEONARD, JAFFARIAN, RIGLER

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

M/S LEONARD/JAFFARIAN to nominate Chair Rigler to serve as Vice Chair to the Planning Commission for the next fiscal year.

AYES: HEDGES, LEONARD, JAFFARIAN, RIGLER

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

2. PUBLIC COMMENTS: **None**

3. APPROVAL OF MINUTES:

A. Minutes of Regular Meeting of June 8, 2016, **Recommended Action: Approval** (Minutes Clerk)

M/S JAFFARIAN/HEDGES to approve Planning Commission Regular Meeting minutes of June 8, 2016, as written; the motion was carried by the following roll call vote:

AYES: LEONARD, RIGLER, HEDGES, JAFFARIAN

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

4. CONTINUED PUBLIC HEARING:

- A. **Conditional Use Permit 2016-13 (Davis):** A request for approval to allow a detached accessory building consisting of a 2,400 square-foot storage/hobby shop building at 2579 Echo Hill Drive 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. Planner Robles provided larger color photos of the site for ease of viewing. She reported that the applicant is requesting that the rest of the animal keeping area be behind proposed building. The members of Architecture Review Committee (ARC) commented on the building looking industrial, however it was far enough back on the site that they were satisfied with it.

In response to Vice Chair Rigler's concerns, Planner Robles stated that the road is private, that a property with less than 20,000 square feet can have four (4) animal units, and that the current storage unit will be removed before the proposed new building obtains its final inspection.

Director King clarified that in order to connect to the sewer the property line must be within 300 feet of a main line.

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

Steve Davis, applicant, explained that the power line that runs behind property will not interfere, and assured the Commission that there will not be a business run on the site.

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

Member Hedges liked how far back the building is going to be and that it looks tucked away.

Member Jaffarian stated his concern that once the building is in place there may be issues with access to the animal keeping area, and the grade seems very steep, however he doesn't have any suggestion of another location.

Vice Chair Rigler concerned with grade and the animal keeping area behind the building, which diminishes animal units down to half-acre requirement due to slope. Planner Robles noted that the land can be graded in the future, if needed.

M/S JAFFARIAN/HEDGES to adopt Resolution 2016-24, to approve Conditional Use Permit 2016-13, to allow a detached 2,400 square-foot storage/hobby shop at 2579 Echo Hill Drive; the motion was carried by the following roll call vote:

AYES: LEONARD, HEDGES, JAFFARIAN

NOES: RIGLER

ABSENT: AZEVEDO

ABSTAIN: NONE

B. Conditional Use Permit 2016-25 (Sahil Investment Group): A proposal for a 90-room hotel at 3361 Hamner Avenue in the C-G (Commercial General) Zone. **Recommended Action: Approval** (Planning Director)

Director King presented the staff report on file in the Planning Department. Director King also provided a larger color exhibit of the hotel site that was displayed during meeting.

Vice Chair Rigler indicated concerns with parking, questioning parking requirements. He asked if other national brand companies that moved into Norco have complied with the western theme requirements.

Director King explained that a code amendment was recently approved by City Council, adopting the new standards being used for parking requirements. As for other national brand companies he referenced McDonalds on Sierra Avenue, ARCO gas station incorporated western look even though its older; he stated that it depends on how much flexibility the brands will be willing to work with the requirements.

Chair Leonard questioned about trailer parking and if there is a requirement; made reference to Architecture Review Chapter 18.41, concerning western theme appearance; and expressed concern with the height of the building on the plans, that it appears to be too tall.

Director King explained that a proposed hotel, that was never built, had a tight property as well and had proposed to make parking back to back so that two spaces could be used to pull through to accommodate for trailers. He further explained that the building must stay at 50 feet or under, or a variance will be required.

Mark Raab, engineer for the project, suggested incorporating something at the corner to accommodate horse riders. Mr. Raab stated that although he cannot speak for applicant in regards to the architecture, the corporate office tries to give all their properties a common look so it can be recognized from a distance. He added that the owners are ready to move forward with the project.

Vice Chair Rigler stated that although he loves to see something done with the property rather than sit empty, the City will be setting a trend by not sticking with the western theme requirement.

In response, Mark Raab shared that the owners are willing to listen to anything the City is asking for, such as adding lights with a horse symbol on it.

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

Debby Bukky questioned the difference between this project, the Temple and Mavericks, asking that the Commission be just as hard on the Holiday Inn as the other projects. She noted that there's a need to relax on the western standards as its hurting small businesses and discouraging other businesses from coming in.

Karen Leonard commented on the lack of western look to the building, adding that it does not appear welcoming. She stated that the horse watering is not needed if there's no bar, and that additional lighting shown are not sufficient. If the owners are so excited to come to Norco, they should be willing to accommodate the western theme requirement.

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

Member Hedges stated that Sixth Street is more western and Hamner Avenue is more business oriented. She pointed out that the Marriott hotel is not that western and that we have to be fair with all; she liked the trail fence being proposed.

Member Jaffarian exclaimed that the proposed hotel looks fine, although he would prefer a more western look, adding that it is a great use of the site. He stated that Holiday Inn Express has a more "blocky" look by nature, pointing out the roof line and window treatments. He appreciated the port-cochere (cover for vehicles at front entrance), it provides a great look, and the pull-through parking.

Vice Chair Rigler liked the project, and agrees with Member Jaffarian. He also would appreciate a more western look.

Chair Leonard agreed with previous remarks; and noted that Les Schwab made small changes to look more western, recommending that the roof line can be revised to incorporate a western style.

Member Jaffarian requested that the architectural plans be sent to ARC for its review prior to returning to the Planning Commission. Director King agreed it can then be reviewed as a Business Item on a future agenda.

M/S JAFFARIAN/RIGLER to adopt Resolution 2016-48, to approve Conditional Use Permit 2016-25, to allow a 90-room hotel at 3361 Hamner Avenue; the motion was carried by the following roll call vote, subject to additional ARC review, and returned to the Commission for final review of architecture as a business item:

AYES: LEONARD, RIGLER, HEDGES, JAFFARIAN
NOES: NONE
ABSENT: AZEVEDO
ABSTAIN: NONE

C. Zone Code Amendment 2016-04 (City): A proposal to amend Chapter 18.30 regarding lot coverage allowance in the A-1 zone. **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. He stated that the City Council has asked for the Planning Commission to review this issue based on concerns that buildings are impeding on the animal keeping areas. A slide presentation was provided showing coverage options. Staff is asking for Commission recommendation to be presented to the City Council.

In response to Member Jaffarian, Director King addressed the height issue, as noted to be a maximum of 20 feet in height, however Planning Commission has not addressed that.

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

Mike Thompson stated that lot size is the issue, some have open space on the side of the house not in the rear; noting that 40% coverage is fine for larger lots however it is an issue for smaller lots, which discourages people from moving to Norco. He added that the Commission asks for animal keeping areas on lots where there is nothing legal stating it is required.

Debby Bukky stated she objects to the changes, adding that rather than restricting homeowners give them the control back. Less permit requirements.

Bonnie Slater stated that current regulations make things impossible, but the Commission has an opportunity to make changes and not allow certain things so that residents can keep large animals on lots.

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

Director King responded to concerns by addressing previous lot coverage stats and how difficult it is to control the size of buildings.

Vice Chair Rigler agreed with comments made, stating that there has to be a happy medium between the percentage and size of buildings among different lot sizes. He stated that when the accessory buildings are becoming two times the size of the house it becomes an issue.

Member Jaffarian would like to make sure the City is not restricting its citizens; suggesting 30-35% coverage.

Member Hedges stated that at times 40% fits, but pools take up so much space and should be included in the lot coverage calculation. She agreed with others that too many applications for the larger accessory structures had to be approved because it met code.

Chair Leonard gave an example of massing (the size of a building) where the property is at 36% coverage but the building takes over the whole property. He stated that massing needs to be reviewed and agreed with 30% coverage.

M/S JAFFARIAN/RIGLER to adopt Resolution 2016-47, recommending that the City Council approve Zone Code Amendment 2016-47, to amend Chapter 18.13 regarding lot coverage with 30% coverage allowance in the A-1 zone; the motion was carried by the following roll call vote:

AYES: LEONARD, RIGLER, HEDGES, JAFFARIAN
NOES: NONE
ABSENT: AZEVEDO
ABSTAIN: NONE

Recessed 8:30 p.m. / Reconvene: 8:40 p.m.

D. Specific Plan 90-01 Amendment 13 (City): A proposal to amend the Permitted Uses and Development Standards sections of the Industrial District of the Gateway Specific Plan. **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. Director King described the issues faced with no funding in the General Fund for studies/reports costing up to \$200,000 in document fees. He shared that a previous Work Group Committee was set up, attempted to make changes in the land use but were not successful. The new round table discussion group is proposing to merge the two permitted uses, M-1 and Gateway Specific Plan, in terms of regulations which would make sense. There would be a height increase and other changes to make it more appealing to develop the site.

Member Jaffarian inquired about the advantages of doing this, would the acceptable land uses prohibit future uses. Director King responded with a reference to a previous project and clarified that it's for light industrial or office park, and not all uses will work for both, there is a lot of flexibility and would be harder to fit in to just one category.

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

Member Hedges contends that going around the economic issues and melding these is asking for potential problems and possibly opening up to uses we don't want.

Member Jaffarian felt that the uses list doesn't show any value or economic benefit to the City. He explained the benefits of lifting the height limitation on the building and some of the lot restrictions.

Vice Chair Rigler and Chair Leonard both agreed with the building height issue within the residential area of the site.

Director King explained that Wells Fargo would prefer to sell the site, and are hoping a large developer will take over and complete mass development of the site.

Vice Chair Jaffarian suggested to strike the dual uses from the resolution, including the permitted accessory uses, and lift the regulation about office space limitation; this should work for Wells Fargo, the project and the City.

M/S JAFFARIAN/LEONARD to adopt Resolution 2016-43, to recommend to City Council to approve Specific Plan 90-01 Amendment 13 to amend Permitted Uses and Development Standards sections of the Industrial District of the Gateway Specific Plan, with a maximum building size at 25,000 square feet, for above maximum allowed height require a Conditional Use Permit, currently allowed uses in Gateway Specific Plan with a limit of 25% in mixed use development as permitted uses and strike out additional principal uses; the motion was carried by the following roll call vote:

AYES: HEDGES, LEONARD, JAFFARIAN, RIGLER

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

5. PUBLIC HEARINGS:

- A. **Conditional Use Permit 2016-22 (Podaca):** A request for approval to allow a detached accessory building consisting of a 2,000 square-foot storage/hobby building at 3596 Pedley 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 stated at the Architectural Review Subcommittee (ARC) has reviewed the plans; the only concern noted was the industrial look of the building. The applicant's goal is to make it look more residential, to include a barn style door, landscaping, and painted red with white trim. A letter of opposition was presented to the Commission; it was received on the day of the meeting.

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

Andrew Podaca, applicant, was present and answered a few questions from the Commission.

Betty Bash stated her concerns with the impact this large project will have, as her property is next door, and runs a day care school. She is opposed to the project.

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

Member Jaffarian noted his appreciation for changes made based on ARC comments, and its location, well away from the property line.

Member Hedges stated that she doesn't like big buildings, but this project is within what is allowed by code, and concurs with Member Jaffarian's comments. Chair Leonard agreed that it is a permitted use and within the zoning code guidelines.

M/S JAFFARIAN/RIGLER to adopt Resolution 2016-49, to approve Conditional Use Permit 2016-22, to allow a detached 2,000 square-foot storage/hobby shop at 3596 Pedley Avenue; the motion was carried by the following roll call vote:

AYES: LEONARD, JAFFARIAN, RIGLER
NOES: HEDGES
ABSENT: AZEVEDO
ABSTAIN: NONE

- B. Conditional Use Permit 2015-06 (Duarte):** A request for approval to allow a detached accessory building consisting of a 1,250 square-foot storage building at 5060 Pinto Place located within the A-1-20 (Agricultural Low Density) Zone **Recommended Action: Continue to September 14, 2016 Planning Commission Regular Meeting** (Senior Planner)

Senior Planner Robles stated item is being continued to allow the applicant additional time to submit required documentation.

M/S JAFFARIAN/HEDGES to continue Conditional Use Permit 2015-05 to the Planning Commission Regular Meeting of September 14, 2016; the motion was carried by the following roll call vote:

AYES: LEONARD, RIGLER, HEDGES, JAFFARIAN
NOES: NONE
ABSENT: AZEVEDO
ABSTAIN: NONE

- C. Conditional Use Permit 2016-26 (Bowen):** A request for approval to allow a temporary mobile home for the elderly at 2484 Pinto Lane located within the 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. All requirements have been met; staff recommends approval.

Vice Chair Rigler questioned on how the City verifies that an appropriately aged family member is living in mobile home; staff confirmed that proof of age is required and that the site is inspected. Should this not be the case, it will become a Code violation and cited appropriately with 20 days to make corrections.

Member Jaffarian stated concerns about a burden on the title, Planner Robles confirmed that a legal document is recorded, and that the property cannot transfer with ownership until the unit is removed.

Chair Leonard is concerned there is no animal keeping area shown on the plans and would like that noted on the site plan, Planner Robles stated that there is a grass area noted.

Director King elaborated that this a temporary use and that it must be removed when no longer needed, so it doesn't impede on land or the animal keeping area.

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

Mr. and Mrs. Bowen requested for an additional 140 square-foot due to the need for a wheelchair access. Chair Leonard and Director King clarified that the 900 square-foot dimension is the livable area only.

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

M/S JAFFARIAN/HEDGES to adopt Resolution 2016-51, to approve Conditional Use Permit 2016-26, to allow a temporary mobile home for the elderly at 2484 Pinto Lane, with a square-foot modification; the motion was carried by the following roll call vote:

AYES: LEONARD, RIGLER, HEDGES, JAFFARIAN
NOES: NONE
ABSENT: AZEVEDO
ABSTAIN: NONE

6. BUSINESS ITEMS:

- A. **Site Plan 2016-12 (McPherson)**: A request for approval to allow a detached accessory building consisting of an 840 square-foot garage/workshop building at 733 Seventh 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. All requirements were met; staff recommends approval.

Vice Chair Rigler asked if the site previously had a garage which may have been converted, Planner Robles responded that the property never had a garage; she also confirmed that a 25-foot skirt will be required.

George McPherson, applicant, explained that the home was built 1950, and never had a garage.

M/S JAFFARIAN/HEDGES to adopt Resolution 2016-50, to approve Conditional Use Permit 2015-12, to allow a detached an 840 square-foot garage/workshop building at 733 Seventh Street; the motion was carried by the following roll call vote:

AYES: LEONARD, RIGLER, HEDGES, JAFFARIAN
NOES: NONE
ABSENT: AZEVEDO
ABSTAIN: NONE

7. PLANNING COMMISSION / STAFF COMMUNICATIONS:

- A. Oral Reports from Various Committees: None

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

Chair Leonard stated that if a home/property has never had a garage, the property owner should not be required a permit approval through the Planning Commission. Member Jaffarian concurred that applicants do not need to come to the Commission for the first garage on the property. Director King stated it can be added to a list of item not needing Planning Commission approval.

M/S LEONARD/JAFFARIAN asked for a report to discuss a zone code amendment for future uses and process for the application of a first-time garage.

AYES: LEONARD, RIGLER, HEDGES, JAFFARIAN

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

ADJOURNMENT: Chair Leonard adjourned the meeting at **9:39 p.m.**

Respectfully submitted,

Steve King, Secretary
Planning Commission

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: September 14, 2016 (August 10, 2016)

SUBJECT: Conditional Use Permit 2015-06 (Duarte): A request for approval to allow a detached accessory building consisting of a 1,250 square-foot storage building at 5060 Pinto Place located within the A-1-20 (Agricultural Low Density) Zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2016-52, approving Conditional Use Permit 2015-06.

BACKGROUND: Conditional Use Permit (CUP) 2015-06 is a request to approve a 1,250 square-foot storage building at 5060 Pinto Place (ref. Exhibit "A" – Location Map). The property consists of about .46 acres/20,038 square feet and is developed with a single family residence (ref. Exhibit "B" – APN Map and Exhibit "E" – Aerial and Site Photo). There is a five-foot wide horse trail easement on the property that is part of a 15-foot wide horse trail at the rear of the property. The property is a split level lot, created by a slope roughly in the center of the property, with the front half lower than the back half.

The subject building has already been constructed and as a result there is a Code Compliance case on the property. This project was originally scheduled for a public hearing before the Planning Commission on April 8, 2015, but was not heard and continued off-calendar. This was necessary so that outstanding code violations potentially related to the proposed accessory structure could be resolved first. This has been completed and at this point, the only item left is the construction of the subject building without a permit, and a building permit cannot be issued without an approved CUP. If the CUP is not approved the building will have to be torn down. The penalty for construction without a permit is a doubling of the building permit fees. Historically this is the process that has been followed.

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 "C" – Site Plan and Exhibit "D" – Building Elevations and Actual Building Picture). The building is proposed at the rear of the property and is a typical metal structure that will be used for storage.

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

- The minimum setbacks of 5 feet from side and rear 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 16 feet 10 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 20,038; however, the property is not completely flat primarily due to the split level characteristic of the property. At least 14,000 square feet of the property has an average grade of 4% or less. The pad coverage for the property is approximately 30%, 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 5 animal units would be allowed which would require an open area of at least 2,880 square feet. There is an open area of over 2,880 square feet at the rear of the property on the south side of the proposed structure, which is rectangular in shape and a minimum of 24 feet on all sides.** As designed access to the accessory structure would be through the open animal area which has been an issue with the Planning Commission but is not prohibited by the Norco Municipal Code.

The project was provided to the Architectural Review Sub-Committee (ARC). One member of the ARC was okay with the building, and the other member expressed concern over the “industrial look” of a metal building in a neighborhood, but no recommendations for changes were provided.

A letter of opposition to the project and has been attached to this report (ref. Exhibit “F” – Letter dated August 26, 2016)

As proposed and conditioned, the project meets the minimum requirements for an accessory building over 864 square feet and is therefore being recommended for approval. Resolution 2016-52 for approval of Conditional Use Permit 2015-06 has been attached should the Planning Commission make the determination to approve the project.

Attachments: Resolution 2016-52
 Exhibit “A” – Location Map
 Exhibit “B” – Assessor’s Parcel Map
 Exhibit “C” – Site Plan
 Exhibit “D” – Building Elevations and Actual Building Picture
 Exhibit “E” – Aerial and Site Photos
 Exhibit “F” – Letter dated August 26, 2016

RESOLUTION NO. 2016-52

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 1,250 SQUARE-FOOT STORAGE BUILDING AT 5060 PINTO PLACE AVENUE LOCATED WITHIN THE A-1-20 ZONE. (CONDITIONAL USE PERMIT 2015-06)

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 RAMIRO DUARTE for property located at 5060 Pinto Place (APN 153-052-014); and

WHEREAS notice of a public hearing for August 10, 2016 on said petition was given in the manner and for times required by law for and,

WHEREAS said application was not heard but continued to the meeting of September 14, 2016 and,

WHEREAS, at the time set, at 7 p.m. on September 14, 2016, 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 September 14, 2016 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" – Actual Pictures/Building Elevation and Actual Building Picture dated March 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 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 the subject structure on the 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 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 these accessory buildings 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. 2016-52
Page 4
September 14, 2016

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on September 14, 2016.

Robert Leonard, Chairman
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

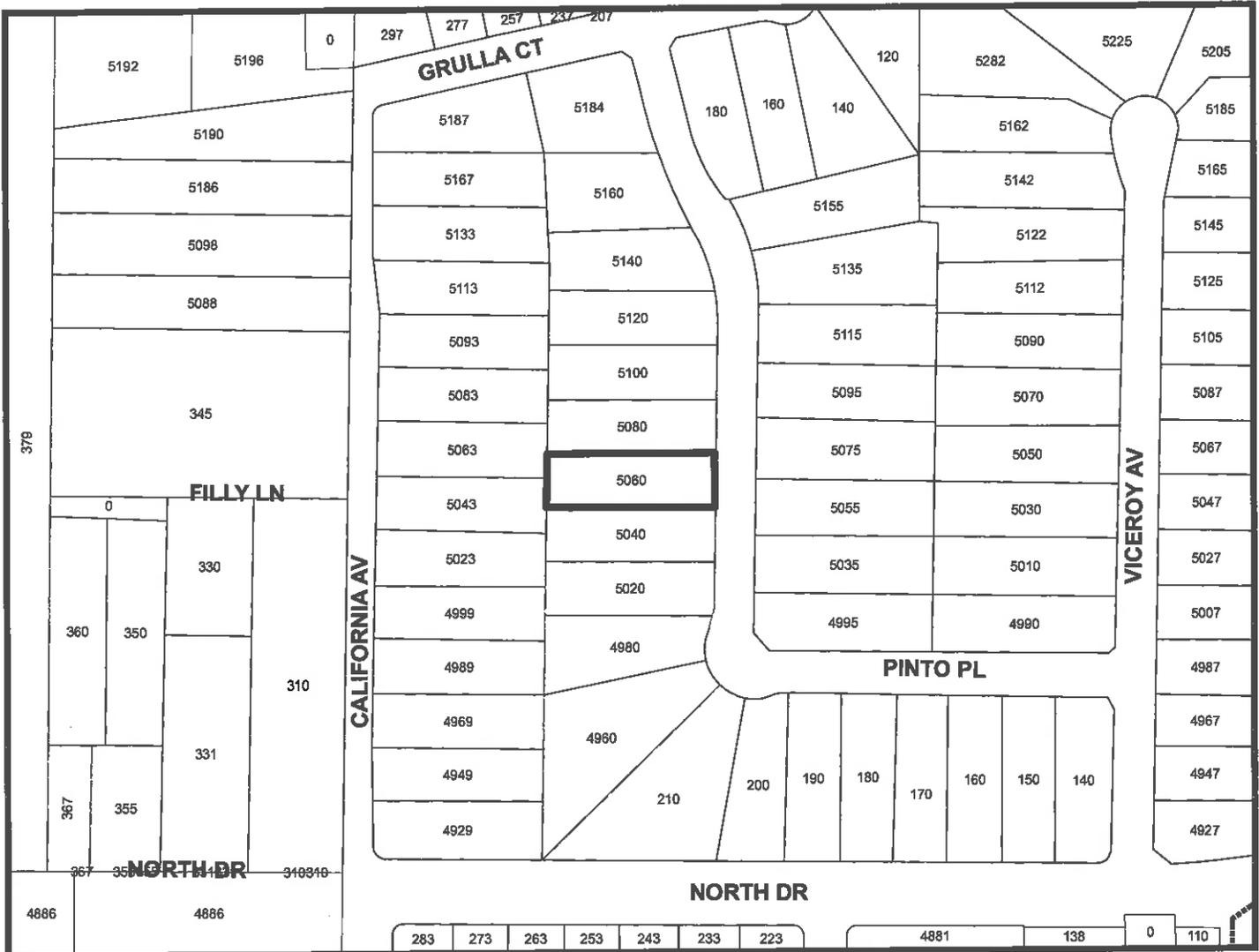
I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on September 14, 2016 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

Location Map



Not to Scale



PROJECT: Conditional Use Permit 2015-06

APPLICANT: Ramiro Duarte

LOCATION: 5060 Pinto Place

Exhibit "A"

ASSESSOR'S PARCEL MAP

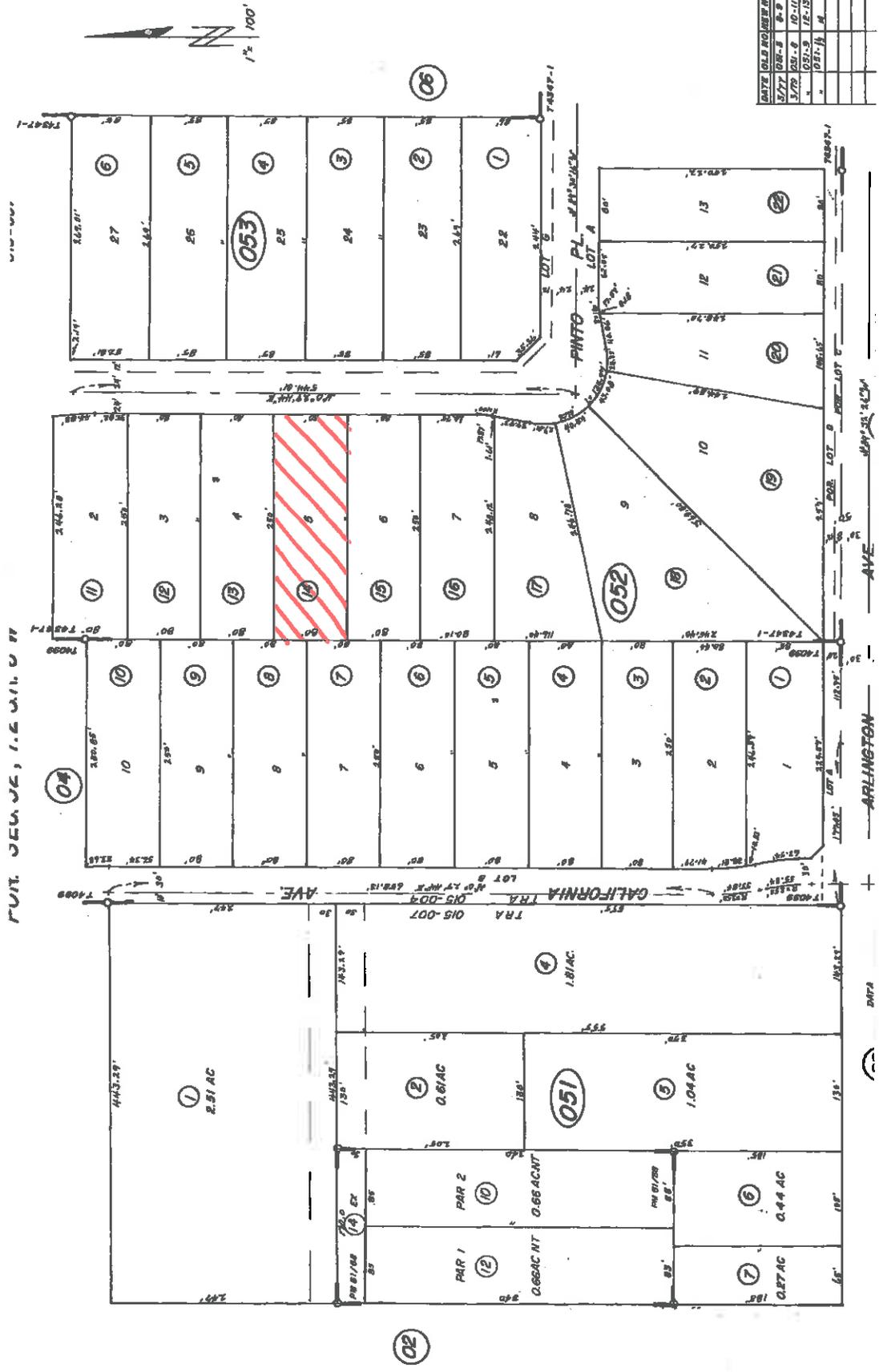


Exhibit "B"



Proposed
Structure

5060

EXHIBIT "C"
CWP 2015-06
1 OF 1

PHOTOS



Access to the back of the property



Location of subject structure



Open animal keeping area



Location of subject structure

EXHIBIT "C"

CUP 2015-06

2 OF 2

AUG 10 2016

August 10, 2016

Planning Commission City of Norco, CA

CITY CLERK
TIME: _____ C: Code Compliance
Planning Dept

I am writing in response to a notice I received from the City of Norco, CA regarding a CUP request for a 1,250 square-foot building at 5060 Pinto Pl. Homeowner/requestor is Duarte.

I live next door (North at 5080 Pinto Pl) to the above property. Approximately 18 months ago, the Duarte family moved into the property. Mr. Duarte immediately moved in about 50-60 old used washers and dryers to the far rear of the property. When asked what they were for, Mr. Duarte replied that he converts them to coin operated washers/dryers and sells them out of the country. Shortly thereafter, Mr. Duarte began grading his back property. His and my properties were level with each other at this time with a chain link fence separating the two properties. He pulled/pushed dirt from the farthest point back forward toward the middle portion of his property. When he was finished, the far rear of his property took about a three (3) foot drop straight down from my property. Where he had pushed the dirt forward, his property was now three or four (3-4) feet higher than my property. He then formed a rectangular wood (2' x 6' boards?) boarder approximately 25' x 50' and poured a concrete slab. It was about this time that I witnessed a conversation between him and another neighbor who happens to be a Riverside County Code Enforcement Officer. She asked Mr. Duarte if he had pulled a permit with the City of Norco for the grading. Mr. Duarte indicated that he had not. He was then informed by this officer that he was required to obtain a building permit for grading and if his plan was to place a building on the concrete slab, a permit would also be required for that. Within two weeks the 20' x 50' industrial building was erected. Construction started on a Friday and was finished by late Sunday. Coincidentally, the city offices are closed on Friday, Saturday and Sunday.

Mr. Duarte's next move was to build what he told me would be a six-foot wood fence along the graded area between our two properties. The fence does measure a little over six feet at the far rear of the property where his property is now three plus feet lower than my property. However, this six foot fence at the section of his property that Mr. Duarte built up is approximately ten (10") feet high when standing on my property. Mr. Duarte also used wood slats at the bottom of the wood fence as a retainer between his raised property and my now lower property. This wood slat retainer has now become a major issue for me due to the fact that the City of Norco has now sited Mr. Duarte on numerous aspects of his grading and building projects. One requirement was for Mr. Duarte to remove the wood slats. He has not replaced them with a proper retaining wall so dirt, rock and debris are now falling down against and through the chain link fence separating our properties. Also, during the few rains we experienced last winter, the water from Mr. Duarte's property drains onto my property causing flooding in that section of my arena nearest the property line. A significant amount of land has been washed away exposing the electrical conduit that was once below ground. In June 2016 I had a conversation with Mr. and Mrs. Duarte, partially regarding the crumbling land and the flooding from last winter. Mr. Duarte stated to me, "that is your problem because you reported me to the city they made me remove the wood slats so

EXHIBIT "F"

that is your own fault." Mrs. Duarte also stated to me during this same conversation that I should probably move back to Oregon where I had come from.

Around this same time that Mr. Duarte built the wood fence, he indicated to me that the City of Norco had granted him a business license to run the washer/dryer conversion business from his property. I later learned that this was not true. No business license had been issued, yet he continued to bring more and more washers/dryers onto his property. Neighbors complained due to the noise in the middle of the night as his loaded trailer scraped up the driveway and loud talking while unloading. Neighbors complained about the number of cars parked on the street in front of many houses and loud talking from the property beginning shortly after 6 AM. I have on more than one occasion provided video of Mr. Duarte unloading washers/dryers with his tractor and placing them in his industrial building. Yet he continues to tell the Norco Code Enforcement Officer that he is no longer bringing washers/dryers onto his property. A recently as a few short weeks ago I was sitting at the stop sign at the end of our street as Mr. Duarte turned onto Pinto Place with a trailer load of washers/dryers.

Living next door to the Duarte family has become very nerve racking. I worry about retaliation against myself and my animals. I am retired and live alone and just want to be left alone and at peace. By writing this letter and speaking at the public Planning Commission meeting (should I work up enough nerve to do so) I feel I may be setting myself up for more grief. That being said, I feel that I have no choice but to voice my concerns now because I do not see the situation improving on its own. Eventually enough debris will cave in on the chain link fence and cause it to collapse. Fence posts left exposed where Mr. Duarte graded his property lower may eventually be washed out and fall. Not to mention the integrity of the ground beneath the industrial building and its support capabilities. Will it last or will it eventually come sliding down onto my property?

Thank you for your time and consideration.

Marcia Murphy

A handwritten signature in black ink that reads "Marcia Murphy". The signature is written in a cursive style with a large, looping flourish at the end.

5080 Pinto Pl Norco, CA 92860

951 255-6994

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: September 14, 2016

SUBJECT: Conditional Use Permit 2016-24 (Foley): A request for approval to allow a detached accessory building consisting of a 1,560 square-foot storage building at 2272 Lonestar Drive located within the A-1-20 (Agricultural Low Density) Zone

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2016-56 approving Conditional Use Permit 2016-24.

Conditional Use Permit 2016-24 is a request for approval to allow an accessory building consisting of a 1,560 square-foot storage building at 2272 Lonestar Drive (ref. Exhibit "A" – Location Map). The property consists of about .47 acres/20,364 square-feet and is developed with a residential use (ref. Exhibit "B" – APN Map and Exhibit "C" – Aerial and Site Photos).

Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. The site plan, and building elevations and for the proposed building are attached (ref. Exhibit "D" – Site Plan, Building Elevations, and Floor Plan). The building is proposed at the rear of the property, proposed to be wood framed construction with a stucco exterior, and with colors to complement the existing home.

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

- The minimum setbacks of 15 feet from a street side property line, 5 feet from interior and rear 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 shown with a maximum height of 20 feet 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 20,364 square feet and 18,628 square feet of the property has an average grade of 4% or less. The lot/pad coverage for the property is 39%, which takes into account the existing and proposed structures which includes the pool.**
- 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 is an open area of over 2,880 square-**

feet at the rear of the property on the south side of the proposed structure, which is rectangular in shape and a minimum of 24 feet on all sides. As designed access to the accessory building would be through the open animal area which has been an issue with the Planning Commission but is not prohibited by the Norco Municipal Code.

The project was provided to the Architectural Review Sub-Committee (ARC). No concerns were expressed over the architecture. However, one members of the ARC expressed concern in the placement of the building due to having to drive over the animal keeping area to get to the building. This member was also concerned with the height.

The applicant was informed of the concern of having to cross the open animal keeping area to access the proposed building but is requesting consideration of the building as proposed.

As proposed the project meets the minimum requirements for an accessory building over 864 square feet. Staff is recommending that the Planning Commission adopt Resolution 2016-56 approving Conditional Use Permit 2016-24.

/adr

Attachments: Resolution 2016-56
 Exhibit "A" – Location Map
 Exhibit "B" – Assessor's Parcel Map
 Exhibit "C" – Aerial and Site Photos
 Exhibit "D" – Site Plan
 Exhibit "E" – Building Elevations, and Floor Plan

RESOLUTION NO. 2016-56

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 1,560 SQUARE-FOOT STORAGE BUILDING AT 2272 LONESTAR DRIVE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW DENSITY) ZONE. (CONDITIONAL USE PERMIT 2016-24)

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 SCOTT FOLEY for property located at 2272 Lonestar Drive (APN 129-352-001); 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 September 14, 2016 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 September 14, 2016 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 Building Elevations, and Floor Plan dated June 22, 2016 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. The structure shall complement the existing structures in color.
9. A home occupation business shall not be permitted from the subject building.
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. The maximum height of the building shall be 20 feet as measured from the outside finished grade to the peak of the roof.
13. The toilet room inside the subject building shall only accommodate a toilet and sink and shall not exceed 30 square feet.

##

Resolution No. 2016-56
Page 4
September 14, 2016

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on September 14, 2016.

Robert Leonard, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was regular duly and regularly passed and adopted by the Planning Commission of the City of Norco at a meeting thereof held on September 14, 2016, 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 2016-24

APPLICANT: Scott Foley

LOCATION: 2272 Lonestar Drive

Exhibit "A"

APN MAP

BELGIAN

LOT

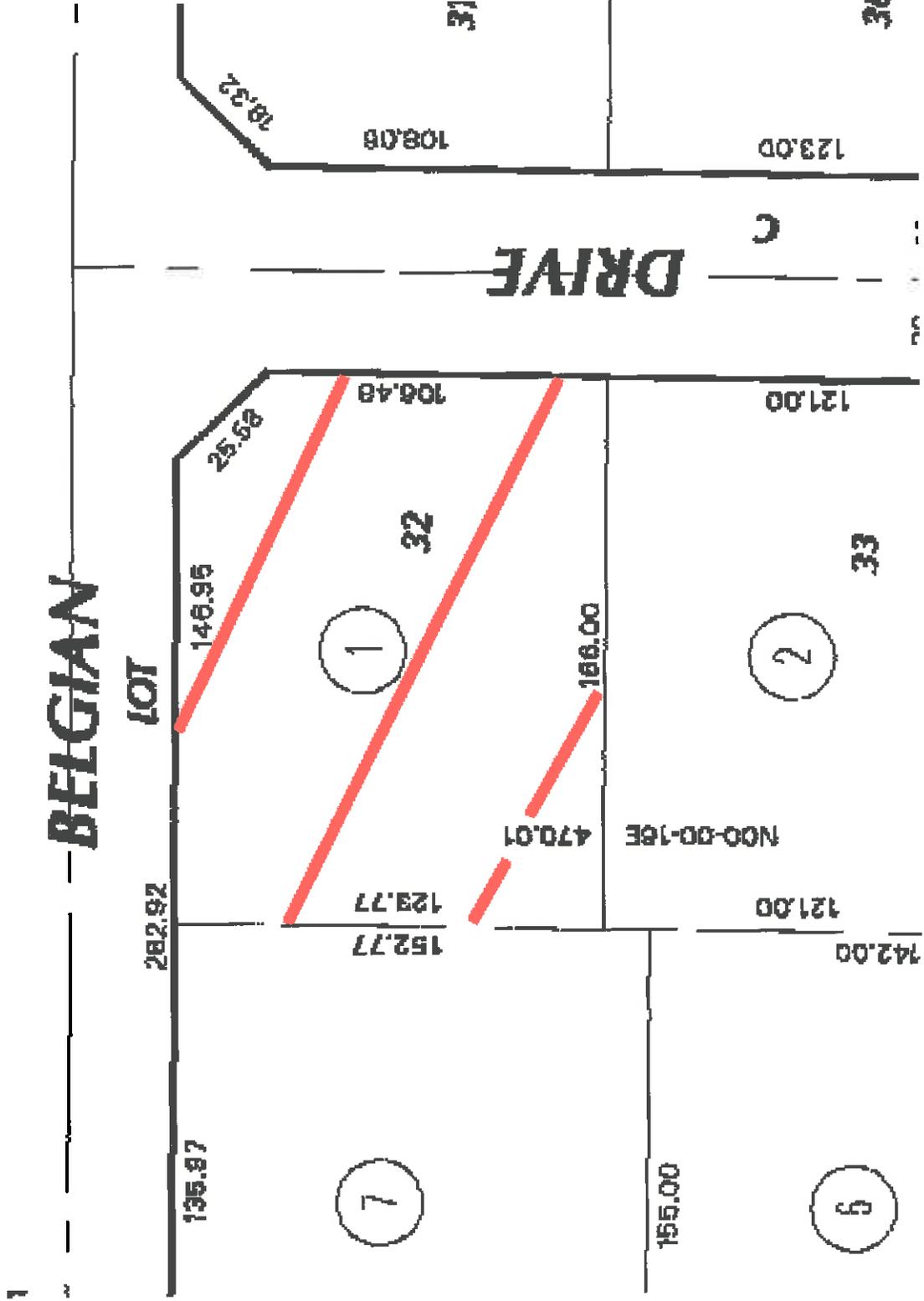


Exhibit "B"



22712

EXHIBIT "C"
CUP 2016-24
1 OF 2

PHOTOS



Access to the back of the property



Approximate location of the open animal keeping area



Approximate location of proposed structure



Approximate location of proposed structure



EXHIBIT "C"

CUP 2016-24

2 OF 2

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: September 14, 2016

SUBJECT: Conditional Use Permit 2016-30 (Sandoval): A request for approval to allow a detached accessory building consisting of a 1,750 square-foot barn at 219 Gulfstream Lane located within the A-1-20 (Agricultural Low Density) Zone

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2016-55 approving Conditional Use Permit 2016-30.

BACKGROUND: A request to build a 1,750 square-foot barn/storage building on the subject property was previously reviewed by the Planning Commission under Conditional Use Permit (CUP) 2015-40. The project was reviewed and continued with direction that the applicant modify the proposed building to reflect an actual animal-keeping structure since it was proposed in the Primary Animal Keeping Area (PAKA) on the property. In an effort to alleviate the concerns of the Commission, instead of modifying or moving the building, the applicant proposed to relocate the PAKA elsewhere on the property. The Planning Commission did not concur with the relocation of the PAKA and denied the CUP. Denial of the CUP was appealed to the City council, but the City Council concurred with the Planning Commission and directed the applicant to redesign the proposed barn and its function for resubmittal to the Planning Commission.

The design of the building has been revised, its function (use) has been identified as a barn for animal-keeping (as opposed to a barn/storage building as before), and now submitted under Conditional Use Permit 2016-30, which is a new application that reflects the redesign.

PROJECT DESCRIPTION/ANALYSIS: Conditional Use Permit 2016-30 is a request for approval to allow an accessory building consisting of a 1,750 square-foot barn at 219 Gulfstream Lane (ref. Exhibit "A" – Location Map). The property consists of about 1.21 acres/52,565 square-feet and is developed with a single family residence (ref. Exhibit "B" – APN Map and Exhibit "E" – Aerial and Site Photo). The property includes a recorded Primary Animal Keeping Area (PAKA) of 3,918 square feet located towards the south side of the property.

Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. The site plan, building elevations and floor plan for the proposed building are attached (ref. Exhibit "D" – Site Plan and Exhibit "E" – Building Elevations and Floor Plan). The building is proposed to be wood framed construction with a stucco exterior, exterior wood trim, a tile roof, and colors to match the existing house. The barn is proposed with dirt floors and no interior drywall, and is proposed for animal-keeping. Most of the barn (approximately 1,450 square feet) is proposed within the existing PAKA.

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

- The minimum setbacks of 5 feet from interior and rear property lines, 15 feet from a side property line adjacent to a street, 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 maximum height of about 20 feet 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 maximum allowed coverage of a PAKA is 40%. **The subject property is approximately 52,565 square feet, and about 17,590 square feet (pad size) of the property has an average grade of 4% or less. The pad coverage for the property is approximately 26%, which takes into account the existing and proposed structures. The PAKA coverage is proposed at 37%.**

Properties in the A-1-20 Zone require a contiguous open animal area to be shown on the site plan reviewed by the Planning Commission. However, this property, while located in the A-1-20 Zone, has a recorded PAKA and therefore a contiguous open animal area is not required to be shown. Structures allowed in the PAKA must be for animal-keeping and related uses only.

The project was provided to the Architectural Review Sub-Committee (ARC). No comments were expressed over the architecture.

As proposed, the project meets the requirements for an accessory building over 864 square feet. Staff is recommending that the Planning Commission adopt Resolution 2016-55 approving Condition Use Permit 2016

/adr

Attachments: Resolution 2016-55
 Exhibit "A" – Location Map
 Exhibit "B" – Assessor's Parcel Map
 Exhibit "C" – Aerial and Site Photos
 Exhibit "D" – Site Plan
 Exhibit "E" – Building Elevations and Floor Plan

RESOLUTION NO. 2016-55

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 1,750 SQUARE-FOOT BARN AT 219 GULFSTREAM LANE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW DENSITY) ZONE. (CONDITIONAL USE PERMIT 2016-30)

WHEREAS, DAVID SANDOVAL submitted 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 for property located at 219 Gulfstream Lane (APN 133-330-016); 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 September 14, 2016 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 September 14, 2016 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 and Floor Plan dated September 7, 2016 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 building shall complement the existing house in color.
10. This approval is for an accessory building consisting of a barn for animal keeping. 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. The maximum height of the building shall be 20 feet as measured from the outside finished grade to the peak of the roof.

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Resolution No. 2016-55
Page 4
September 14, 2016

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on September 14, 2016.

Robert Leonard, Chair
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 meeting thereof held on September 14, 2016, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

APN MAP

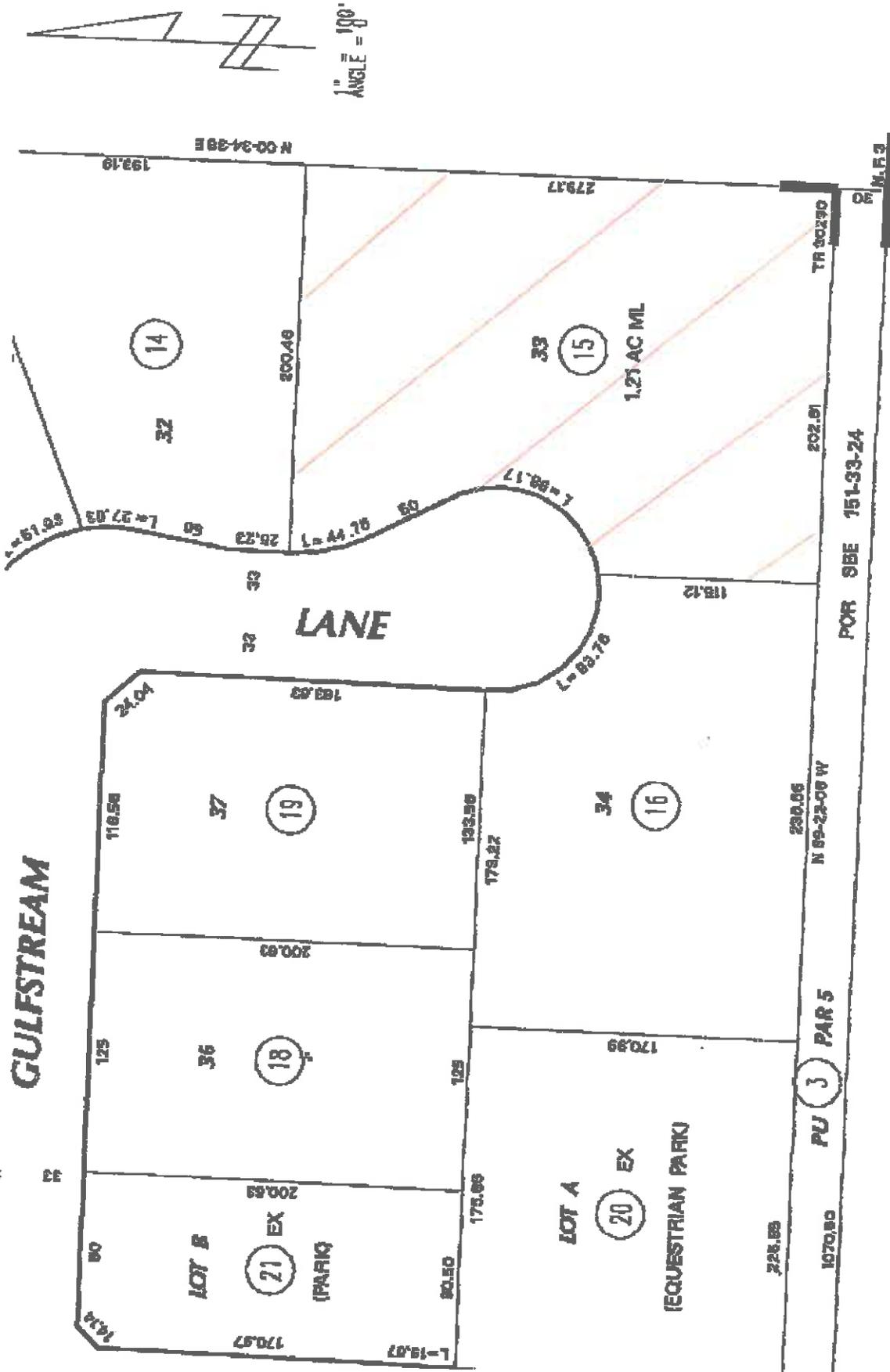


Exhibit "B"



Google Earth

EXHIBIT "C"

CWP 2016-30

1 OF 2

PHOTOS



EXHIBIT "C"

2 OF 2
CWP 2016-30

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: September 14, 2016

SUBJECT: Conditional Use Permit 2016-07 (Chavez): A request for approval to allow 11 additional dogs above the four dog limit, at 3800 Pedley Avenue located within the A-1-20 (Agricultural Low Density) Zone.

RECOMMENDATION: Adopt Resolution 2016-57, approving Conditional Use Permit 2016-07 for an additional four dogs, to allow a total of eight dogs on the property as recommended by Animal Control.

SUMMARY: Conditional Use Permit (CUP) 2016-07 is a request for approval to allow 11 additional dogs at 3800 Pedley Avenue (ref. Exhibit "A" – Location Map). A maximum of four dogs are allowed on a residential property. The applicant is seeking approval of 11 additional dogs which would allow a total of 15 dogs on the property.

PROPERTY DESCRIPTION: The project site is a rectangular shaped property consisting of about .58 acres/25,264 square feet, having a frontage on the west side of Pedley Avenue of about 105 feet and a maximum depth of about 240 feet (ref. Exhibit "B" – APN Map).

The property is developed with a single family residence and several accessory buildings (i.e. dog kennels, a garage, horse stalls etc.), which includes a temporary mobile home for the elderly that was installed with the required permits (ref. Exhibit "C" – Existing Site Plan and Exhibit "D" – Aerial and Site Photos). The applicant currently has four dogs which is the legal amount allowed.

PROJECT DESCRIPTION: By right, the Norco Municipal Code (NMC) allows four dogs on a property. With this application, the applicant is requesting approval to allow 11 additional dogs, for a total of 15. It is the intent of the applicant to conduct a rescue and adoption operation for small dogs (mostly Chihuahuas). The dogs would be housed either inside the mobile home (with the applicant) or in the existing dog kennels.

ANALYSIS: Request for additional dogs is reviewed on a case-by-case basis, and with this type of request, the Animal Control Division is contacted to perform a site inspection and provide the Planning Commission with a recommendation. Animal Control has inspected the site and is recommending that four additional small dogs (up to 25 pounds) be allowed for a total of eight dogs on the property.

As noted, the applicant is requesting consideration by the Planning Commission of 11 additional dogs for a total of 15 dogs on the property. Because additional dogs requires approval of a CUP by the Planning Commission, the Commission can consider and approve the requested amount of dogs at their discretion.

RESOLUTION NO. 2016-57

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT TO ALLOW FOUR ADDITIONAL DOGS FOR A MAXIMUM OF EIGHT DOGS ON PROPERTY LOCATED 3800 PEDLEY AVENUE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW DENSITY) ZONE. (CONDITIONAL USE PERMIT 2016-07)

WHEREAS, an application for a conditional use permit has been submitted to the City of Norco, California, under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code, by CHERYL CHAVEZ for property located 3800 Pedley Avenue (APN 133-190-027).

WHEREAS, notice of 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 September 14, 2016, 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 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 requested conditional use permit 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 designated the site as Residential Agricultural (RA) and the existing zoning designation of A-1-20 is consistent with the General Plan. The nature of the proposed land use (additional dogs) is conditionally permitted in this zone and subject to conditions. The use can be operated in a manner so as to be consistent with surrounding uses and will therefore not have any significant effects.

- B. The requested use will not adversely affect the adjoining land uses, and the growth and development of the area in which it is located by reason that the adjoining land uses are developed residential and animal keeping uses. The proposed use, when operated in compliance with the conditions of approval, will be compatible with surrounding properties and therefore will not have an adverse effect on adjoining properties.
- C. The size and shape of the site proposed for the use is adequate to allow the full facilitation of the proposed use in a manner not detrimental to the particular area.
- D. Additional traffic will not be generated by the proposed use of the property and so will not impose an undue burden upon the streets and highways in the area, based on compliance with conditions of approval.
- 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 5 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 this September 14, 2016 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 "C" – Site Plan, dated March 3, 2016 and incorporated herein by reference and on file with the Planning Division.
2. The recorded owner of the property and the applicant 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 provision 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 subject use shall be conducted in accordance with the approved plans and stipulations, on file in the Norco Planning Division.

5. Areas where animals are kept shall be maintained in a clean and sanitary condition. The City shall have the right upon request, to enter the property at any time for inspection.
6. Animal waste must be removed from the property completely.
7. No more than a total of 8 dogs shall be kept on the property. Keeping more than eight dogs on the property without City approval shall constitute cause for revocation of this conditional use permit.
8. The additional four dogs allowed with this permit shall be of a small breed and shall not exceed 25 pounds.
9. This conditional use permit shall not be transferable. Should the applicant move, this conditional use permit shall be null and void.
10. An annual inspection by Animal Control is required along with the payment of applicable inspection fees. The applicant shall contact Animal Control one year from the date of this approval for an inspection and every year after.
11. The Animal Control Division shall be permitted to inspect the property on an annual basis or as determined necessary, to ensure that the property is maintained in a clean and orderly fashion.
12. All dogs residing at the subject property shall be licensed and current with all necessary vaccines, and shall receive immediate medical attention when needed. Medical records shall be kept accessible for Law Enforcement review. Furthermore, all dogs are required to have fresh/clean food and water and shall have housing/shelter.

#

Resolution No. 2016-57
Page 4
September 14, 2016

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on September 14, 2016.

Robert Leonard, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

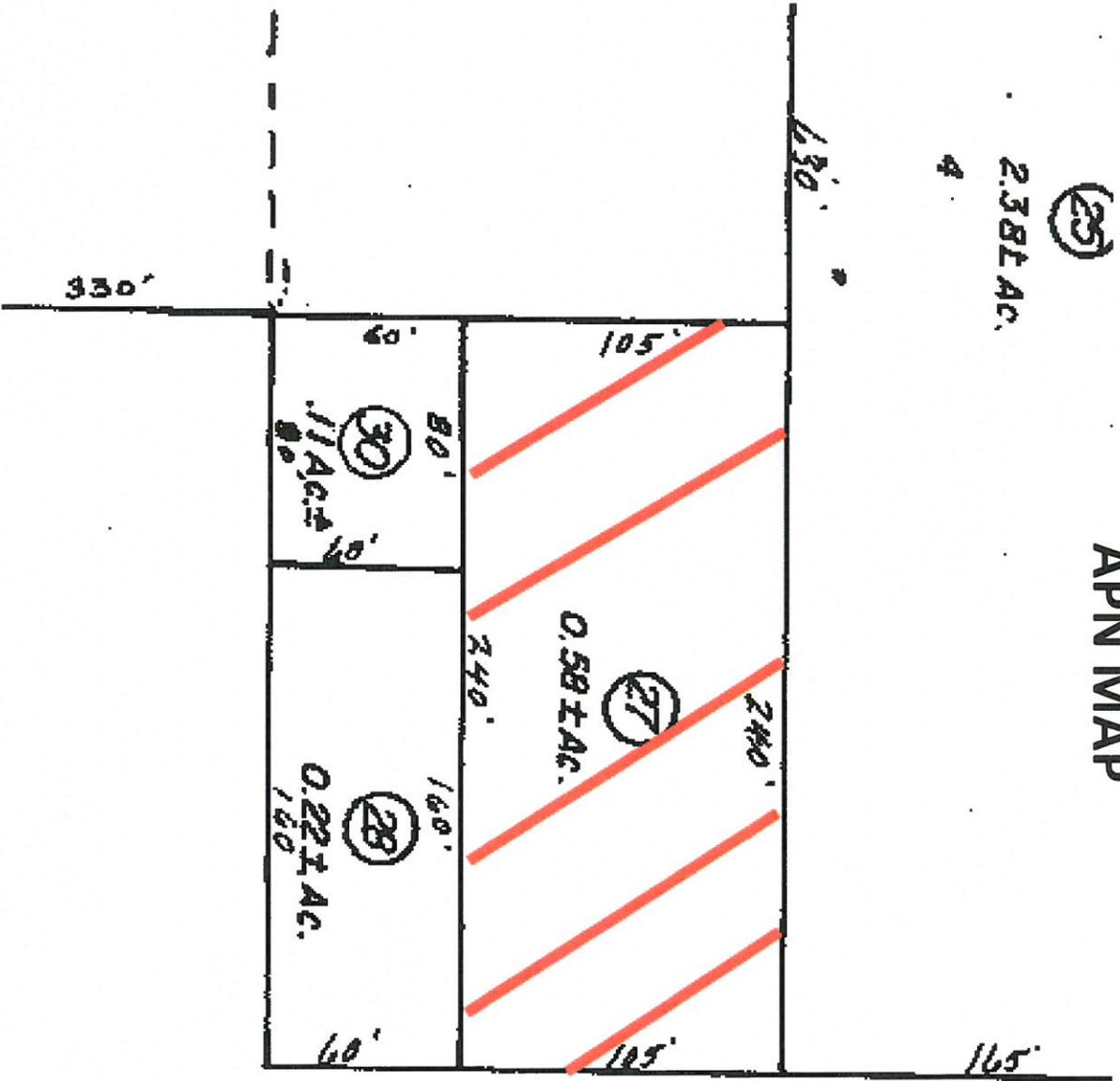
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on September 14, 2016 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission

/adr

APN MAP



(25)
2.38± AC.

(27)
0.58± AC.

(28)
0.22± AC.

(30)
.11 AC±

PEDLEY



DATE
5/79
4/79
0
12/81

Exhibit "B"



3800

EXHIBIT "C"
CWP 2016-07
1 OF 2

PHOTOS

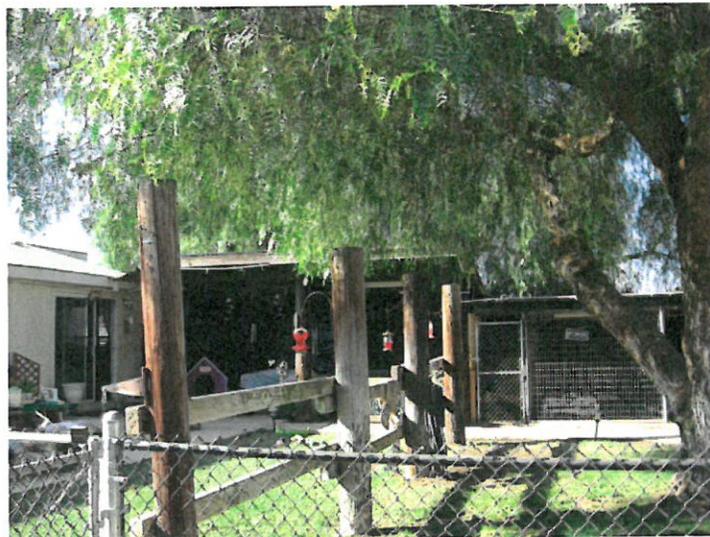
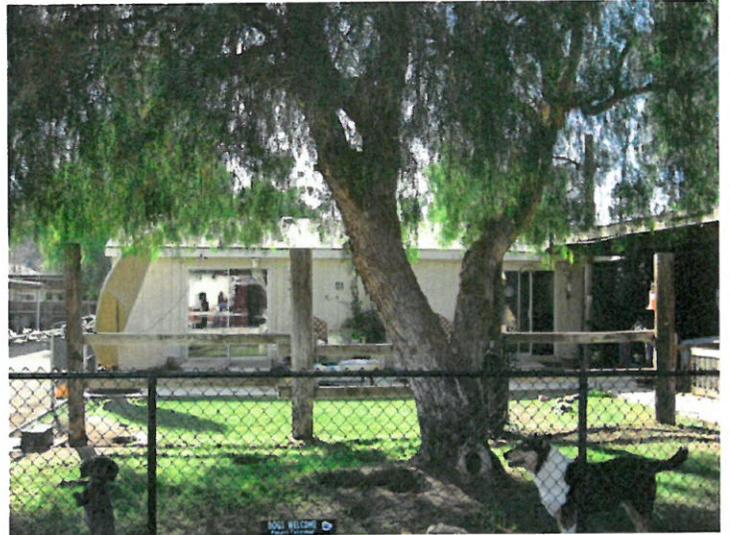


Exhibit "C"

2 OF 2

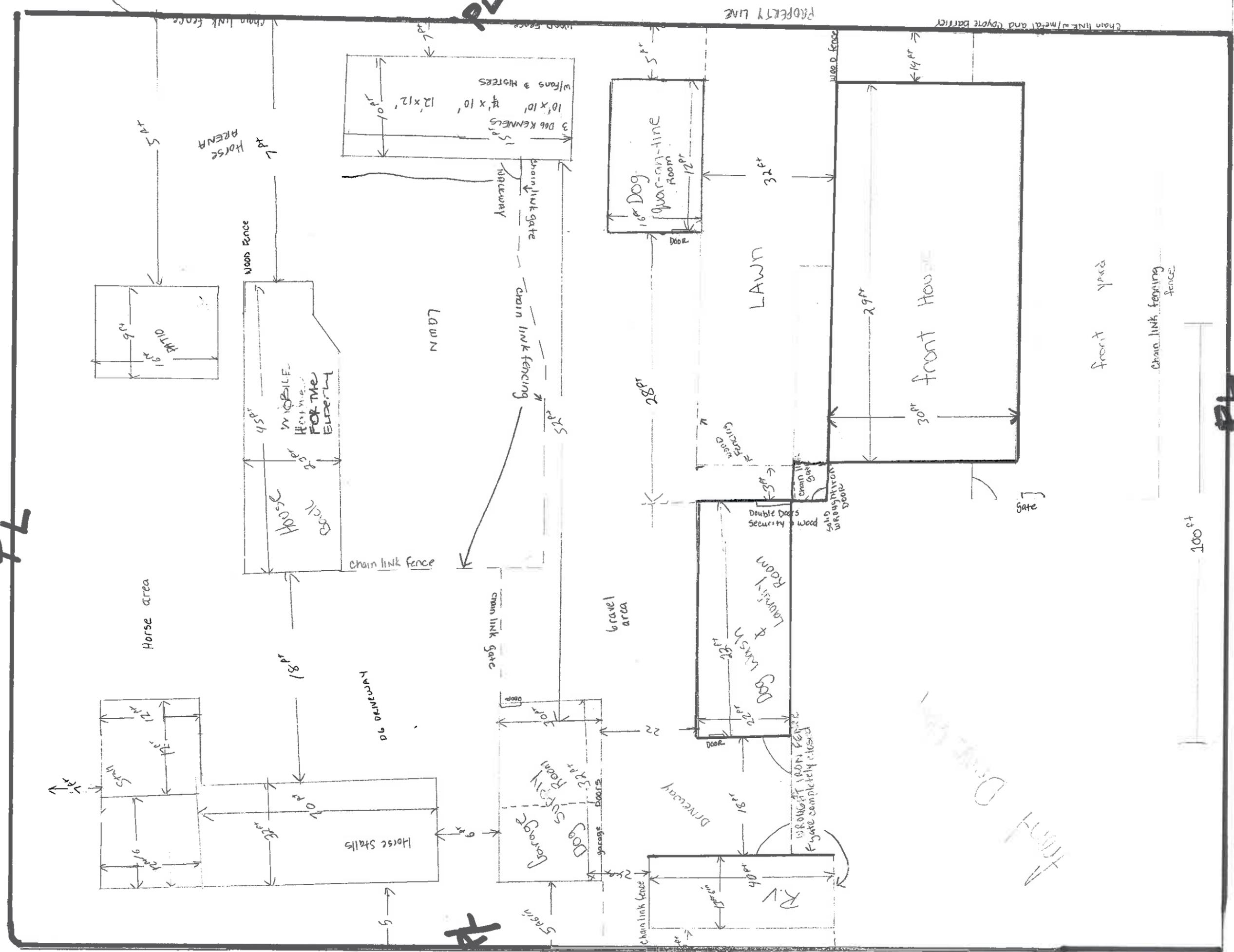
CUP 2016-07

**SITE PLAN
3800 PEDLEY AVENUE**



EXHIBIT "D"
3-31-2016
FILE COPY

PL



3800 PEDLEY AVE

* FOR REFERENCE ONLY

EXHIBIT "E"
 3-31-16
 FILE COPY

CITY OF NORCO STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Planning Division

PREPARED BY: Steve King, Planning Director

DATE: September 14, 2016

SUBJECT: **Variance 2016-01** (Sahil Investment Group): A request to allow the height of an approved 4-story, 90-room hotel to exceed 50 feet in height on the southeast corner of Hamner Avenue and Fifth Street (3361 Hamner Avenue) in the C-G (Commercial General) Zone.

RECOMMENDATION: Adopt Resolution 2016-54 approving Variance 2016-01.

SUMMARY/BACKGROUND: The Planning Commission approved Conditional Use Permit (CUP) 2016-25 for a 50-foot tall four-story hotel on the southeast corner of Hamner Avenue and Fifth Street at its meeting on August 10, 2016. At that meeting it was pointed out that an equipment screen structure on the roof appeared to exceed the 50-foot height limit allowed by the CUP. CUP 2016-25 approved the hotel and a height allowance up to 50 feet, however, if the proposed height exceeds 50 feet, than approval of a variance is needed. The entire building, with the exception of the equipment screen is 50 feet or less in height; and the applicant is unable to lower the height of the screen. The approval of Variance 2016-01 will allow the building to be constructed as it was presented to the Planning Commission on August 10, 2016.

CUP 2016-25 was also approved with a condition that the architecture be looked at again and be brought back to the Planning Commission for approval. That is still being worked on and will be placed on a future agenda.

Attachments: Resolution 2016-54
Exhibit "A" – Location Map
Exhibit "B" – Elevations, Color Sheet

RESOLUTION 2016-54

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF NORCO, CALIFORNIA GRANTING WITH CONDITIONS A VARIANCE FROM NORCO MUNICIPAL CODE SECTION 18.29.30 SITE DEVELOPMENT STANDARDS TO ALLOW AN INCREASE IN HEIGHT FOR AN APPROVED 4-STORY HOTEL (CUP 2016-25) TO ACCOMMODATE A ROOF-TOP EQUIPMENT SCREEN AT 52'4" AT 3361 HAMNER AVENUE IN THE C-G (COMMERCIAL GENERAL) ZONE. VARIANCE 2016-01

WHEREAS, SAHIL INVESTMENT GROUP initiated an application for a variance under provisions of Title 18 of the Norco Municipal Code on property generally described as:

Being a development of the Northerly 307.84 feet of Lot 2 Block 26 of the Riverside Orange Heights Tract No. 2, as shown on a Map recorded in Book 7, Page 54 of Maps, Records of Riverside County, California;

More generally described as an irregular-shaped area consisting of approximately 1.68 acres, located at the southeast corner of Hamner Avenue and Fifth Street, having a frontage on the east side of Hamner Avenue of about 294 feet, a frontage on the south side of Fifth Street of about 187 feet, having a maximum depth of about 294 feet, and being further identified with the Assessor's Parcel Number of 127-020-032; and

WHEREAS, said application has been duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, notice of 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 September 14, 2016, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was advertised for hearing before 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 categorically exempt from environmental assessment and the provisions of the California Environmental Quality Act and the Norco Environmental Guidelines pursuant to Section 3.13, Class 32 (Infill Development Projects).

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

I. FINDINGS:

- A. There are special characteristics associated with the approved project (CUP 2016-25) where screening of roof-top equipment is required by the Norco Municipal Code and it cannot be achieved without exceeding the maximum allowed height of 50 feet.
- B. The granting of the variance is necessary to avoid practical difficulty, undue hardship, or results inconsistent with the general purpose of the Zoning Code since the approved building is at a height of 50 feet or less with the exception of the equipment screen on the roof.
- C. The 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 since granting the variance will allow use of the property similar to that which is enjoyed by other commercial properties in the C-G zone where a 50-foot building can, and has been approved with a CUP.
- D. The granting of the variance will not be detrimental or contrary to the General Plan since the proposed height allowance to exceed 50 feet is only for equipment screening and the building itself is designed to be 50 feet or less consistent with the C-G zone.
- E. The City of Norco has been determined to be the lead agency for environmental reporting purposes and has determined that the project is categorically exempt from environmental assessment and the provisions of the California Environmental Quality Act and the Norco Environmental Guidelines pursuant to Section 3.13, Class 32 (Infill Development Projects).

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Norco, California, in session assembled October 28, 2015, that the aforesaid application for a variance is hereby granted subject to the following conditions:

1. Approval is based on Exhibit "B," Elevations, Color Sheet associated with Conditional Use Permit 2016-25, and incorporated herein by reference and on file with the Planning Division.

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 recommended approval before the variance 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 any approval.
4. The applicant shall meet all standards and conditions of the Planning, Fire, Engineering, Building and Safety Divisions, and all other applicable departments and agencies.
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.
6. The variance granted under the provisions of this approval shall become null and void unless the construction authorized by said variance shall have been commenced within two years after the granting of the variance and pursued diligently to completion.
7. This is not an approval to begin work. No work shall be commenced until proper permits have been issued by the Building Division.
8. The applicant/contractor shall be responsible for reasonable cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off-site.

#

APPROVED AND ADOPTED by the Planning Commission at a regular meeting held September 14, 2016.

Robert Leonard, Chair
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 September 14, 2016, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California



CASE NO.: Variance 2016-01

APN: 127-020-032

ZONING: C-G (Commercial General)

ACRES: 1.68



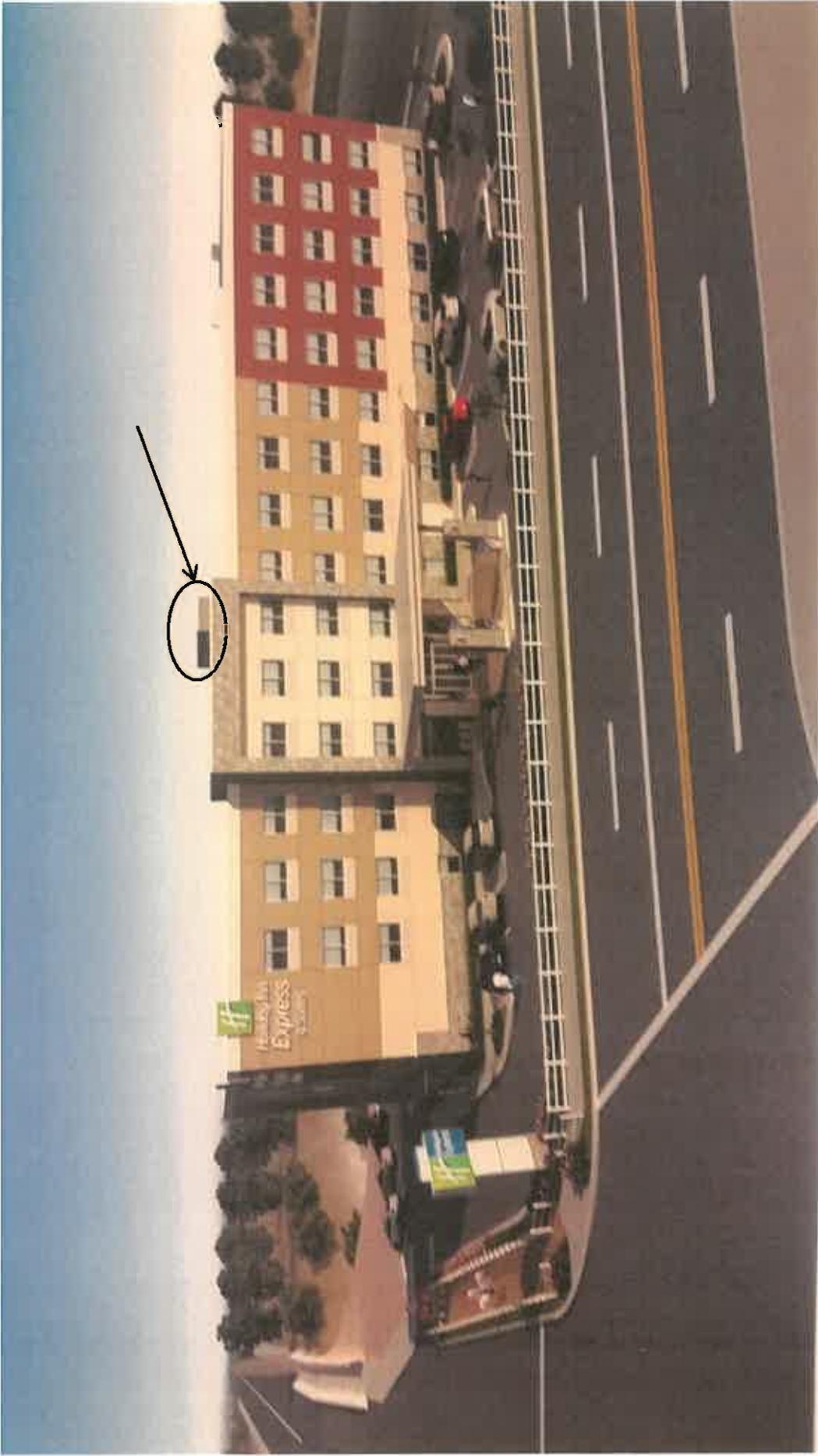


Exhibit "B"