



**AGENDA**  
**CITY OF NORCO**  
**AD-HOC COMMITTEE ON LOT COVERAGE AND ACCESSORY BUILDINGS**  
**REGULAR MEETING**  
**Monday, October 31, 2016**  
**City Hall Conference Rooms A & B**  
**2870 Clark Avenue, Norco, CA 92860**

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- CALL TO ORDER:** 4:30 p.m.
- ROLL CALL:** Phil Jaffarian, Planning Commission Member - Chair  
Greg Newton, Mayor Pro Tem – Vice Chair  
Ted Hoffman, Council Member  
Robert Leonard, Planning Commission Chair
- STAFF:** Andy Okoro, City Manager  
Steve King, Planning Director
- PLEDGE OF ALLEGIANCE:** Commission Member Phil Jaffarian – Chair

**1. PUBLIC COMMENTS**

*This is the time when persons in the audience wishing to address the Ad-Hoc Committee may speak on matters NOT on the agenda. Persons wishing to speak must complete a speaker card located in the back of the room and present it to the City Clerk so that you may be recognized.*

**2. APPROVAL OF MINUTES:**

- A. Regular Meeting Minutes of October 17, 2016. **Recommendation: Approval**

**3. DISCUSSION ITEM:**

- A. Continued Discussion Topics regarding Accessory Buildings. **Recommended Action: Discuss and provide direction** (Planning Director)

**COMMITTEE AND STAFF COMMENTS**

**ADJOURNMENT**

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*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, (951) 270-5623. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility. Staff reports are on file in the City Clerk's Office. Any writings or documents provided to a majority of the Committee Members regarding any item on this agenda will be available for public inspection at the City Clerk's Counter in City Hall located at 2870 Clark Avenue. This meeting is recorded.*



**MINUTES  
CITY OF NORCO  
AD-HOC COMMITTEE ON LOT COVERAGE AND ACCESSORY BUILDINGS**

**Monday, October 17, 2016  
City Hall Conference Rooms A & B  
2870 Clark Avenue, Norco, CA 92860**

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CALL TO ORDER: **4:32 p.m.**

ROLL CALL: **Present:**  
Phil Jaffarian, Planning Commission Member - Chair  
Greg Newton, Mayor Pro Tem – Vice Chair  
Ted Hoffman, Council Member  
Robert Leonard, Planning Commission Chair

STAFF: Andy Okoro, City Manager  
Steve King, Planning Director

**PLEDGE OF ALLEGIANCE:** Council Member Ted Hoffman

**1. APPROVAL OF MINUTES:**

A. Regular Meeting Minutes of October 10, 2016: **Recommendation: Approval**  
**M/S LEONARD/HOFFMAN** to approve the regular meeting minutes of October 10, 2016, as written. The motion passed by the following roll call vote:

**AYES: JAFFARIAN, NEWTON, HOFFMAN, LEONARD**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**2. DISCUSSION ITEM:**

A. Expanded Discussion Topics from October 10, 2016. **Recommendation: Discuss and provide direction** (Planning Director)

Steve King, Planning Director, presented the staff report as provided and filed in the City Clerk's Office. From the five topics decided upon at the previous meeting, Director King chose to tackle "massing" first, decidedly the most difficult to define as the typical definition is the footprint of the building, then the height, which are already defined and controlled by existing regulations. He provided a graph exhibit depicting a sample accessory massing chart showing setbacks based on height of the building in comparison to the current standards.

Director King asked for direction on consideration of open-sided building versus closed-sided building, should it be treated differently or the same. In further explaining the graph provided, he stated that the 20-foot height used in the example represents the highest height currently allowed by code; which most likely is used for peaks of structures that accommodate RVs.

Chair Jaffarian questioned if there are building codes that may need to be considered, which may restrict the end results of the findings. Director King clarified that the Fire Department has safety-measure requirements for buildings that are taller, but no other building codes would be affected.

Mayor Pro Tem Newton shared that a 25 square-foot structure triggers a requirement for sprinklers, which is more to prompt the resident to exit the structure, not necessarily to put the fire out.

In response to Council Member Hoffman, Director King stated that for properties without a Primary Animal Keeping Area (PAKA), code only requires a total of 20 feet access to the rear yard, with a minimum of 5 feet on one side.

City Manager Okoro suggested that if the accessory building is to keep animals then the size of the building should be as big as allowed on the lot for that purpose only; and should be more restrictive if it is for a workshop or storage of non-animal keeping equipment.

Chair Jaffarian shared details of his property to provide an example of a mare motel in response to Director King's inquiry. Stating that his mare-motel set up has 12x12 stalls with 12x12 open space outside, with a breezeway; six stalls which includes one to store feed, another for tack, the remaining four stalls meets the capacity allowed on his property.

Council Member Hoffman shared a barn description by the State; adding that barns are not usually considered closed buildings. He suggested having separate application for accessory buildings and for barns which are intended for animal keeping only.

Director King stated that the Norco Municipal Code (NMC) allows storage of up to 3 RVs; RV storage is the majority of requests received by the Planning Commission.

Chair Jaffarian brought discussions back to providing staff direction on massing; he likes the ratio chart provided by staff, it seems reasonable.

Director King suggested that since a mare-motel height is not that great, perhaps it would not need to go to Planning Commission, unless the height of the potential structure is higher like for an RV, which then should be more closely scrutinized by the Commission via a CUP process.

Planning Commission Chair Leonard described, from his experience as a contractor, that a standard wall height is 8 feet, which may be at different measurements within a garage due to the ground slope on the property.

Discussion ensued on current allowed height; standard homes in Norco are single story, and variances.

Chair Jaffarian suggested the need to clarify the description of uses of structures for animal enclosure versus accessory buildings versus animal keeping areas.

Director King stated that he has received enough input from the Members to prepare for future meetings, which will cover building size, ratio, uses, height to width ratio, etc.

**Chair Jaffarian invited the public to speak.**

Linda Dixon stated that CUP process has become the norm, but it shouldn't be; reviews need to be done with neighbors in mind. She questioned if a CUP becomes obsolete when the home is sold, is the new home owner/resident required to reapply for the CUP. Adding that self-audits does not work.

Dan Leach had questions regarding the Accessory Massing Chart distributed by staff during meeting; Director King explained the setbacks versus height.

Mike Thompson inquired about CUP notifications; staff explained the legal requirement for mail outs on any public hearing which includes CUPs.

**Chair Jaffarian brought discussions back to the Committee.**

Director King thanked the Committee for its input and will be able to provide a report on massing and its usage based on this meeting's discussions.

COMMITTEE AND STAFF COMMENTS:       **None**

**PUBLIC COMMENTS:**

Bonnie Slager asked if State Code supersedes City code; Director King stated that City Codes goes above and beyond State Code requirements.

Mike Thompson noted his concern with the City restricting property owners and the potential for suits against the City.

**ADJOURNMENT:** Chair Jaffarian adjourned the meeting at **6:05 p.m.**

# CITY OF NORCO STAFF REPORT

**TO:** Honorable Chair and Members of the Accessory Building Ad-Hoc Committee

**PREPARED BY:** Steve King, Planning Director

**DATE:** October 31, 2016

**SUBJECT:** Continued Discussion Topics Regarding Accessory Buildings

**RECOMMENDATION:** Discuss and provide direction

**SUMMARY:** This is continuing discussions regarding the processing of conditional use permits (CUP) for accessory buildings in residential agricultural zones. The focus of this discussion is the findings that are required by the Planning Commission when approving or denying a CUP and if those findings, as contained in the Norco Municipal Code (NMC), need to be changed, and then what information needs to be provided to the Planning Commission to be able to make those findings.

**BACKGROUND:** The Ad-Hoc Committee decided that there would be five main topics to be considered in the review of accessory building procedures: 1) massing, 2) CUP process and enforcement, 3) lot coverage, 4) animal-keeping preservation, 5) architecture. At the October 17, 2016 meeting it was generally agreed that the massing and location of an accessory structure would be changed so that as the height of any part of the structure gets higher, so too does the setback requirement.

Issues with massing that still need input and consideration are: A) should open-sided buildings be treated differently than closed-sided buildings; B) how should buildings be categorized based on use with regards to the allowable height for that building (e.g. R.V. garages) and is it realistic to be able to categorize buildings other than R.V. garages: (e.g. how is a barn different from a storage building, or, how is a barn different from an animal-keeping building, or, how is an animal-keeping building different from a storage building).

Letter B above leads into use of the buildings and the findings that need to be made by the Planning Commission in order to approve or deny a CUP. Currently, the findings that have to be made are established by the NMC and are authorized through police powers given to the City by the state to protect the public health, safety, and welfare of residents. The findings per the NMC are as follows:

- 1) 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.
- 2) The requested use will not adversely affect the adjoining land uses and the growth and development of the area in which it is proposed to be located.
- 3) The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area.
- 4) The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area.

From the Governor's Office of Planning and Research (OPR) "a CUP allows a city to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district, through a public hearing process. A CUP can provide flexibility within a zoning ordinance. Another traditional purpose of the CUP is to enable a municipality to control certain uses which could have a detrimental effect on the community."

Consideration of a CUP is a discretionary act. It is subject to consideration at a public hearing, and if approved, is generally subject to a number of pertinent conditions of approval. The state does not identify the needed findings to approve a CUP. These are typically created by local agencies following a general set of standards that have been upheld in court cases:

General welfare standard: will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Nuisance standard: will not be objectionable or incompatible with the character of the city and its environs due to noise, dust, odors, or other undesirable characteristics.

Zoning and General Plan Consistency standard: will not be inconsistent with the regulations of the zoning district, which district must be consistent with the General Plan, and the General Plan must conform with state law.

Findings of Fact are required to support the decision of the hearing body in its action to approve or deny a CUP. The purpose of findings is to: a) provide a framework for principled decisions enhancing the integrity of the administrative process; b) help make analysis orderly reducing the likelihood that an agency will randomly leap from evidence to conclusion; and c) help persuade the affected parties that the decision-making process is careful, reasoned, and equitable.

The Ad-Hoc Committee needs to decide if the current findings required by the NMC are adequate, or need to be changed; and what information staff needs to provide to the Planning Commission so that it can make these findings.

- 1) *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.*

Staff has historically recommended the adoption of this finding when a project meets the zoning requirements, and from a site investigation has found that there are no additional issues that would cause it to be an injurious impact to neighbors, the neighborhood, or community. The reasoning for this is that zoning automatically establishes minimum and maximum development standards designed to protect neighbors, neighborhoods, and the community.

If this finding requirement is to be kept, what additional information needs to be provided to the Planning Commission to make this finding?

- 2) *The requested use will not adversely affect the adjoining land uses and the growth and development of the area in which it is proposed to be located.*

Staff has historically recommended the adoption of this finding with the same reasoning for No. 1 but with the added caveat that the proposed use will not be injurious to the development rights on an adjoining parcel.

If this finding requirement is to be kept, what additional information needs to be provided to the Planning Commission to make this finding?

- 3) *The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area.*

Staff has historically recommended the adoption of this finding when the proposed use can meet the development standards of the zone (same as No. 1) since those standards have been included in the NMC for the protection of adjoining uses and neighborhoods.

If this finding requirement is to be kept, what additional information needs to be provided to the Planning Commission to make this finding?

- 4) *The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area.*

This is a finding that does not have much application in a residential zone since any use allowed is considered a residential use of the property and the streets have been designed in the General Plan to accommodate the anticipated build-out traffic demand for the residential use in a residential zone. This is more

applicable for commercial uses in commercial zones that have the potential for higher impact than what the typical use in that zone would create (e.g. the parking requirement for a gym versus a retail outlet).

If this finding requirement is to be kept, what additional information needs to be provided to the Planning Commission to make this finding?

As stated previously state law does not prescribe what findings need to be made but case law has established the need for a jurisdiction to make findings before approving a CUP. First the Ad-Hoc Committee needs to decide if the current list of findings is the appropriate list or if it needs to be updated. Secondly the Ad-Hoc Committee needs to decide what information needs to be provided so that the Planning Commission can adopt those findings.

Attached to the staff report are findings that other agencies require for approval of a CUP (Exhibit C) but it needs to be noted that only Norco among these cities requires a CUP for an accessory building. The findings in these other cities are more designed to address semi-commercial uses (e.g. commercial horse stables), public, and semi-public uses (e.g. schools, churches, etc.) that can have the potential to be much larger buildings in nature than strict residential uses.

One finding that has been added by the Planning Commission to Variance approvals in Norco could also be considered for approval of CUP's:

- *The approved project will not limit animal-keeping on the property for the allowed number of animal units.*

This is a shortened summary of how the finding reads for various approved Variance applications because each variance is very site specific. The concept of "animal-keeping" could be expanded beyond just an open animal area in the case of a CUP to include, as an example, room for an animal-keeping structure for keeping animals when the proposed accessory building (if not for animal-keeping) is being used and it requires vehicular access across the open animal area.

Attachments:

Exhibit "A" – NMC Excerpt (Chapter 18.45, Conditional Use Permits)

Exhibit "B" – CUP Application for Accessory Building Excerpt

Exhibit "C" – Required CUP Findings from other Jurisdictions

## Chapter 18.45 CONDITIONAL USE PERMITS

### Sections:

- 18.45.02 Intent and Purpose.
- 18.45.04 Initiation.
- 18.45.06 Application.
- 18.45.08 Investigation of Application for a Conditional Use Permit.
- 18.45.10 Concurrent Procedures.
- 18.45.12 Public Hearings on Application for Conditional Use Permit.
- 18.45.14 Conditions Necessary to Granting a Conditional Use Permit.
- 18.45.16 Conditions of Approval.
- 18.45.18 Force of Conditions of Approval.
- 18.45.20 Administration of Conditional Use Permits.
- 18.45.24 Reapplication for Conditional Use Permit.
- 18.45.26 Revocation and Expiration of Conditional Use Permit.

### **18.45.02 Intent and Purpose.**

The purpose of the Conditional Use Permit is to review the location, site development, and/or conduct of certain land uses. These are uses which generally have a unique and distinct impact on the area in which they are located, or are capable of creating special problems for adjacent properties unless given special review and special conditions. A Conditional Use Permit may be granted at the discretion of the Planning Commission, and is not the automatic right of any applicant.

### **18.45.04 Initiation.**

A Conditional Use Permit may be initiated by the owner or owners (or their authorized agents) of property in the City, only where the use is specifically authorized by the Conditional Use Permit section of the zone in which the property lies.

### **18.45.06 Application.**

Application for a Conditional Use Permit shall be made on a form provided by the Planning Department, and shall be accompanied by the following:

- (1) The name and address of the applicant therefore; evidence that he is the owner of the parcel or premises involved, or that he has permission of the owner to make such application; and a legal description of the subject parcel or premises.
- (2) An application fee to assist in defraying the expense of postage, posting, advertising, and other costs of labor and materials incidental to the proceedings prescribed herein. This fee shall be in accord with a schedule established by resolution of the City Council and shall be non-refundable.
- (3) Nine (9) copies of a Site Plan, containing all the information required by Section 18.40.08 (CONTENT OF A SITE PLAN).
- (4) Such other information as the Planning Commission or City Council may require, including but not limited to market studies, design studies, engineering studies, and evidence of the ability and intention of the applicant to proceed with construction in accordance with approved plans within one year from the approval of the Conditional Use Permit.
- (5) Responsibility for Accuracy. The applicant shall be solely responsible for the accuracy of information submitted as part of his application. Submission of inaccurate plans, legal descriptions, surrounding property owners list, and other information shall be cause for invalidation of all actions regarding his petition.
- (6) Such applications shall be numbered consecutively in the order of their filing and shall become a part of the permanent official records of the City, and there shall be attached to each such application copies of all reports, notices and actions pertaining thereto.

### **18.45.08 Investigation of Application for a Conditional Use Permit.**

The Commission shall cause to be made such investigation of facts bearing on the application for a Conditional Use Permit as will provide necessary information to assure that the action on each such application is consistent with the intent and purpose of this Ordinance.

### **18.45.10 Concurrent Procedures.**

In considering the Conditional Use Permit application, the Commission, and Council on Appeal, shall review the proposed plans under the terms and criteria of Chapter 18.40 (SITE PLAN REVIEW), and Chapter 18.41 (ARCHITECTURAL REVIEW) if applicable.

#### **18.45.12 Public Hearings on Application for Conditional Use Permit.**

Public hearings and appeals on the Conditional Use permit application shall be held and governed by the provisions of Chapter 18.43 (HEARINGS AND APPEALS THEREFROM).

#### **18.45.14 Conditions Necessary to Granting a Conditional Use Permit.**

Before a Conditional Use Permit may be granted, the Commission, or Council upon appeal to it, shall make a finding from the evidence as submitted, that all four (4) of the following conditions exist in reference to the property being considered:

- (1) 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.
- (2) The requested use will not adversely affect the adjoining land uses and the growth and development of the area in which it is proposed to be located.
- (3) The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area.
- (4) The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area.

#### **18.45.16 Conditions of Approval.**

The Commission in granting a Conditional Use Permit may establish conditions under which a lot or parcel of land may be used or a building erected and/or altered, or make requirements as to right-of-way dedications, architecture, height of building, open spaces, parking areas, and conditions of operation of any enterprise or make any requirements that the Commission may consider necessary to prevent damage or prejudice to adjacent properties, or detriment to the welfare of the community.

#### **18.45.18 Force of Conditions of Approval.**

Any restrictions or conditions required by the Commission, or the City Council on appeal, in the granting of a Conditional Use Permit under the provisions of this chapter must be complied with. If such conditions or requirements are not met or if the use permitted is discontinued for a period of one year or more, the Commission shall hold a public hearing in the same manner as set forth in Chapter 18.46 (REVOCATIONS OF PERMITS AND VARIANCES).

- (1) Upon revocation, further use of the property, or maintenance of any building constructed thereon, by authority of such variance or permit shall constitute a violation of this Ordinance.

#### **18.45.20 Administration of Conditional Use Permits.**

- (1) All acts of the City Planning Commission under this section shall be construed as administrative acts performed for the purpose of assuring that the intent and purpose of this Ordinance shall apply in special cases, as provided in this section, and shall not be construed as amendments to the provisions of this Ordinance or map.
- (2) The Site Plan submitted with an application, together with the conditions, if any required by the Planning Commission and/or Council, shall be kept on file in the office of the Planning Director and shall be referred to prior to issuing a building permit. Where there is a substantial change from the original Site Plan, said plan shall be referred to the Planning Commission for action, under the procedures of Chapter 18.40 (Site Plan Review). No modifications to the conditions of the original resolution granting the Conditional Use Permit shall be permitted without a public hearing as required in Chapter 18.43 (Hearings and Appeals Therefrom). In case of such a hearing, a new application, filing fee, and procedure shall be required.

#### **18.45.24 Reapplication for Conditional Use Permit.**

The City shall not accept for filing nor consider any application for a Conditional Use Permit on premises or in a building or structure for which a similar Conditional Use Permit application was denied by the City, irrespective of whom the applicants are on either application, until twelve consecutive calendar months have expired from the date of the final decisions of the city denying the earlier application, unless such final decision was a denial with the grant of the privilege that a similar application may be filed sooner than twelve consecutive months from the date of said decision.

#### **18.45.26 Revocation and Expiration of Conditional Use Permit.**

The provisions of Chapter 18.46 (Revocation and Expiration of Permits and Variances) shall apply. (Ord. 501, Sec. 7, 1983)



# CITY OF NORCO

## UNIFORM APPLICATION

File No: \_\_\_\_\_  
Related Files: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Fees Paid: \_\_\_\_\_

### GENERAL INFORMATION:

Project Location:	
Property Owner:	Applicant:
Address:	Address:
Telephone:	Telephone:
Fax:                      E-mail:	Fax:                      E-mail:
Engineer:	Architect:
Address:	Address:
Telephone:	Telephone:
Fax:                      E-mail:	Fax:                      E-mail:
General Plan:	Site Acreage:
Zoning:	Assessor's Parcel Number:
Description of Proposal:	

### REQUESTED REVIEW:

<input type="checkbox"/> Conditional Use Permit (includes major, minor and modifications)	<input type="checkbox"/> Tentative Parcel Map
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Tentative Tract Map
<input type="checkbox"/> Site Plan Review (includes major, minor, modifications, development phasing plan, model home sales complex, and wall and fence plan review)	<input type="checkbox"/> Variance (includes major and minor)
<input type="checkbox"/> Specific Plan Preparation/Amendment	<input type="checkbox"/> Zone Change
	<input type="checkbox"/> Other

### APPLICATION CERTIFICATION:

I hereby declare that as applicant for this proposal, I have familiarized myself with the relevant provisions of the Norco Municipal Code; and I have read the foregoing application and know the contents of the application to be true to the best of my knowledge (if applicant is not same as property owner, owner shall authorize applicant to represent his/her interest in the above referenced application by signing below).

Owner:	Applicant:
Date:	Date:



# CITY OF NORCO

CONDITIONAL USE PERMIT  
JUSTIFICATION FOR APPROVAL

ANSWER THE FOLLOWING QUESTIONS IN THE SPACES PROVIDED BELOW.  
ATTACH ADDITIONAL PAGES IF NECESSARY.

1. Explain how the requested conditional use permit will not adversely affect the general plan or the public convenience or the general welfare of persons residing or working in the neighborhood thereof.

2. Explain how the requested use will not adversely affect the adjoining land uses and the growth and development of the area in which it is proposed to be located.

3. Explain how the size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area.

4. Explain how the traffic generated by the proposed use will not impose an undue burden on streets and highways in the area.

# FORM "I"

## ENVIRONMENTAL INFORMATION FORM

(To be completed by private project applicant to assist staff in completing initial study)

DATE FILED: \_\_\_\_\_

### GENERAL INFORMATION

1. Name and address of developer or project sponsor:

\_\_\_\_\_

2. Address of project:

\_\_\_\_\_

3. Assessor's Block and Lot Number:

\_\_\_\_\_

4. Name, address, and telephone number of person to be contacted concerning this project:

\_\_\_\_\_

\_\_\_\_\_

5. Indicate number of the permit application for the project to which this form pertains:

\_\_\_\_\_

\_\_\_\_\_

6. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

\_\_\_\_\_

\_\_\_\_\_

7. Existing zoning district:

\_\_\_\_\_

8. Proposed use of site (project for which this form is filed):

\_\_\_\_\_

\_\_\_\_\_

### PROJECT DESCRIPTION

9. Site size.

10. Square footage.

11. Number of floors of construction.

12. Amount of off-street parking provided.

13. Attach plans.

14. Proposed scheduling.

15. Associated projects.

16. Anticipated incremental development.

17. If residential, include the number of units, schedule of unit sizes, range of sales prices or rents and type of household size expected.
18. If commercial, indicate the type, whether neighborhood; city-or regionally-oriented, square footage of sales area and loading facilities.
19. If industrial, indicate type, estimated employment per shift and loading facilities.
20. If industrial, indicate type, estimated employment per shift and loading facilities.
21. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

- | Yes                      | No                       |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 22. Change in existing features of any bays, tidelands, beaches, lakes, hills or substantial alteration of ground contours.                    |
| <input type="checkbox"/> | <input type="checkbox"/> | 23. Change in scenic views or vistas from existing residential areas or public lands or roads.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 24. Change in pattern, scale or character of general area of project.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 25. Significant amounts of solid waste or litter.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 26. Change in dust, ash, smoke, fumes or odors in vicinity.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 27. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.                       |
| <input type="checkbox"/> | <input type="checkbox"/> | 28. Substantial change in existing noise or vibration levels in the vicinity.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 29. Site on filled land or on slope of 10 percent or more.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 30. Use or disposal of potentially <u>hazardous</u> materials, such as toxic substances, flammables or explosives.                             |
| <input type="checkbox"/> | <input type="checkbox"/> | 31. Substantial change in demand for municipal services (police, fire, water, sewage, etc).  |
| <input type="checkbox"/> | <input type="checkbox"/> | 32. Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.).   |
| <input type="checkbox"/> | <input type="checkbox"/> | 33. Relationship to a larger project or series of projects.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 34. Has a prior environmental impact report been prepared for a program, plan, policy or ordinance consistent with this project?               |
| <input type="checkbox"/> | <input type="checkbox"/> | 35. If you answered yes to Question 33, may this project cause significant effects on the environment that were not examined in the prior EIR? |

ENVIRONMENTAL SETTING:

36. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site.
37. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity.

CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date:	Signature:
	For:

## **FINDINGS FROM OTHER JURISDICTIONS FOR APPROVAL OF A CONDITIONAL USE PERMIT**

### **Los Angeles**

1. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.
2. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.
3. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

### **Riverside**

1. The proposed use is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts.
2. The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.
3. The proposed use will be consistent with the purposes of the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

### **San Carlos**

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other titles of the municipal code.
2. The proposed use is consistent with the General Plan and any applicable specific plan.
3. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements.
4. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this title.
5. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity.
6. The site is physically suitable for the type, density, and intensity of use being proposed including access, utilities, and the absence of physical constraints.

### **Irvine**

1. The proposed location of the conditional use is in accord with the objectives of Chapter 1-1 of the ZO and the purpose of the zoning district in which the site is located.
2. The proposed conditional use will not be detrimental to the public health, safety or welfare, nor be materially injurious to property or improvements in the vicinity.
3. The proposed conditional use is compatible with existing and future uses to the extent those are known, and will comply with each of the applicable provisions of the ZO except for approved Variances and/or Administrative Relief per Sections 2-37 and 2-2.
4. If the proposed Conditional Use Permit affects land located within the coastal zone, the proposed conditional use will comply with the provisions of the land use plan of the Certified Local Coastal Program.
5. Based upon information available at the time of approval, adequate utilities, access roads, drainage and other necessary facilities exist or will be provided to serve the proposed use.

### **Corona**

Neither the Commission nor the Council, upon appeal or Council initiated review, may grant a conditional use permit for any use, for which a conditional use permit may be granted under any provision of this title, unless it has first found from the evidence admitted during the hearing before the Commission or Council that the proposed use at the proposed location will not be detrimental to the

public health, safety, convenience and general welfare and will be in harmony with the various elements and objectives in the city's General Plan.

### **Eastvale**

1. The proposed use is consistent with the general plan and all applicable provisions of this title.
2. The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use, or the general welfare of the city.
3. If the project is located within the Chino Airport influence area, the proposed project is consistent with the most recently adopted version of the airport land use compatibility plan.

### **Apple Valley**

1. That the proposed location, size, design and operating characteristics of the proposed use is consistent with the General Plan, the purpose of this Code, the purpose of the zoning district in which the site is located, and the development policies and standards of the Town.
2. That the location, size, design and operating characteristics of the proposed use will be compatible with and will not adversely affect nor be materially detrimental to adjacent uses, residents, buildings, structures or natural resources.
3. That the proposed use is compatible in scale, bulk, lot coverage, and density with adjacent uses.
4. That there are public facilities, services and utilities available at the appropriate levels or that these will be installed at the appropriate time to serve the project as they are needed.
5. That there will not be a harmful effect upon desirable neighborhood characteristics.
6. That the generation of traffic will not adversely impact the capacity and physical character of surrounding streets.
7. The traffic improvements and/or mitigation measures are provided in a manner adequate to maintain the existing service level or a Level of Service (LOS) C or better on arterial roads and are consistent with the Circulation Element of the General Plan.
8. That there will not be significant harmful effects upon environmental quality and natural resources.
9. That there are no other relevant negative impacts of the proposed use that cannot be reasonably mitigated.
10. That the impacts, as described in paragraphs 1 through 9 above, and the proposed location, size, design and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, nor be materially injurious to properties or improvements in the vicinity, nor be contrary to the adopted General Plan.
11. That the proposed conditional use will comply with all of the applicable provisions of this title.
12. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures.
13. That the development proposal does not unnecessarily block public views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use.
14. That quality in architectural design is maintained in order to enhance the visual environment of the Town and to protect the economic value of existing structures.
15. That access to the site and circulation on- and off-site is safe and convenient for pedestrians, bicyclists, equestrians and motorists.