CITY OF NORCO
PLANNING COMMISSION REGULAR MEETING AGENDA

Wednesday, December 12, 2018
City Council Chambers, 2820 Clark Avenue, Norco CA 92860

CALL TO ORDER: 7:00 p.m.

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

PLEDGE OF ALLEGIANCE: Commission Member 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. 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 2018-12 (Cao):** A request to change the applicant for a foot massage business at 2743 Hamner Ave., Suite 111, located within the C-G (Commercial General) Zone. *(Senior Planner)*

B. **Variance 2018-04 (Hart):** A request for a variance from the 100-foot rear yard setback requirement of Norco Municipal Code Chapter 18.13 (A-1 Zone), and a variance from the perimeter wall height requirements of Chapter 18.31 (General Provisions – Yards, Setbacks, and Height Exceptions), to allow the construction of a residential home on a vacant parcel identified with APN 133-340-019 located on the west side of Southfork Dr., which is south of East St,, and within the A-1-20 (Agricultural Low-Density) Zone. *(Senior Planner)*

3. BUSINESS ITEMS:
   A. Monument sign versus pole sign regulations. **Receive and File** *(Planning Director)*

4. 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.

CITY OF NORCO
STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: December 12, 2018

SUBJECT: **Conditional Use Permit 2018-12 (Cao):** A request to change the applicant for a foot massage business at 2743 Hamner Ave., Suite 111, located within the C-G (Commercial General) Zone.

RECOMMENDATION: Adopt Resolution 2018-44, approving Conditional Use Permit 2018-12.

SUMMARY: Conditional Use Permit (CUP) 2018-12 is the same application that was approved by the Planning Commission with CUP 2017-21 for a foot massage business at 2743 Hamner Avenue, Suite 111 (ref. Exhibit "A" – Location Map). The only change is the applicant.

BACKGROUND: CUP 2017-21 was originally approved by the Planning Commission on October 11, 2017 with the condition that the approved CUP only went with the applicant and was not transferrable to someone else. There was also a condition that the applicant had to pass a background test by the Sheriff's Department which did not occur. Subsequently, CUP 2018-01 was submitted and approved on January 10, 2018, for only a change in the applicant, because the original applicant did not pass the required background check and because the CUP was not transferrable.

This new application, CUP 2018-12, is the second request for a change of applicant, but only due to a change in business ownership (ref. Exhibit "B" – CUP Application). The new applicant is Louis Xg Cao. Besides the new applicant everything else is still the same as the originally approved project (CUP 2017-21). However, with this new application, staff is recommending that the project be conditioned so that the CUP is transferrable. All of the requirements (which includes a background checks), regulations, and conditions would still apply, regardless of the applicant.

ANALYSIS: A massage business is allowed in the C-G zone upon approval of a CUP. The subject business occupies Suite 111 of 2743 Hamner Avenue, consisting of 1,250 square feet (ref. Exhibit "C" – Site Plan and Aerial). The original "Massage Menu", describing their foot massage offerings has been provided and nothing has changed (ref. Exhibit "D" – Massage Menu). Hours of operation are Monday through Sunday, 9am to 8pm.

The existing commercial development complied with all development standards (i.e., setbacks, access, parking, landscaping, architecture, trash enclosures, etc.,) required in the C-G zone when the existing commercial center was approved. The parking demand for the

proposed business is consistent with the approved commercial development, as it is considered a personal service and accounted for with the approved number of parking spaces. Any future improvements/modifications to the interior of the existing suite will have to comply with building and safety requirements and will not be allowed to expand in square footage without the proper approval.

A new analysis of development standards is not required with this CUP since it has already been done. For this project, it needs to be determined if the proposed use can be conducted in a manner that does not affect adjacent properties and businesses, in the context of the required findings for approval of a CUP, which are discussed below.

In addition, massage businesses are regulated by Norco Municipal Code (NMC) Chapter 5.48. Chapter 5.48 sets out requirements for permits and licenses for managers and technicians; facilities maintenance; regular inspections; record-keeping; special endorsements; and other business related conditions. Attached for the Planning Commission's review is Chapter 5.48 (ref. Exhibit "E" – Chapter 5.48 – Massage Business, with pertinent requirements highlighted). If this CUP is approved, all applicable requirements of this chapter will have to be complied with through the business license process, which also requires another in-depth background check of the new business owner.

ANALYSIS PER NORCO MUNICIPAL CODE (NMC) CHAPTER 18.45 (CUP): The NMC states: "*The purpose of the CUP is to review the location, site development, and/or conduct of certain land uses (and buildings). 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.*"

The CUP application requires certain information from the applicant so that the Planning Commission can make its determination. The table below lists the required information and whether the information was provided:

CUP APPLICATION REQUIREMENTS (18.45.06)		DID THE APPLICANT PROVIDE THE INFORMATION?
1,2	The name and address of the applicant; evidence of ownership and/or permission to make application; legal description; fees.	YES
3	Nine (9) copies of a Site Plan, containing all the information required by Section 18.40.08 (CONTENT OF A SITE PLAN). *Explanation: The project site is fully developed and no new development is proposed, so analysis of new site plan information is not needed. A basic site plan for reference has been provided.	N/A* (see explanation)
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	N/A* (see explanation)

	of the applicant to proceed with construction in accordance with approved plans within one year from the approval of the Conditional Use Permit. *Explanation: no additional information requested	
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.	YES
	18.45.08. The Commission shall cause to be made such investigation of facts bearing on the application for a CUP as will provide necessary information to assure that the action on each such application is consistent with the intent and purpose of this Ordinance.	At the Planning Commission's Discretion
	18.45.10. In considering the CUP 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.	N/A (see explanation 3 above)

Chapter 18.45 of the NMC requires the following findings to approve a CUP:

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.

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 of the following conditions exist in reference to the property being considered:

CONDITIONS NECESSARY TO GRANTING A CUP (18.45.14)		CAN THIS FINDING BE MADE FOR THIS PROJECT?
1	The requested CUP will not adversely affect the General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof.	This finding is generally centered on compliance with development standards, and any other applicable Code requirements. Since no development is proposed with this project, criteria used to make this finding is based on a determination by the Planning Commission that the proposed use can be operated in a manner that does not affect the public convenience and general welfare of persons residing or working in the neighborhood. To help make this finding, it is recommended that the project if approved be conditioned as follows:

		"compliance with Chapter 5.48 of the NMC and the required background check is required before a City of Norco Business license is issued. Should the applicant fail to meet the requirements of Chapter 5.48 for and background check for approval of the business license, approval of this CUP is null and void. Furthermore, failure to comply with the requirements of Chapter 5.48 on an on-going basis is grounds for revocation of the CUP."
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.	The project is generally exempt from CEQA but to make this finding, the Planning Commission needs to first make the finding No.1 listed above.
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.	This finding can be made since no site improvements are proposed.
4	The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area.	This finding can be made since the traffic generated for service/retail uses was considered when the existing commercial development was approved.

Property owners within a 300-foot radius were notified of the project. No concerns or comments were received from surrounding neighbors.

Impact Analysis/Environmental Review: Staff has determined that the project is categorically exempt from environmental assessment under the California Environmental Quality Act (CEQA) pursuant to Class 32 – Infill Development Projects. Projects that are classified as "in-fill development" are categorically exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines. To be classified as "in-fill development" a project must meet certain minimum criteria: 1) consistent with the General Plan and Zoning designations; 2) within City limits on a project site of no more than 5 acres; 3) project site has no value as habitat for endangered, rare, or threatened species; 4) the project will not have any significant effects relating to traffic, noise, air quality, or water quality; 5) the site can be served by all required utilities and public services.

The categorical exemption determination does not automatically mean that other impacts cannot be identified in the review process thereby necessitating further environmental review.

CONCLUSION: A resolution of approval has been attached should the Planning Commission determine to approval the CUP 2018-12. All conditions are the same as the approval for the previous CUPs, except Condition 14 which would now allow transfer of the CUP to someone else.

Attachments:

Resolution 2018-44
Exhibit "A" – Location Map
Exhibit "B" – Application with new applicant
Exhibit "C" – Site Plan and Aerial
Exhibit "D" – Massage Menu
Exhibit "E" – Chapter 5.48 – Massage Business, with pertinent requirements highlighted)

RESOLUTION NO. 2018-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO, CALIFORNIA, GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT WITH A DIIFERENT APPLICANT FOR A MASSAGE BUSINESS AT 2743 HAMNER AVAENUE, SUITE 111, LOCATED WITHIN THE C-G (COMMERCIAL GENERAL) ZONE, UNDER CONDITIONAL USE PERMIT 2018-12.

WHEREAS, LOUIS XG CAO submitted to the City of Norco, California, an application for a conditional use permit, under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code on property generally described as:

2.43 Acres M/L in Por of Lot 3 Block 25, Map Book 007/054, Riverside Orange Heights Tract No. 2.

More generally described as a rectangular area of about 2.43 acres, having a frontage on the east side of Hamner Avenue of about 202 feet, and bounded on the north by Spencer Blvd., a private road, approximately 223 feet, and being further identified as 2743 Hamner Avenue, Suite 111 (Assessor's Parcel Number of 127-190-016).

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

WHEREAS, said application was scheduled for a public hearing on January 10, 2018; and

WHEREAS, at the time set at 7 p.m. on December 12, 2018 within the Council Chambers at 2820 Clark Avenue, Norco, California, 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.

B. 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.

C. 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.

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

E. The City of Norco, acting as lead agency, has determined that the project is categorically exempt from environmental assessment per Class 32 – In-fill Development Projects of the Californian Environment Quality Act (CEQA).

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled December 12, 2018, 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 ""B" – Application with new Applicant, and Exhibit "C" – Site Plan, incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.

2. The applicant or recorded owner of the property shall submit to the Planning Division, for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.

3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.

4. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.

5. The subject use shall be conducted in accordance with the approved plans and stipulations, on file in the Norco Planning Division.

6. This is not approval to begin work for tenant improvements or occupy the subject buildings. The applicant shall first apply and obtain all necessary permits from the Building Division and Business License Division and pay all applicable City of Norco fees prior to issuance of any permits.

7. Plans submitted to the Building Division for tenant improvements may include but not be limited to: a complete construction submittal for tenant improvements, complete structural design including analysis of existing structure supporting loads from new construction, and complete electrical plans and specifications.

8. 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.

9. No signs are authorized by this approval. Any signs proposed for the project shall be submitted to the Planning Division for review and approval. Once sign(s) are approved, building permits shall be obtained from the Building Division for issuance of a building permit.

10. It is hereby established that it shall be grounds for revocation of this conditional use permit if the permittee, his agent or assigns, or employee(s) of his establishment, or any person who is exercising managerial authority of the business establishment has:

A. Violated any rule, regulation of 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. Any modifications to the suite use as approved under Conditional Use Permit 2018-01 (i.e. increase in tenant space) shall be reviewed and approved by the Planning Division prior to the issuance of building permits, but may also require approval of a modification of this permit by the Planning Commission at the discretion of Planning Director.

12. The applicant shall meet all standards, requirements and conditions of the Planning, Engineering/Public Works, Building and Safety Divisions, the Fire Department, and all other applicable departments and agencies.

13. Any stop work order caused by failure to make application for building permits with the City of Norco will cause a revocation hearing to be agendized at the next regularly scheduled meeting of the Planning Commission.

14. The owner/operator of the business, regardless of any changes in ownership, shall provide a self-audit of compliance with the conditions of approval to the Planning Commission on a form or in a manner determined by the Planning Division, and inclusive of the payment of any fees as may be set by the City Council. Said report shall demonstrate that the project is in compliance with all the conditions of approval and shall be submitted for review no later than six months from the approval date of this CUP and then by the end of the year every year thereafter starting the following December 31st. The owner/operator shall be responsible for all staff and attorney fees that may be incurred in the enforcement of the terms of the conditions of approval, whether they are annual inspections or compliance hearings.

15. Approved hours of operation shall consist of the following: Monday through Sunday – 9am to 8pm.

16. Any modifications to the hours of operation approved for the business use shall be reviewed and approved by the Planning Division prior to commencing, but may also require approval of a modification of this permit by the Planning Commission at the discretion of Planning Director.

17. Applicant shall meet all requirements/permitting of/by the Riverside County Sheriff's Department, with respect to the nature of the business.

18. Applicant shall obtain an approved Business License from the City of Norco.

19. Compliance with Chapter 5.48 of the NMC and the required background check is required before a City of Norco Business license is issued. Should the applicant fail to meet the requirements of Chapter 5.48 for and background check for approval of the business license, approval of this CUP is null and void. Furthermore, failure to comply with the requirements of Chapter 5.48 on an on-going basis is grounds for revocation of the CUP.

20. Staff shall be contacted for before any change in ownership.

21. Resolution No. 2018-03 for Conditional Use Permit 2018-01 is herewith rescinded.

APPROVED AND ADOPTED by the Planning Commission at a regular meeting held on December 12, 2018.

_____
Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

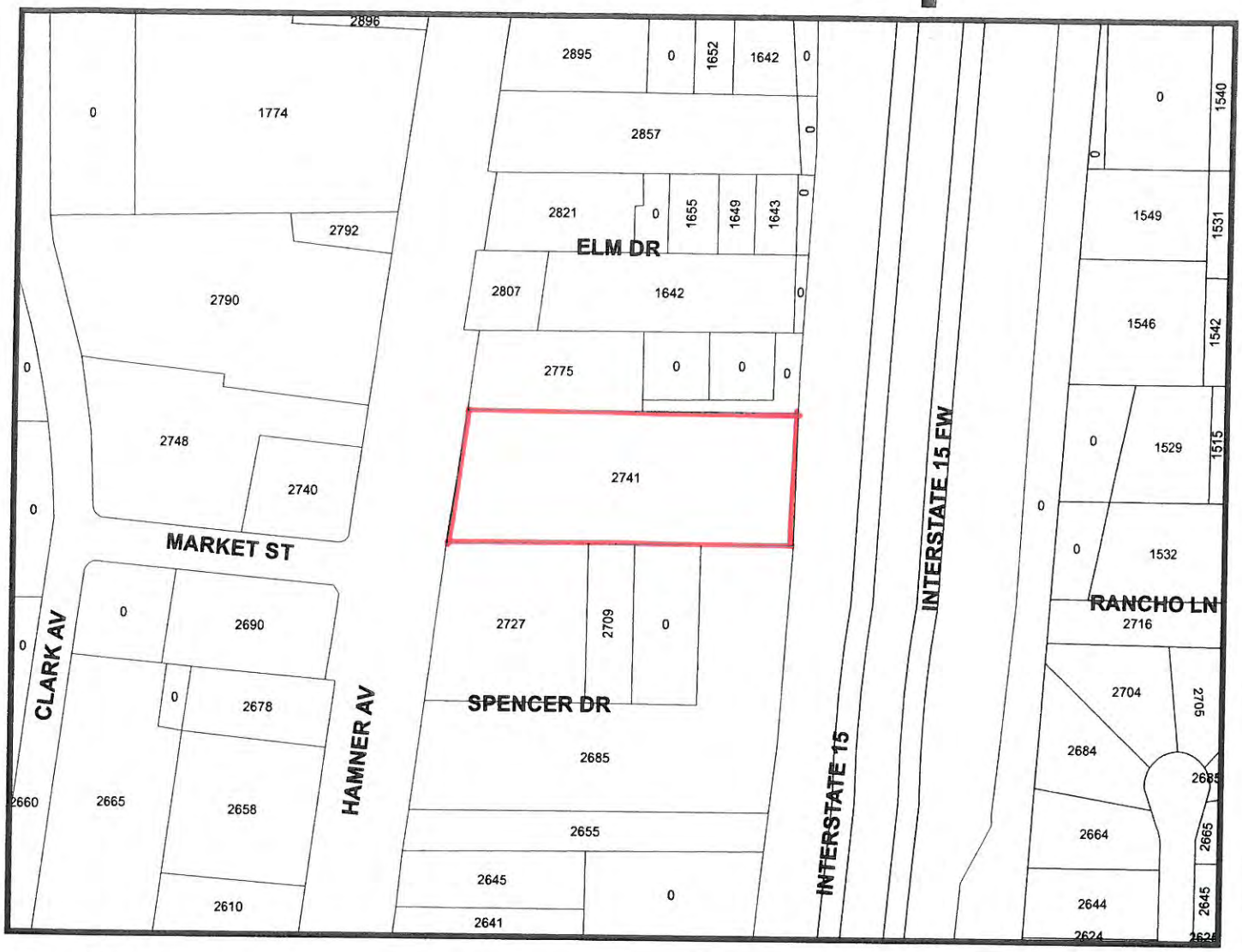
_____
Steve King, Secretary
Planning Commission
City of Norco, California

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 December 12, 2018 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

Location Map



Not to Scale

PROJECT: CUP 2018-12

APPLICANT:

LOCATION: 2743 Hamner Avenue, Suite 111

Exhibit "A"

CITY OF NORCO
UNIFORM APPLICATION

File No: 2018-12
Related Files:
Date Filed: 9-27-18
Fees Paid: ~~38~~ $3929

GENERAL INFORMATION:

Project Location: 2743 Hamner Ave #111, Norco, CA 92860	
Property Owner: I & J Prop Management Inc.	Applicant: Louis XG CAO
Address: 21007 Jewel & Diamond Bar CA	Address: [illegible]
Telephone:	Telephone: [illegible]
Fax: E-mail:	Fax: E-mail:
Engineer: N/A	Architect: N/A
Address:	Address:
Telephone:	Telephone:
Fax: E-mail:	Fax: E-mail:
General Plan:	Site Acreage:
Zoning:	Assessor's Parcel Number:
Description of Proposal: N/A change owner of existing massage Business	

REQUESTED REVIEW:

☒ Conditional Use Permit (includes major, minor and modifications)	☐ Tentative Parcel Map
☐ General Plan Amendment	☐ Tentative Tract Map
☐ Site Plan Review (includes major, minor, modifications, development phasing plan, model home sales complex, and wall and fence plan review)	☐ Variance (includes major and minor)
	☐ Zone Change
☐ Specific Plan Preparation/Amendment	☐ 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: 9/26/2018	Date: 9/26/2018

EXHIBIT "B"

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.

The Ping Foot Reflexology conditional use Permit will not impact or adversely affect any other businesses, the general plan, public convenience or the general welfare of persons working or residing in the

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.

This business will be self-contained within its leased space. It will not adversely affect the adjoining land uses and growth and development of the area in any way.

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.

All business will be done within the space that is leased and will provide a valuable service 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.

This will be a small business and any additional traffic will be absolutely minimal.

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:
   13531 Gold Creek Drive, Corona, CA 92880
2. Address of project: 2741 Hamner Ave #111, Norco, CA 92860
3. Assessor's Block and Lot Number: 25 / 3
4. Name, address, and telephone number of person to be contacted concerning this project:
   Lisa Li / 714-213-5031
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: None
7. Existing zoning district:
8. Proposed use of site (project for which this form is filed): Foot Reflexology

PROJECT DESCRIPTION

9. Site size. 1250 Square feet.
10. Square footage. 1250 Square feet
11. Number of floors of construction. 1 floor
12. Amount of off-street parking provided. More than 10
13. Attach plans.
14. Proposed scheduling.
15. Associated projects. None
16. Anticipated incremental development. None

17. If residential, include the number units, schedule of unit sizes, range of sale prices or rents and type of household size expected. N/A

18. If commercial, indicate the type, whether neighborhood; city-or regionally-oriented, square footage of sales area and loading facilities. Neighborhood oriented, 1250 SF, no loading

19. If industrial, indicate type, estimated employment per shift and loading facilities. N/A

20. If industrial, indicate type, estimated employment per shift and loading facilities. N/A

21. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required. N/A

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

Yes	No	
☐	☒	22. Change in existing features of any bays, tidelands, beaches, lakes, hills or substantial alteration of ground contours.
☐	☒	23. Change in scenic views or vistas from existing residential areas or public lands or roads.
☐	☒	24. Change in pattern, scale or character of general area of project.
☐	☒	25. Significant amounts of solid waste or litter.
☐	☒	26. Change in dust, ash, smoke, fumes or odors in vicinity.
☐	☒	27. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.
☐	☒	28. Substantial change in existing noise or vibration levels in the vicinity.
☐	☒	29. Site on filled land or on slope of 10 percent or more.
☐	☒	30. Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
☐	☒	31. Substantial change in demand for municipal services (police, fire, water, sewage, etc).
☐	☒	32. Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.).
☐	☒	33. Relationship to a larger project or series of projects.
☐	☒	34. Has a prior environmental impact report been prepared for a program, plan, policy or ordinance consistent with this project?
☐ N/A	☐	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: 9/26/2018	Signature: [redacted]
	For:

OVERALL SITE PLAN

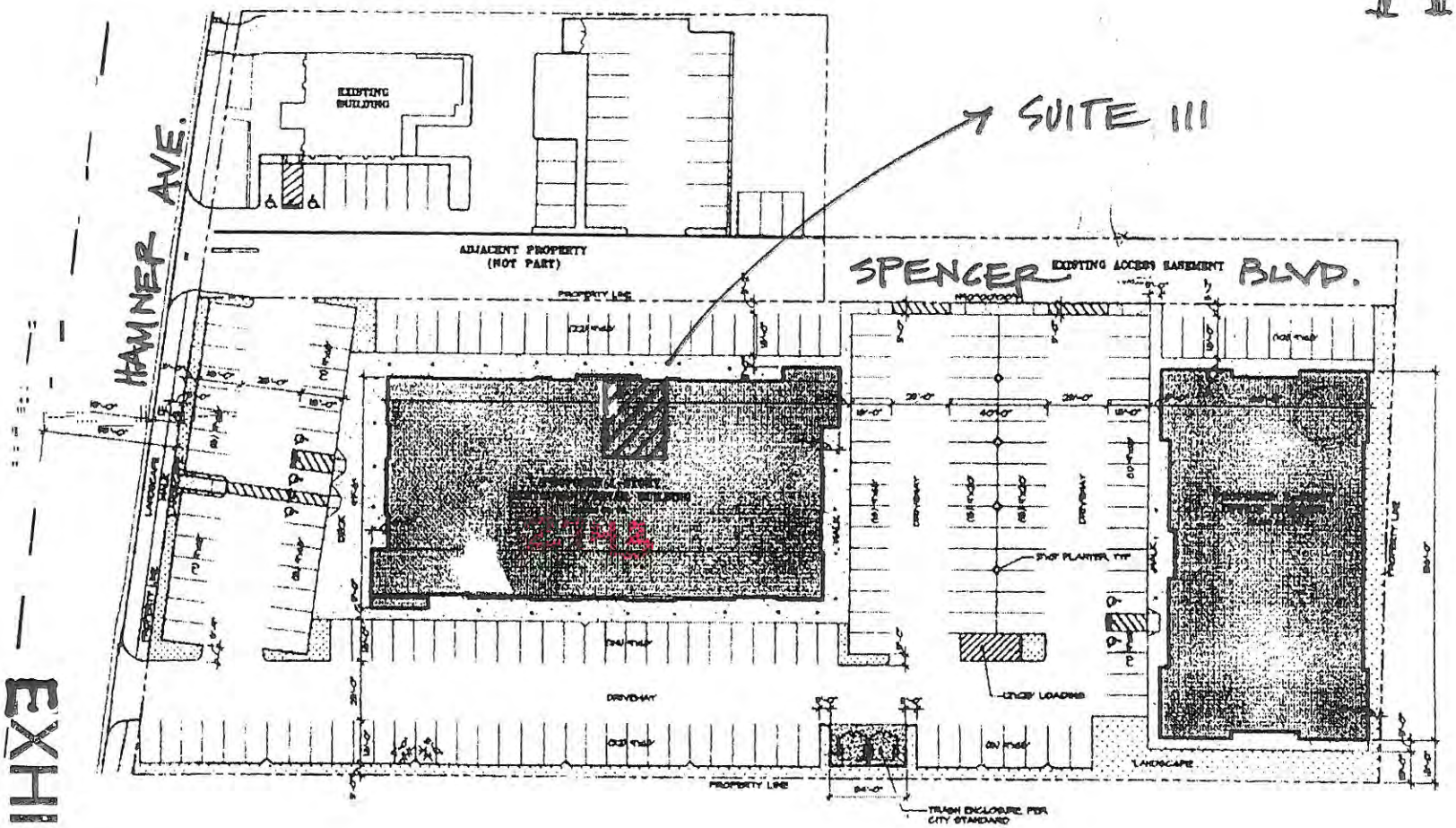


EXHIBIT "C"

1 of 2

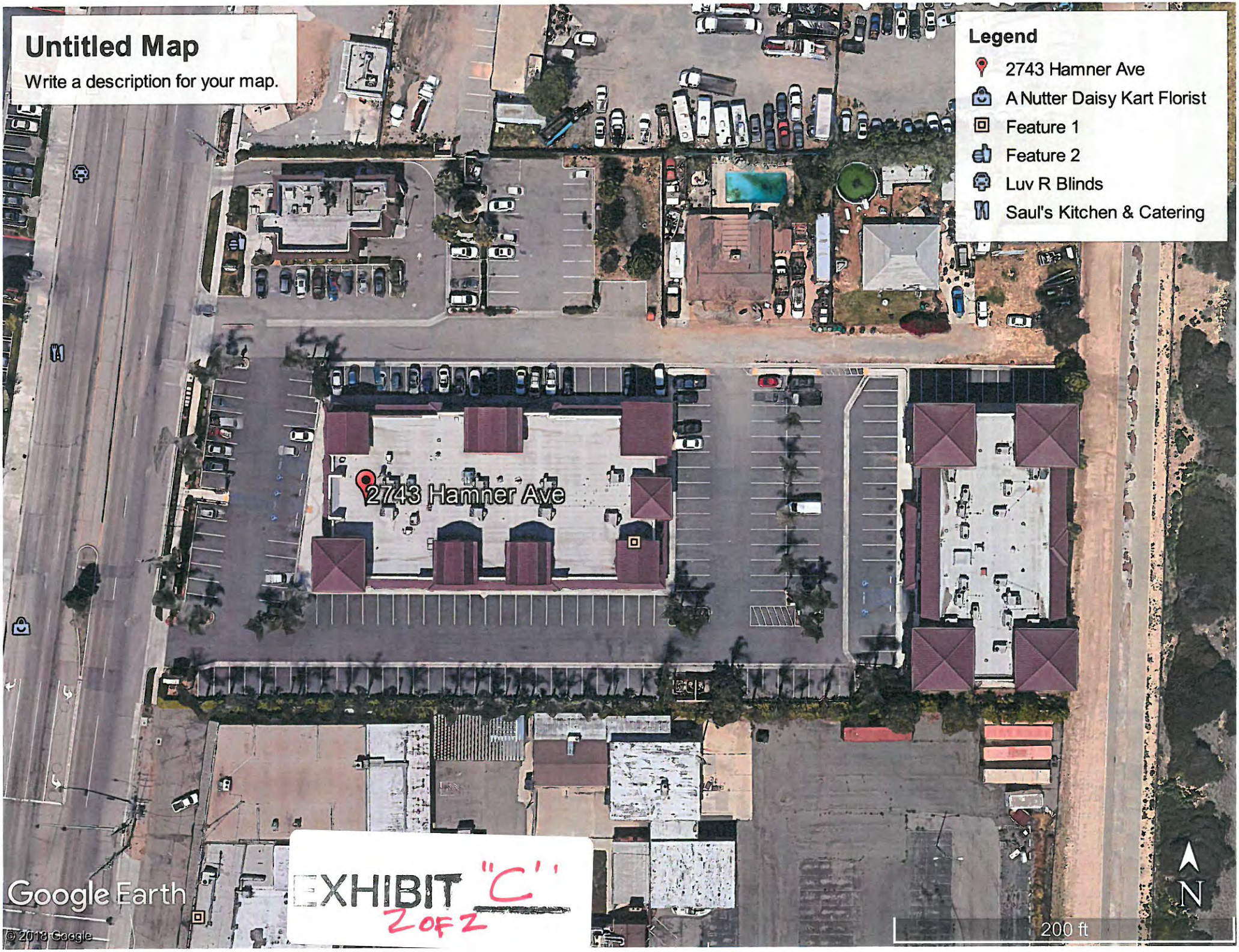


EXHIBIT "C"
2 OF 2

MASSAGE MENU

Ping Foot Reflexology

1. 30 minutes $15.00 2. 60 minutes $25.00 3. 90 minutes $40.00

OPEN TIME: FROM 9:00AM TO 8:00PM

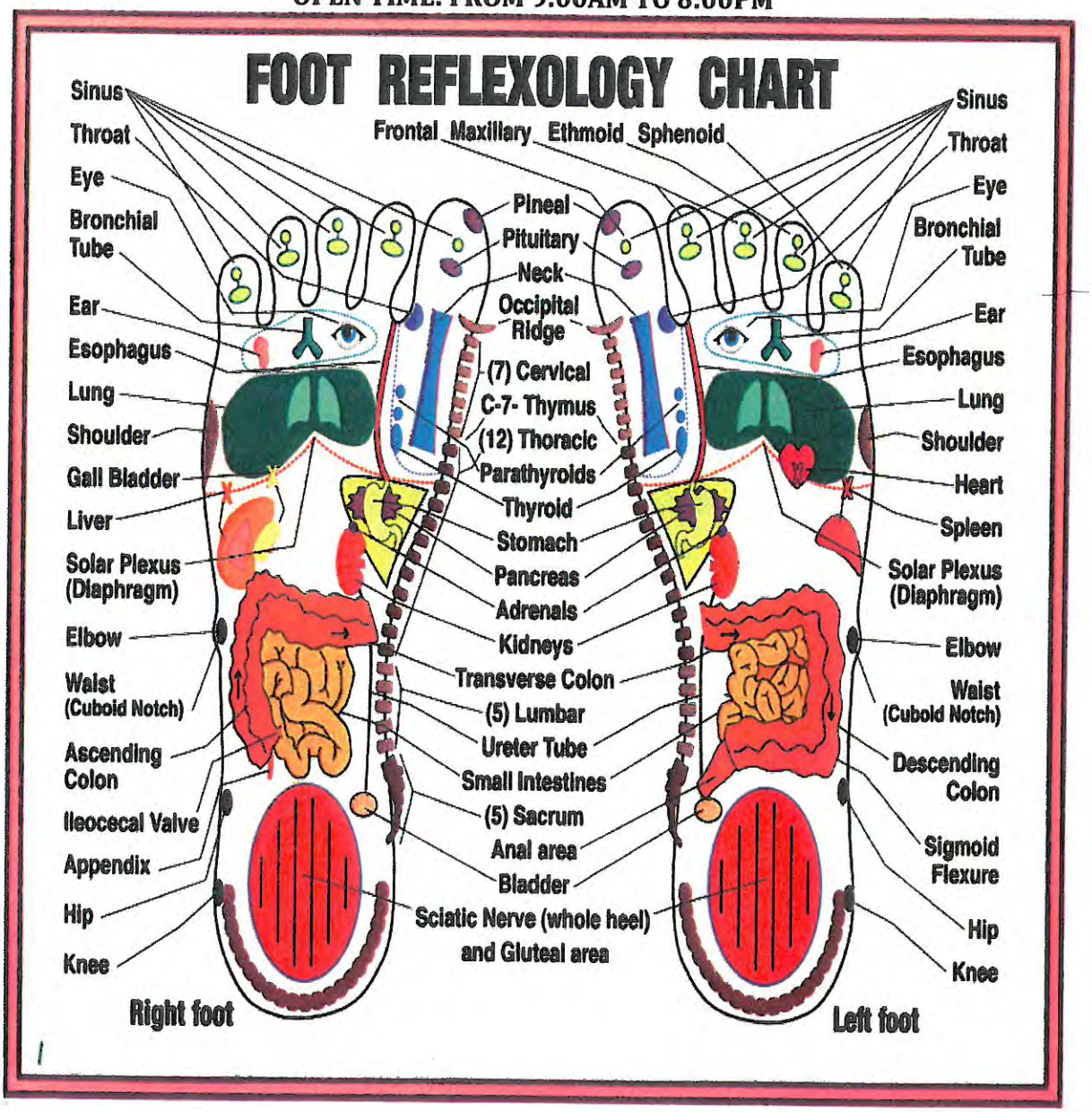


EXHIBIT "D"

Chapter 5.48
MASSAGE BUSINESSES

Sections:

5.48.100 Definitions.

5.48.200 MASSAGE BUSINESS

5.48.210 Massage Business--Permit Required.
5.48.215 Massage Business Exemptions.
5.48.220 Massage Business Application.
5.48.225 Massage Business--Operating Requirements.
5.48.230 Massage Business--Facilities.
5.48.235 Massage Business Inspection.
5.48.240 Massage Business--Licenses Not Transferable.
5.48.245 Massage Business--Change of Location or Name.
5.48.250 Massage Business--Notification of Change.
5.48.255 Massage Business--Renewal of Permit.
5.48.260 Massage Business--Applicability of Regulations to Existing Businesses.

5.48.300 MASSAGE TECHNICIANS

5.48.310 Massage Technicians--Permit Required.
5.48.320 Massage Technician--Application.
5.48.330 Massage Technician Examining Panel.
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EXHIBIT "E"

5.48.560 Burden of Proof at Hearing.

5.48.100 Definitions.

Whenever, in this Ordinance, the following terms are used, they shall have the meaning ascribed to them in this Section unless it is apparent from the context thereof that some other meaning is intended.

(1) "Applicant(s)" shall mean the individual applicant and/or the designated officer or managing partner acting on behalf of a corporation or partnership.

(2) "Code Enforcement Officer" means the Code Enforcement Officer of the City of Norco or his or her designated representative.

(3) "Massage" means any method of treating the external parts of the human body for remedial, health, or hygienic purposes by means of pressure on or friction against; or stroking, kneading, rubbing, tapping, pounding; or stimulating the external parts of the human body with the hands or other parts of the human body, with or without the aid of any mechanical or electrical apparatus or appliances; or with or without supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations.

(4) "Massage business" means any establishment having a fixed place of business where any person, firm, association, partnership, corporation engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any business of giving massages, baths, administration of fomentation, electric or magnetic treatments, alcohol rubs, or any other type of system for treatment or manipulation of the human body with or without any character of bath, such as Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, fomentation, or any other type of bath.

(5) "Massage technician" shall include a "Massage Technician", "Massage Trainee", "Masseur", Masseuse" and means any person who administers to another persons, for any form of consideration, "massage" as defined, or bathes, manipulates the body, or uses electric massage procedures, or similar procedures.

(6) "Out Call Massage Service" means any business where the primary function of such business is to engage in or carry on massage, not always at a fixed location, but also at locations designated by the customers or clients.

(7) "Panel" means the massage examining panel of the city.

(8) "Person" means any individual, firm, partnership, joint venture, corporation, association, club or organization.

(9) "Practice of massage" means the performance of massage for compensation, either as the owner of or as an employee of a massage business, either at or away from the place of business.

(10) "Recognized School of Massage" means any school or institution of learning which teaches the theory, ethics, practice, profession, or work of massage. (Ord. 783, 2001; Ord. 723, 1997)

5.48.200 MASSAGE BUSINESS

5.48.210 Massage Business--Permit Required.

(1) It shall be unlawful for any person, firm, partnership or cooperation to engage in, conduct or carry on, or to permit to be engaged in, conducted or carried on, in or upon any premises within the City of Norco, the operation of a massage business as herein described, without first having obtained a permit issued by the City of Norco pursuant to the provisions herein set forth. Said permit shall immediately be surrendered to the City upon suspension, revocation, or expiration of said permit;

(2) No person shall engage in or hold himself or herself out as engaged in the practice of massage in the city without a valid massage technician license. The possession of a valid massage business license does not allow the holder thereof to engage in the practice of massage;

(3) No person who is the owner, operator, responsible managing employee or manager of a massage business, shall employ or permit any individual to engage in the practice of massage unless such individual possesses a valid technician license.

(4) A permit under this Chapter shall be valid for twelve (12) months from the date of issuance unless revoked or suspended. The permit required shall be in addition to any business license required by City ordinance or any other permit required for such use including, but not limited to, any conditional use permit or other similar entitlement for use.

5.48.215 Massage Business Exemptions.

The provisions of this Chapter shall not apply to:

(1) Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in the State of California;

(2) Nurses registered under the laws of the State of California;

(3) Barbers and beauticians who are duly licensed under the laws of the State of California while engaging in practice within the scope of their licenses, except that this provision shall apply solely to the massaging of the neck, face, and/or scalp of the customer or client;

(4) Hospitals, nursing homes, sanitariums, or other health care facilities duly licensed by the State of California;

(5) Accredited high schools, junior colleges, and colleges or universities whose coaches and trainers are acting with the scope of their employment;

(6) Trainers of amateur, semiprofessional or professional athletes or athletic teams.

(7) Acupuncture and the practice of puncturing the body (as with needles) of specific points to relieve pain or cure disease as regulated in Chapter 12 of the Business and Professions Code. (Ord. 723, 1997)

5.48.220 Massage Business Application.

(1) Any person, firm, corporation, or partnership desiring to obtain a permit to operate a massage business shall make application to the Business License Department under penalty of perjury of the laws of the State of California, to the City. Prior to submitting such application, a non-refundable fee in an amount established by the City Council shall be paid to the City to defray, in part, the cost of

the investigation and reports required by this Chapter. A copy of the receipt showing payment of the required fee shall accompany the application. These fees are non-refundable and shall defray the cost of processing each application.

(2) The applicant, if a corporation or partnership, shall designate one of its officers or general partners to act as its responsible managing employee. Such person shall complete and sign all application forms required of an individual applicant under this Chapter.

(3) The application and fee required under this Section shall be established by Resolution and presented together with an application, signed and dated by the applicant, under penalty of perjury, stating that all information contained in the application is true and correct. (Ord. 808, 2003)

(4) The application for permit does not authorize conducting a massage business. No business shall be conducted until such permit has been granted. (Ord. 887, Sec. 2, 2008)

(5) Each applicant for a massage business permit shall submit the following information:

(A) The full true name under which the business will be conducted. If the name is a fictitious name, all individual owners, stockholders, partners, etc. shall be identified;

(B) The present or proposed address where the business is to be conducted;

(C) The applicant's full, true name, any other names used, date of birth, California Driver's License number or California identification number, Social Security number, present residence address and telephone number, the sex, height, weight, color of hair, and color of eyes.

(D) Previous two (2) residences of the applicant and the inclusive dates at each address;

(E) The applicant's business, occupation, and employment history for five (5) years preceding the date of application, and the inclusive dates of same;

(F) The permit history of the applicant, including whether such person has ever had any permit or license issued by any agency, board, city, county, parish, territory, or state, the date of issuance of such a permit or license, whether the permit or license was revoked or suspended, or if a vocational or professional license or permit was issued, revoked, or suspended, and the reason(s) therefore;

(G) All convictions for any crime involving conduct which requires registration under any state, federal or territorial law similar to and including California Penal Code § 290, or of conduct which is a violation of the provisions of any state, federal or territorial law similar to and including California Penal Code § 266h, 266I, 314, 315, 316, 318, 647, any other crime involving the elements of the foregoing code Chapters, by way of plea bargain, or any crime involving dishonesty, fraud, deceit, or moral turpitude. For the purposes of this Chapter, "conviction" shall include a conviction pursuant to a plea of guilty or nolo contendere;

(H) A complete explanation of all services to be provided;

(I) The name, address, and date of birth of each massage technician, trainee, or employee who is or will be employed in said business;

(J) The name and address of any massage business or other like business owned or operated by any person whose name is required to be given pursuant to this Section wherein the business or profession of massage is carried on;

(K) Acceptable written proof that the applicant is at least eighteen (18) years of age;

(L) If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its Articles of Incorporation or Charter together with the State and date of incorporation or Charter together with the State and date of incorporation and the names and residence addresses of each of its current officers and directors, and of each stockholder holding five percent (5%) or more of the stock of that corporation;

(M) If the applicant is a partnership, the application shall set forth the name and residence addresses of each of the partners, including limited partners. If the applicant is a limited partnership, it shall furnish a copy of its certificate of limited partnership as filed with the County Clerk;

(N) The City may require the applicant to furnish fingerprints when needed for the purpose of establishing identification. Any required fingerprinting fee will be the responsibility of the applicant;

(O) Two (2) current, full-face portrait photographs of the applicant, two (2) inches by two (2) inches in size shall be provided by the applicant;

(P) A description of any other business to be operated on the same premises, or on adjoining premises, owned or controlled by the applicant shall be set forth;

(Q) The name and address of the owner and lessor of the real property upon or in which the business is to be conducted shall be identified. In the event the applicant is not the legal owner of the property, the application must be accompanied by a copy of the lease and a notarized acknowledgment from the owner of the property that a massage business will be located on his/her property; and

(R) Authorization for the City of Norco, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application shall be required. (Ord. 723, 1997)

5.48.225 Massage Business--Operating Requirements.

A massage business shall meet the following minimum requirements:

(1) Each person employed or acting as a massage technician shall have a valid permit issued by the City, which permit shall be displayed in a conspicuous area open to the public at all times. It shall be unlawful for any owner, manager, operator, responsible managing employee, or permittee in charge of or in control of a massage business to employ or permit a person to act as a massage technician who is not in possession of a valid, unrevoked massage technician permit issued pursuant to this Chapter and which is worn clearly visible during working hours.

(2) The possession of a valid Massage Business Permit does not authorize the possessor to perform work for which a Massage Technician Permit is required.

(3) Massage operations shall be carried on or conducted, and the premises shall be open, only between the hours of 7:00 a.m. and 10:00 p.m.

(4) A list of services available as approved pursuant to the application and the cost of such services shall be posted in an open public place within the premises, and shall be described in readily understandable language. No owner, manager, operator, responsible managing employee, or permittee shall permit, and no massage technician shall offer or perform, any service other than those posted.

(5) The Massage Business Permit and a copy of the permit of each and every massage technician employed in the business shall be displayed in an open and conspicuous place on the premises.

(6) Every massage business shall keep a written record of the date and hour of each treatment, the name and address of each patron, the name of the massage technician administering the treatment, and the type of treatment administered. Such records shall be open to inspection only by officials charged with enforcement of this Chapter, shall be available during all business hours, and shall be used for no other purpose. Any unauthorized disclosure or use of such information by any officer or employee of the City or the owner or employee of the massage business, shall constitute a misdemeanor and such persons shall be subject to the penalty of the provisions of this Chapter in addition to any other penalties provided by law. Such records shall be maintained on the premises of the massage business for a period of two (2) years.

(7) Massage businesses shall at all times be equipped with an adequate supply of clean, sanitary towels, coverings, and linens. Clean towels, coverings and linens shall be stored in enclosed cabinets. Towels and linens shall not be used on more than one (1) patron, unless such towel or linen has first been laundered and disinfected. Disposable towels and coverings shall not be used on more than one (1) patron. Soiled linens and towels shall be deposited in separate, Health Department approved receptacles.

(8) If male and female patrons are to be treated simultaneously at the same massage business, separate massage rooms, separate dressing facilities and separate toilet facilities shall be provided for male and female patrons.

(9) Wet and dry heat rooms, steam or vapor rooms or cabinets, toilet rooms, shower and bath rooms, tanning booths, whirlpool baths and pools shall be thoroughly cleaned and disinfected as needed, and at least once each day the premises are open, with a disinfectant approved by the County Health Department. Bathtubs shall be thoroughly cleaned with a disinfectant, approved by the Health Department, after each use. All walls, ceilings, floors, and other physical facilities of the business must be in good repair and maintained in a clean and sanitary condition.

(10) Instruments utilized in performing massage shall not be used on more than one (1) patron unless such instruments have been sterilized, using approved sterilizing methods.

(11) All employees, including massage technicians, shall be clean, and wear clean, nontransparent outer garments. Said garments shall not expose their genitals, pubic area, buttocks, or chest. Massage technicians shall maintain the massage technician permit visibly on their person during business hours.

(12) No person shall enter, be or remain in any part of a massage business while in the possession of, consuming, under the influence of or using any alcoholic beverages or drugs except pursuant to a prescription for such drugs. The owner, operator, responsible managing employee, manager, or permittee shall not permit any such person to enter or remain upon such premises.

(13) No massage business shall operate as a school of massage, or use the same facilities as that of a school of massage.

(14) No service may be carried on within any cubicle, room, booth, or any area within a massage business which is fitted with a door capable of being locked. All exterior doors shall remain unlocked from the interior side during business hours.

(15) A massage shall not be given and no patron shall be in the presence of a massage technician or other employee unless the patron's genitals are fully covered by a non-transparent covering. In addition, a female patron's breasts shall be fully covered by a non-transparent covering.

(16) No massage business shall be open for business without at least one massage technician on the premises at all times who is in possession of a current, valid permit.

(17) Each massage business granted a permit under this Chapter shall have a manager on the premises at all times the massage business is open. The operator of each massage business shall file a statement with the City designating the person or persons who shall act as manager. The operator, or manager in the operator's absence, shall be responsible for ensuring compliance with this Chapter. (Ord. 723, 1997)

5.48.230 Massage Business--Facilities.

Every massage business shall maintain facilities meeting all of the following requirements:

(1) Signs shall be in conformance with the current ordinances of the City of Norco;

(2) Minimum lighting shall be provided in accordance with § 1201 of the Uniform Building Code or successor provision or provisions. In addition, at least one artificial light of not less than sixty (60) watts shall be provided in each room or enclosure where massage services are performed on patrons;

(3) Minimum ventilation shall be provided in accordance with § 1201 of the Uniform Building Code or successor provision or provisions.

(4) Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided at all times;

(5) Hot and cold running water shall be provided at all times;

(6) Closed cabinets shall be provided for storage of clean linens;

(7) A minimum of one (1) separate wash basin for employees shall be provided at all times. The basin shall be located within or as close as practicable to the area devoted to performing of massage services. Sanitary towels shall also be provided at each basin;

(8) Pads used on massage tables shall be covered with a durable, washable plastic or other waterproof material acceptable to the Riverside County Health Department. (Ord. 723, 1997)

5.48.235 Massage Business Inspection.
All applicants for a license shall be subject to a waiting period not to exceed one hundred-twenty (120) days commencing from the date the application is received. During such time, as a condition precedent to such applicant's right to receive a business license, an inspection shall be conducted to support or reject the permit to carry on the business.

All information contained in the application shall be reviewed, and inspection shall be made of the premises within which the business is to be conducted. If all evidence is satisfactory and all criteria is met, a business license shall be issued.

The Code Enforcement Officer shall, from time to time, and at least once a year, cause an inspection to be made of the premises and facilities of each massage business located within the city. (Ord. 723, 1997)

5.48.240 Massage Business--Licenses Not Transferable.
No license issued hereunder shall be transferable from one person to another. A massage business license shall be issued for a specific location, and shall in no event be transferable from location to another. (Ord. 723, 1997)

5.48.245 Massage Business--Change of Location or Name.
(1) A change of location may be approved by the City provided the massage business complies with all ordinances and regulations of the City of Norco.

(2) No permittee shall operate under any name or conduct any business under any designation not specified in the permit.

(3) Any application for an expansion of a building or other place of business shall require compliance with this Chapter. (Ord. 723, 1997)

5.48.250 Massage Business--Notification of Change.
The holder of the permit to operate or conduct a massage business shall notify the City, in writing, of the name and address of each person employed, including massage technicians, at such business within five (5) days of said person being employed.

If, during the term of a permit, the applicant has any change in information provided on or concerning the original application or permit renewal application, notification shall be made to the City in writing, within ten (10) business days of the change. (Ord. 723, 1997)

5.48.255 Massage Business--Renewal of Permit.
A massage business licensed under this Chapter shall submit an application for renewal thirty (30) days prior to the expiration thereof. The renewal application shall be submitted together with the requisite fee of one one hundred dollars ($100.00) as established by the City Council. Approval of the renewal application shall be contingent upon satisfactory compliance with all pertinent provisions of this Chapter. (Ord. 723, 1997)

5.48.260 Massage Business--Applicability of Regulations to Existing Businesses.

The provisions of this Chapter shall be applicable to all persons and businesses described herein whether the described activities were established before or after the effective date of the Chapter, except that massage businesses legally in business prior to the effective date hereof shall have six (6) months or until the expiration of their current business license, whichever is greater, to comply with the terms hereof. (Ord. 723, 1997)

5.48.300 MASSAGE TECHNICIANS

5.48.310 Massage Technicians--Permit Required.

(1) It shall be unlawful for any person to engage in the business of acting or to act as a massage technician unless such person holds a valid massage technician permit issued by the City. Each massage technician permit holder shall be issued a photo identification badge which will also serve as a massage technician permit. The permit holder shall maintain the massage technician permit visibly on his or her person during business hours.

(2) Each permit holder shall immediately surrender to the City any massage technician permit issued by the City upon the suspension, revocation, or expiration of such permit.

(3) A permit under this Chapter shall be valid for twelve (12) months from the date of issuance unless revoked or suspended. (Ord. 723, 1997)

5.48.320 Massage Technician--Application.

(1) Each applicant for a massage technician permit shall make application under penalty of perjury of the laws of the State of California to the Director. Prior to submitting an application, a non-refundable fee of $125 as established by the City Council shall be paid to defray, in part, the costs of investigation and report required by this Chapter. A copy of the receipt shall accompany the application.

(2) Permit fees required under this Chapter shall be in addition to any license, permit or fee required under any other provision of this Code.

(3) The application for permit does not authorize the applicant to practice massage. No work is authorized until such permit has been granted.

(4) Each applicant for a massage technician permit shall submit the following information:

(a) Truthful and honest answers to each and every inquiry, of Section 5.48.220(5) hereof;

(b) Acceptable written proof that the applicant is at least eighteen (18) years of age.

(5) The applicant must furnish proof of passage of the independently prepared and administered national examination through the National Certification Board for Therapeutic Massage and Bodywork (NCTMB), together with current recertifications in accordance with NCTMB requirements, a diploma or certificate of graduation from either a 300-hour resident course of instruction or 300 hours of cumulative education consisting of no less than 200-hour resident course, and 100 additional hours of resident instruction from a recognized school of massage as defined in Section 5.48.100(10) hereof, or form an existing school or institution of learning outside the State of California, together with a certified transcript of the applicant's school records showing date of enrollment, hours of instruction and graduation from a course having at least the minimum requirements prescribed by Article 3 of SubChapter 3 of Chapter 212 of 1 of Title 5 of the California

Code of Regulations, wherein the theory, method, profession and work of massage is taught, and a copy of the school's approval by the State Board of Education.

Alternatively, three provisions of this Subchapter may be satisfied by the applicant receiving 200 hours of resident instruction and having membership, or the ability to obtain membership, in a qualified massage association,

(6) The massage business's full name, address and telephone number where the massage technician will be employed at a fixed place of business. In the event the applicant seeks to conduct out call massage services not listed in the original application, an additional application and fee must be submitted.

(7) Such other identification and relevant information as the City may require in order to discover the truth of the matters herein specified as required to be set forth in the application.

(8) Two (2) current full face, portrait photographs of the applicant, two (2) inches by two (2) inches in size.

(9) The City may require the applicant to furnish fingerprints when needed for the purpose of establishing identification. Any required fingerprinting fees will be the responsibility of the applicant.

(10) A certificate from a medical doctor licensed to practice in the State of California stating that the applicant has, within thirty (30) days immediately preceding the date of application, been examined and found to be free of any contagious or communicable disease.

(11) Authorization for the City of Norco, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application shall be required.

(12) Authorization to the City for 120 days in which to investigate the application and background of the applicant. Upon termination of the investigation, the City shall approve or deny said application in writing.

(13) The City, upon completion of the investigation, shall grant the permit if it is found in accordance with all established criteria and requirements. A card will be issued by the Riverside County Sheriff's Department indicating approval, and

(a) The applicant has furnished an acceptable diploma or certificate of graduation from a recognized school, or

(b) The applicant has furnished written proof from a recognized school that the minimum number of hours of instruction have been completed.

(14) If the City, following investigation of the application, determines that the applicant does not fulfill the requirements as set forth in this Chapter, the City shall deny said application by dated, written notice forwarded to the applicant's address set forth in the application by U.S. mail, with a proof of service attached. A new application may not be filed for at least 60 days after such denial. Any applicant for a permit who is refused a permit by the City may appeal the denial. (Ord. 723, 1997)

5.48.330 Massage Technician Examining Panel.

The Massage Examining Panel is established and shall consist of three (3) members, appointed by the City Manager or designee, who are qualified by reason of education and experience concerning the methods and procedure used in the practices of massage. The City Manager in consultation with the Panel members shall develop and establish standards and procedures for the Panel governing the administration or examination for applicants for a massage technician license in order to determine whether such applicants are competent to engage in the practice of massage, and the City Manager shall exercise such supervision as may be necessary to assure compliance therewith. (Ord. 723, 1997)

5.48.340 Massage Technicians--Renewal.
A massage technician licensed under this Chapter shall file an application to renew the permit thirty (30) days prior to the date of expiration thereof. Approval shall be contingent upon satisfactory compliance with all pertinent Chapters, including a current medical clearance. A renewal fee of $50.00 as established by the City Council shall be charged to defray, in part, the cost of the renewal investigation. (Ord. 723, 1997)

5.48.350 Massage Technicians Permit--Posting.
Every person to whom or for which a permit has been granted under this Chapter shall display said permit in a conspicuous place in a massage parlor so that the same may be readily seen by persons entering the premises where the massage, bath or treatment is given. (Ord. 723, 1997)

5.48.360 Massage Technicians--Apparel Requirements.
Massage technicians shall be fully clothed in hygienically clean apparel while engaged in the practice of massage. As used herein, "fully clothed" shall mean the wearing of clothing which is comparable to the clothing commonly worn by nurses and physical therapists while performing their respective professional duties. (Ord. 723, 1997)

5.48.400 OUT CALL MASSAGE SERVICE

5.48.410 Out Call Massage Services--Special Endorsement Required.
It shall be unlawful for any massage business or massage technician to provide, or to offer to provide, massage at any location except at the place of business approved for a massage business hereunder; provided, however, that a massage business or massage technician may obtain a special endorsement to the permit issued thereto specifically authorizing out call massage services.

5.48.420 Out Call Massage Services Application.
Any massage business or massage technician desiring to provide out call massage services shall submit to the City, together with the required non-refundable fee therefore as established by the City Council, an application to provide out call massage services within the City of Norco. In addition to the requirements set forth herein pertaining to massage business permit or massage technician permit application, as the case may be, the applicant shall submit detailed information setting forth the manner and means of transporting, to and from the premises where out call massage services are to be performed, the clean, sanitary towels, coverings, and linens, sterilized instruments to be utilized, as well as any supplementary aids, equipment or devices to be utilized and the method(s) of disposal thereof. (Ord. 723, 1997)

5.48.430 Business Out Call Massage Services--Records.

All massage technicians authorized to perform out call massage services hereunder shall keep a written record, at the massage technician's principal place of business, of out call massage services performed as required by Section 5.48.225(6) and shall include therein the location, by street address including suite or apartment number, where such services have been performed. (Ord. 723, 1997)

5.48.500 PROHIBITED CONDUCT, PROCEDURES, AND PENALTIES

5.48.510 Prohibited Conduct.

(1) It shall be unlawful for any massage technician to touch or massage the genital area of any patron or the breasts of any female patron or for any massage business to allow or permit such massage.

(2) It shall be unlawful for a massage technician to perform any massage services at any location other than that location specified on the massage technician permit or pursuant to a valid out call endorsement. (Ord. 723, 1997)

5.48.520 Suspension Pending Revocation.

When the grounds for revocation under this Chapter are that the permute is suspected of immoral, improper, or otherwise objectionable conduct, the permit may be suspended until the revocation hearing procedure has been completed. (Ord. 723)

5.48.530 Revocation--Massage Business Permit.

The City may revoke the massage business permit of any person, firm, partnership or corporation holding the same upon receipt of satisfactory evidence that the permittee has made a material misrepresentation on the permit application, or if the permittee, or any managing responsible employee has been convicted of or entered a plea of guilty or nolo contendere to any charge of a violation of any of the provisions of this Chapter.

The City may revoke, after notice and hearing, a massage business permit if, on the basis of satisfactory evidence, it is shown the permittee, any managing responsible employee, representative, or agent of the permittee or any massage technician employed by the permittee, has engaged in conduct constituting a violation of this Chapter. The City shall provide the permittee with written notice of the revocation or proposed revocation by U.S. mail, with a proof of service attached, addressed to the street address of the massage business as shown on the application. (Ord. 723, 1997)

5.48.540 Revocation--Massage Technician Permit.

The City may revoke the massage technician permit of any person holding the same upon receiving satisfactory evidence that the permittee has made a material misrepresentation on the permit application or if the permittee has been convicted of or entered a plea of guilty or nolo contendere to any charge of a violation of any of the provisions of this Chapter.

The City may, after notice and hearing, revoke the massage technician permit of any permittee if, on the basis of satisfactory evidence it shows that the permittee has engages in conduct constituting a violation of this Chapter. The City shall provide the permittee with written notice of the revocation by map, with a proof of service attached, addressed to the permittee at the address of recorded shown on the massage technician permit application. (Ord. 723, 1997)

5.48.550 Permit Denial/Revocation Appeal Procedure.

(1) The applicant or permittee, as the case may be, within ten(10) business days after receipt of denial of an application for a permit, or notice or revocation, may file an appeal with the City Clerk to be taken to the City Council. In the event an appeal is filed within the ten (10) day time frame, a suspension of the permit shall be in effect until the final decision has been rendered by the City Council.

(2) If the applicant or permittee fails to file an appeal within the ten (10) day filing period provided herein, denial/revocation shall take effect immediately upon expiration of such filing period. No permit shall be revoked until after a hearing shall have been held before the City Council to determine good cause for such revocation, or the appeal filing period has lapsed. It is unlawful for any person to conduct a massage business or carry on the business of massage until the revoked permit has been reinstated by the City Council.

(3) Notice of such hearing shall be given in writing and mailed at least ten (10) days prior to the date of the hearing, by U.S. mail, with a proof of service attached, addressed to the address listed on the massage business application, or massage technician application, as the case may be. The notice shall state the grounds of the complaint and shall state the time and place where such hearing will be held.

(4) After said hearing, the City Council shall render a written decision within 10 business days from the date the matter is submitted for decision. The action of the City Council shall be final and conclusive. (Ord. 723, 1997)

5.48.560 Burden of Proof at Hearing.

Unless otherwise specifically provided by law, the burden is on the City in any hearing under this chapter to prove that the determination of the City which is being appealed is unreasonable, and not an abuse of discretion. (Ord. 723, 1997)

CITY OF NORCO
STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: December 12, 2018

SUBJECT: **Variance 2018-04 (Hart):** A request for a variance from the 100-foot rear yard setback requirement of Norco Municipal Code Chapter 18.13 (A-1 Zone), and a variance from the perimeter wall height requirements of Chapter 18.31 (General Provisions – Yards, Setbacks, and Height Exceptions), to allow the construction of a residential home on a vacant parcel identified with APN 133-340-019 located on the west side of Southfork Dr., which is south of East St,, and within the A-1-20 (Agricultural Low-Density) Zone.

RECOMMENDATION: Determine if approval of Variance 2018-04 is warranted

SUMMARY: This is a request for a variance from the 100-foot rear yard setback requirement, and a variance from the maximum perimeter wall/fence height requirement of six feet for the A-1 Zone. The variances are requested to allow the construction of a new home with minimum rear yard setback of 60 feet, and retaining walls with height of up to nine feet on the subject property (ref. Exhibit "A" – Location Map).

SITE DESCRIPTION: The property is a rectangular-shaped parcel consisting of approximately 24,750 square feet/.57 acres, having a width of 150 feet and a maximum depth of 165 feet (ref. Exhibit "B" APN Map). The front of the property consists of a 30-foot deep road easement that runs along the entire width of the property, which makes up a portion of a private road identified as Southfork Drive.

The property exceeds the minimum lot size of 20,000 square feet, and the minimum street frontage and/or lot width of 80 feet required in the A-1 zone. However, the minimum lot depth of 200 feet is not met being only 165 feet. Furthermore, after excluding the road easement, the net depth is only 135 feet.

The property is presently vacant and undeveloped and is not flat. The existing parcel slopes to the northwest with a general slope of 8%. Overall the grade differential between the southeast and northwest corner is 23 feet with the southeast corner being the highest point on the property (ref. Exhibit "C" – Aerial and Photos).

The property is adjacent to property owned by Edison (with Edison poles) on the south side, and is surrounded by A-1 zoning on all sides that consists of vacant and developed property.

PROJECT DESCRIPTION: The subject variances are being requested to allow the construction of a new single-story home with minimum rear yard setback of 60 feet, and a

perimeter retaining wall height of up to nine feet on the subject property (ref. Exhibit "D" – Application and Exhibit "E" – Site Plan, Floor Plan, Building Elevations, Preliminary Grading Plan, Grading Sections, Topographic Plan and Slope Analysis).

The future dwelling will be constructed to meet all setback requirements (front and side yard setbacks) but the rear yard setback of 100 feet will not be met. The site plan submitted shows the foot print of a single-story home that totals 3,530 square feet (which includes the home, an attached garage, and a covered porch and patio attached to the front and rear of the home).

The property owner is proposing several walls along each side of the parcel in order to maximize the flat pad area of the site, and in some areas will exceed the six-foot height limit. The walls will be of varying height and are as follows:

- Southerly property line: Maximum wall height = 5.5 feet
- Easterly property line: Maximum wall height = 3 feet
- Westerly property line: Maximum wall height = 9 feet mostly visible to the adjacent property)
- Northerly property line: Maximum wall height = 9 feet (mostly visible to the adjacent property)

A flat pad of 11,418 square feet is being created for the proposed house, and a flat pad of 3,530 square feet is being created for animal keeping, at a lower elevation closer to the north property line. *(Grading did commence on the property but has seized and the applicant has complied with all direction from the City. The applicant has been in contact with Edison with respect to grading by their property and is currently working with them to resolve issues, ref. Exhibit "G" – Letter from Edison).*

(Note: A five foot tall, three board and rail wood fence is being proposed to enclose the animal keeping area. It should be noted that a portion of this three rail fence may need to be replaced by a six-foot tall solid fence in the future, if animal are kept (where they are fed and maintained) closer than 35 feet from the future house on the adjacent lot to the north

EVALUATION/DISCUSSION: Prior to granting any variance, the following findings are required to be made and addressed:

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

   The configuration and characteristics of the property (along with all the properties on the west side of Southfork Drive that are all part of the same subdivision) is special in that property does not have the required depth and there is a 30-foot deep access easement on the property. The minimum lot depth in the A-1 Zone is 200 feet, but the subject property has a depth of only 165 feet, which is further reduced to 135 after the road easement. After applying the required front yard setback of 25 feet and the

required 100 foot rear yard setback, the building envelope is only 10 feet deep which basically impedes construction of a home. A property with the minimum depth of 200 feet and no road easement, provides more flexibility in meeting the rear yard setback requirement of 100 feet. Furthermore, the subject parcel was created prior to 1972, several years before the 100 rear yard setback requirement was adopted in 2001.

In terms of wall/fence height, the unique characteristic is that the property does not have a flat buildable pad to begin. A flat pad will need to be created through the use of retaining walls with a height of up to nine feet.

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

   The variance can be determined to be necessary to avoid practical difficulty and undue hardship for without the variances, a single-family residence of any size, cannot be constructed on the site. If the lot was deeper (at least at the required lot depth of 200 feet), did not have a 30-foot road easement, and was flat to begin with, variances would not be necessary.

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

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

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

   The general plan designation for the subject property is "Residential Agricultural" and the zoning designation of A-1-20 of the property is consistent with the General Plan that allows residential and associated structures.

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

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

   Based on the size of the property, five animal units would be allowed. A minimum area 576 square-foot per animal unit is required in the approval of accessory buildings. If this

same standard is applied for the subject variance, 2,880 square feet would be required and can be provided on the north side of the proposed footprint of the house.

Impact Analysis/Environmental Review: Staff has determined that the project is categorically exempt from environmental assessment under CEQA pursuant to Class 32 – Infill Development Projects. To be classified as "in-fill development" a project must meet certain minimum criteria: 1) consistent with the General Plan and Zoning designations; 2) within City limits on a project site of no more than 5 acres; 3) project site has no value as habitat for endangered, rare, or threatened species; 4) the project will not have any significant effects relating to traffic, noise, air quality, or water quality; 5) the site can be served by all required utilities and public services.

Notification Requirements: Property owners within a 300-foot radius were notified of the project. Staff did receive one letter in of concern (ref. Exhibit "F" – Letter dated November 28, 2018)

CONCLUSION: There are circumstances attached to the property that can be considered at the discretion Planning Commission in granting the variance. A resolution for approval of Variance 2018-04 is attached should the Planning Commission in determines to approve the variance.

/adr

Attachments:
- PC Resolution 2018-43
- Exhibit "A" – Location Map
- Exhibit "B" – APN Map
- Exhibit "C" – Aerial and Site Photos
- Exhibit "D" – Application
- Exhibit "E" – Site Plan and Wall Sections
- Exhibit "F" – Letter dated November 28, 2018
- Exhibit "G" – Letter from Edison (to be emailed to the Commission or provided at the meeting)

RESOLUTION NO. 2018-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO, CALIFORNIA GRANTING WITH CONDITIONS A VARIANCE FROM THE 100-FOOT REAR YARD SETBACK REQUIREMENTS OF NORCO MUNICIPAL CODE (NMC) CHAPTER 18.13 (A-1 ZONE), AND A VARIANCE FROM THE PERIMETER WALL HEIGHT REQUIREMENTS OF NMC CHAPTER 18.31 (GENERAL PROVISIONS – YARDS, SETBACKS, AND HEIGHT EXCEPTIONS), TO ALLOW THE CONSTRUCTION OF A RESIDENTIAL HOME ON A VACANT PARCEL IDENTIFIED WITH THE ASSESSOR'S PARCEL NUMBER (APN) 133-340-019, LOCATED ON THE WEST SIDE OF SOUTHFORK DRIVE, WHICH IS SOUTH OF EAST STREET, AND WITHIN THE A-1-20 (AGRICULTURAL LOW DENSITY) ZONE. VARIANCE 2018-04

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

The Northerly 150 feet of the Southerly 180 feet of the East half of Lot 2 in Block 38 A of Norco Farms Tract No.3 in the City of Norco, County of Riverside, State of California, as shown by Map on file in Book12, Page 33 of Maps, records of Riverside County California; and

More generally described as a rectangular-shaped parcel consisting of approximately 24,750 square feet/.57 acres, having a width of 150 feet and a maximum depth of 165 feet and being further identified with the Assessor's Parcel Number (APN) 133-340-019.

WHEREAS, said application for a variance was submitted to the City of Norco Planning Commission for decision and scheduled for a public hearing on or about 7 p.m. on December 12, 2018 in the City Council Chambers, 2820 Clark Avenue, Norco, California, 92860; and

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

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

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

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

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

I. FINDINGS:

A. *There are special characteristics attached to the subject property, which do not generally apply to other properties in the area.* The configuration and characteristics of the property (along with all the properties on the west side of Southfork Drive that are all part of the same subdivision) is special in that property does not have the required depth and there is a 30-foot deep access easement on the property. The minimum lot depth in the A-1 Zone is 200 feet, but the subject property has a depth of only 165 feet, which is further reduced to 135 after the road easement. After applying the required front yard setback of 25 feet and the required 100 foot rear yard setback, the building envelope is only 10 feet deep which basically impedes construction of a home. A property with the minimum depth of 200 feet and no road easement, provides more flexibility in meeting the rear yard setback requirement of 100 feet. Furthermore, the subject parcel was created prior to 1972, several years before the 100 rear yard setback requirement was adopted in 2001.

In terms of wall/fence height, the unique characteristic is that the property does not have a flat buildable pad to begin. A flat pad will need to be created through the use of retaining walls with a height of up to nine feet.

B. *Granting of the variance is necessary to avoid practical difficulty, undue hardship, or results inconsistent with the general purpose of the Zoning Code.* The variance can be determined to be necessary to avoid practical difficulty and undue hardship for without the variances, a single-family residence of any size, cannot be constructed on the site. If the lot was deeper (at least at the required lot depth of 200 feet), did not have a 30-foot road easement, and was flat to begin with, variances would not be necessary.

C. *Granting of the variance will not result in material damage or prejudice to other properties in the vicinity, nor be detrimental to the public health, safety, or welfare.* The granting of the variance would not result in material damage or prejudice to the other properties in the vicinity and would not give a special privilege to the subject property. Unlike the subject lot, other vacant properties in the A-1 Zone with conforming characteristics can be developed to meet the rear yard setback and wall height requirements. In addition, all property owners

within the A-1 Zone have the right to apply and have a variance approved if conditions warrant the approval. Furthermore, the granting of the variance will not be detrimental to the public health, safety or welfare, as the applicant will be required to obtain building permits for all construction and grading improvements.

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

E. *The granting of the variance will not limit animal keeping on the lot*. Based on the size of the property, five animal units would be allowed. A minimum area 576 square-foot per animal unit is required in the approval of accessory buildings. If this same standard is applied for the subject variance, 2,880 square feet would be required and can be provided on the north side of the proposed footprint of the house.

II. DETERMINATION:

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in regular session assembled December 12, 2018 that the aforesaid application for a variance is hereby granted subject to the following conditions:

1. Approval is based on Exhibit "E" – Exhibit "E" – Site Plan, Floor Plan, Building Elevations, Preliminary Grading Plan, Grading Sections, Topographic Plan and Slope Analysis dated received December 5, 2018, incorporated herein by reference, and on file with the Planning Division. Development shall remain as shown unless otherwise noted in these conditions.

2. The recorded owner of the property shall submit to the Planning Division, for record purposes, written evidence of agreement with all conditions of this approval before said permit becomes effective.

3. The project shall be in compliance with the City of Norco Municipal Codes, Ordinances, and Resolutions. Noncompliance with any provisions of the Norco Municipal Code not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.

4. The applicant shall comply with all the requirements of the Planning, Engineering, Building Divisions; and the Fire and Sheriff's Departments and all other applicable departments and agencies for development of the site.

5. The applicant shall apply for all necessary building permit applications and the applicant shall pay all applicable City of Norco development fees prior to issuance of any permits for development of the site.

6. This is not an approval to begin work. No work shall be commenced until proper permits have been issued by the Building and Engineering Divisions and all other applicable departments.

7. This variance approval allows the construction of a home with minimum rear yard setback of 60 feet, and a retaining wall height of up to nine feet.

##

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held on December 12, 2018.

_____
Patricia Hedges, Chairman
Planning Commission
City of Norco, California

ATTEST:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

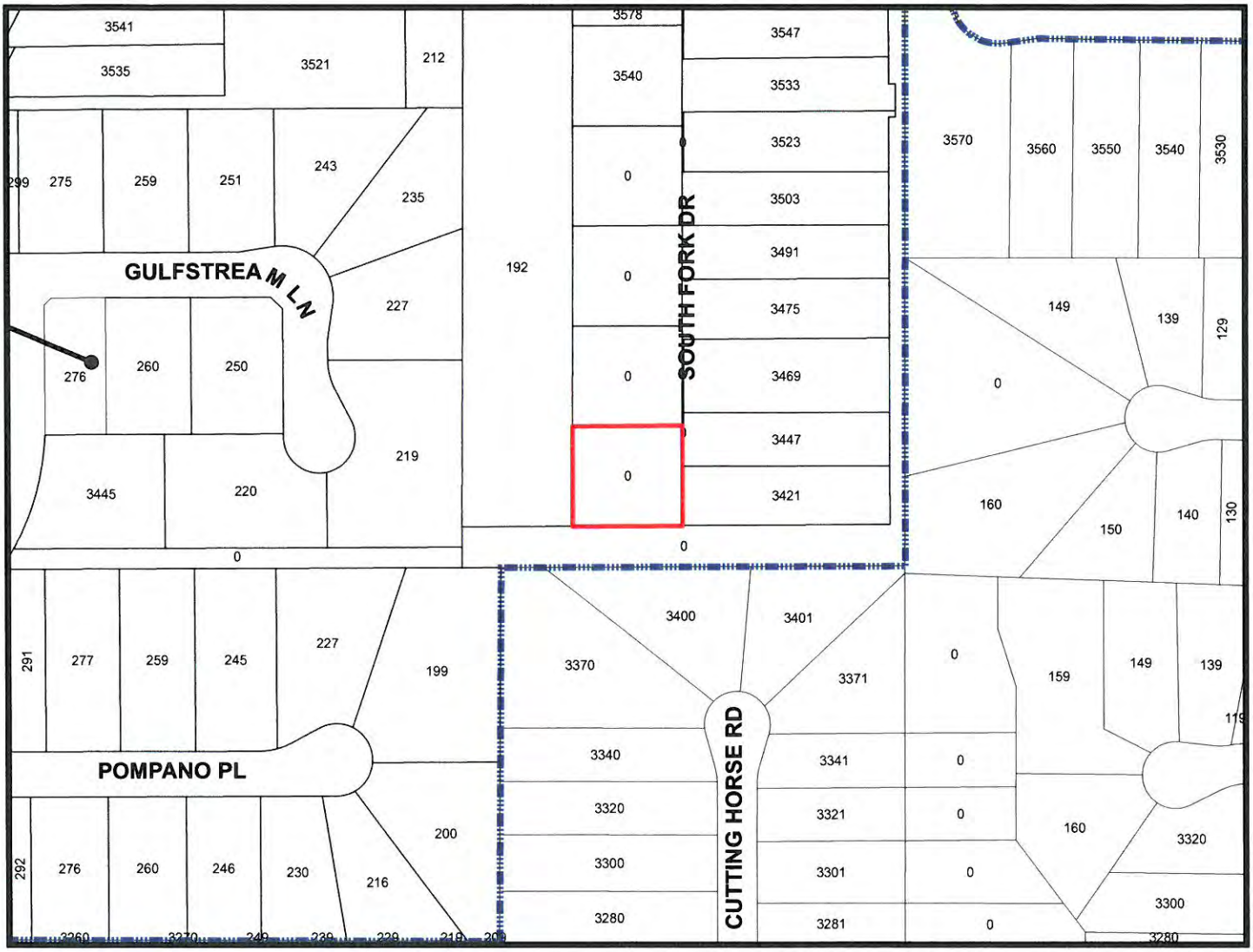
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on December 12, 2018 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

/adr

Location Map



Not to Scale

PROJECT: Variance 2018-04

APPLICANT: Nicholas and Ashley Hart

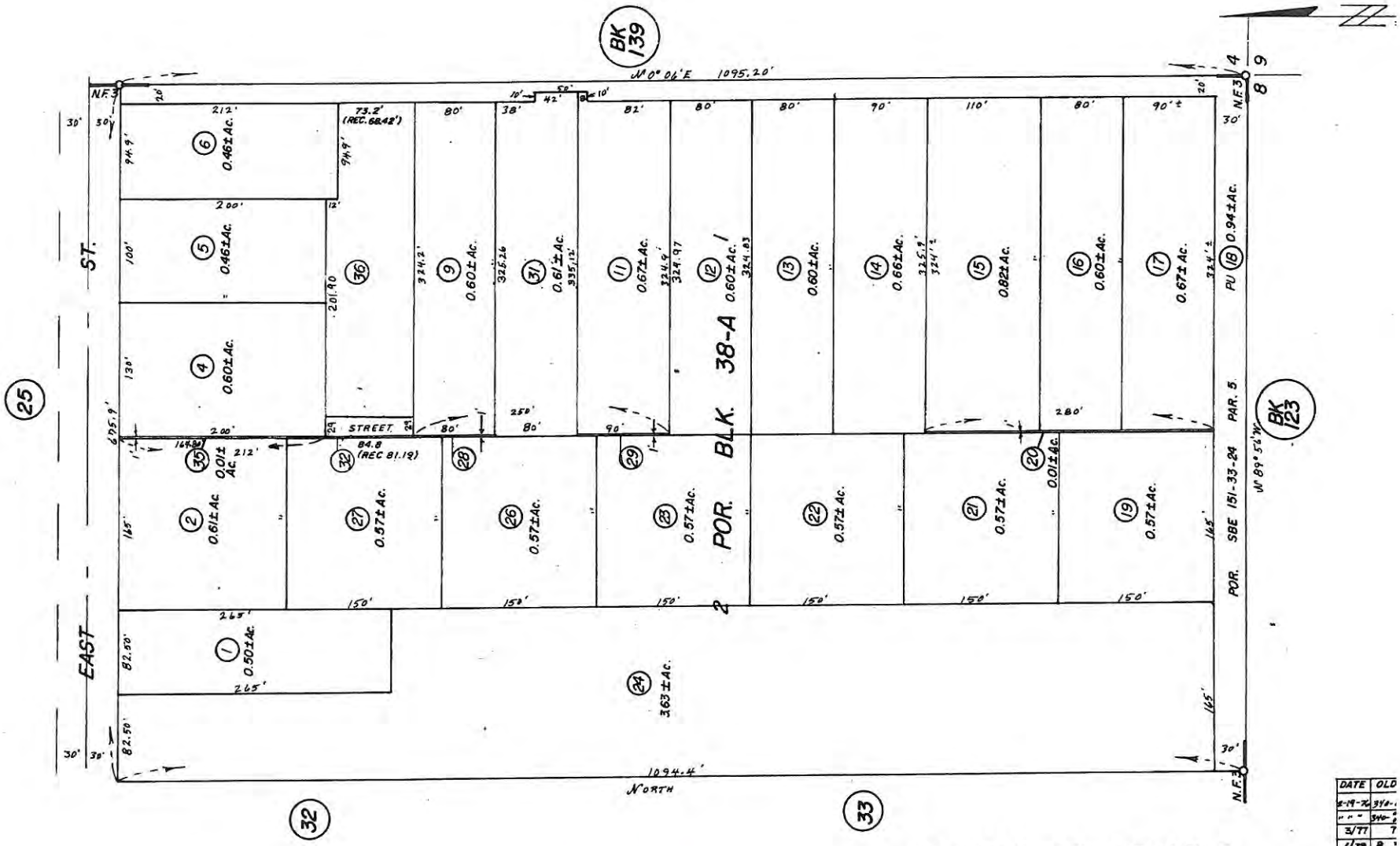
LOCATION: APN 133-340-019

Exhibit "A"

9-8

T.R.A. 015-007 **133-34**

POR. SEC. 5, T.3S. R.6W.



M.B. 12/33 Norco Farms Tract No. 3

EXHIBIT "B"

ASSESSOR'S MAP BK. 133 PG. 34
RIVERSIDE COUNTY, CALIF.

AUG. 1974

DATE	OLD
2-19-76	340-
" " "	340-
3/77	7
1/79	8,
"	3
9/02	34

EXHIBIT "C"

1 OF 4

Loan #2200793467

SUBJECT PHOTOGRAPH ADDENDUM

File # L18-4-9

Borrower/Client ASHLEY HART
Property Address APN 133-340-019
City Norco County Riverside State CA Zip Code 92860
Lender

FRONT OF SUBJECT PROPERTY

Subject Front
APN 133-340-019
160,000

REAR OF SUBJECT PROPERTY

Subject Rear
APN 133-340-019
160,000

STREET SCENE

Subject Street
APN 133-340-019
160,000

EXHIBIT "C"

2 OF 4

Loan #2200793467

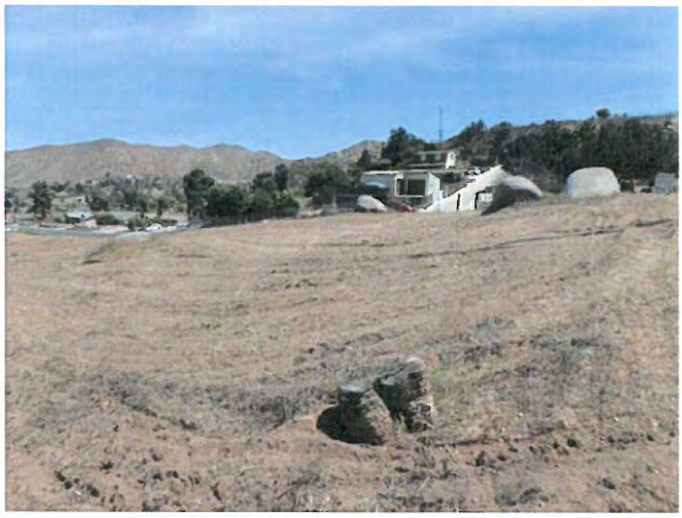
SUBJECT PHOTOGRAPH ADDENDUM

File # L18-4-9

Borrower/Client ASHLEY HART
Property Address APN 133-340-019
City Norco County Riverside State CA Zip Code 92860
Lender

ADDITIONAL SUBJECT PHOTO

Subject Front - SE Corner



ADDITIONAL SUBJECT PHOTO

Subject Rear - SW Corner

ADDITIONAL SUBJECT PHOTO

Subject Street

EXHIBIT "C"

3 OF 4

Loan #2200793467

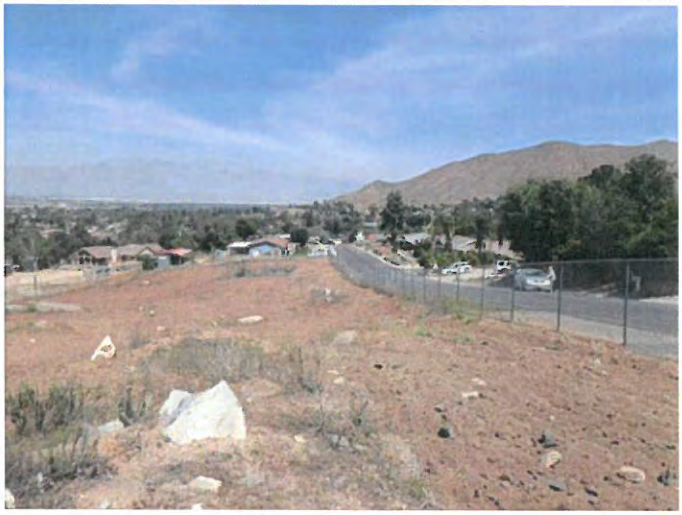
ADDITIONAL PHOTOGRAPH ADDENDUM

File # L18-4-9

Borrower/Client ASHLEY HART
Property Address APN 133-340-019
City Norco County Riverside State CA Zip Code 92860
Lender

Subject's View

Subject's View



Subject's View

EXHIBIT "C"

4 of 4

CITY OF NORCO
UNIFORM APPLICATION

File No: 2018-04
Related Files:
Date Filed: 10-1-18
Fees Paid: $1485

GENERAL INFORMATION:

Project Location: Parcel #19, Lot 2 BK 38A of track 3 of Norco Farms APN 133-340-019-0 Southfork Norco, Ca 92860	
Property Owner: Nicholas and Ashley Hart	Applicant: same as owner
Address: 5	Address:
Telephone:	Telephone:
Fax: E-mail: hart379@gmail.com	Fax: E-mail:
Engineer: Carl Stewart RWA Group, Inc	Architect: Ramy Ibrahim Artoo Design S2dio, Inc
Address: 23535 Palomino Dr Suite 303 Diamond Bar Ca, 91765	Address: 7039 Village Dr. Eastvale, Ca 92880
Telephone: 909-301-1017	Telephone: 714-707-1114
Fax: E-mail: carl3.rwagroup@gmail.com	Fax: E-mail: ramartoo@yahoo.com
General Plan: RA	Site Acreage: 0.57 acres
Zoning: A-1 agricultural low density	Assessor's Parcel Number: 133-340-019-0
Description of Proposal: Rear yard variance required to build 2,250 sq ft one story single family house, 330sqft covered patios and 950sqft attached garage & wall variance	

REQUESTED REVIEW:

☐ Conditional Use Permit (includes major, minor and modifications)	☐ Tentative Parcel Map
☐ General Plan Amendment	☐ Tentative Tract Map
☐ Site Plan Review (includes major, minor, modifications, development phasing plan, model home sales complex, and wall and fence plan review)	☑ Variance (includes major and minor)
	☐ Zone Change
☐ Specific Plan Preparation/Amendment	☐ 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: Nicholas Hart	Applicant: Nicholas Hart
Date: 9/23/18	Date: 9/23/18

EXHIBIT "D"

CITY OF NORCO

VARIANCE
JUSTIFICATION FOR APPROVAL

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

1. Explain how your property differs from others in the same zone and neighborhood in terms of unusual topography, size and/or shape.

Property is not as deep as standard lots in the city but it is wide. Additionally, there is a 30ft easement across the front of the property which makes it impossible to build on without a variance for the set back requirements.

2. Explain what rights and privileges enjoyed by other properties in the same zone and neighborhood would be denied your property by enforcement of the zoning ordinance.

It would be impossible to build a home on the property

3. Explain how the granting of this variance will not be detrimental or injurious to other properties and/or improvements in the same zone and neighborhood.

Depth of backyard as proposed is approximately the same as the current homes on the same side of the street. Placement of the house on the lot is in line with the other homes already there.

4. Explain how the granting of this variance will not be contrary to the objectives of the general plan.

Purpose of the granting of the variance is to build a home that is inline with the city of Norco and keeping in the rural nature of the city. Yard space will be more narrow than the current standard but will be longer; additionally, the side yard will be as large as the back yard

5. Explain how the proposed variance will not limit animal keeping on the subject property.

Proposed lot coverage is ~17%, leaving 20,397 sqft open for development of a designated animal keeping area within either the approximately ~10,000 sqft side yard or 9,000 sqft backyard

FORM "I"

ENVIRONMENTAL INFORMATION FORM

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

DATE FILED: 9/23/18

GENERAL INFORMATION

1. Name and address of developer or project sponsor: Nicholas + Ashley Hart

2. Address of project: APN: 133-340-019-0 Southfork, Norco Ca 92860

3. Assessor's Block and Lot Number: Parcel #19, Lot 2 BK 38A of Track 3 of Norco Farms

4. Name, address, and telephone number of person to be contacted concerning this project:
   Nicholas Hart (951-543-2924) and Ashley Hart (951-897-2232)
   6844 Gaylord St. Riverside, Ca 92505

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

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:
   standard building/grading permits required

7. Existing zoning district: A-1 Agricultural Low Density

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

PROJECT DESCRIPTION

9. Site size.
   0.57 acre lot

10. Square footage.
    Total lot area 24,750 sqft
    Total lot coverage 4,355 sqft (Building footprint 3,530 sqft, Concrete driveway 850 sqft)

11. Number of floors of construction.
    single story (1 floor)

12. Amount of off-street parking provided.
    Designated parking for 4 vehicles

13. Attach plans.

14. Proposed scheduling.
    As soon as approved

15. Associated projects.
    grading/building

16. Anticipated incremental development.
    n/a

17. If residential, include the number of units, schedule of unit sizes, range of sales prices or rents and type of household size expected.

One single family residence, 2250sqft in size

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.

Variance required due to suboptimal lot depth preventing adherence to 100ft setback requirement

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

Yes	No	
☐	☑	22. Change in existing features of any bays, tidelands, beaches, lakes, hills or substantial alteration of ground contours.
☐	☑	23. Change in scenic views or vistas from existing residential areas or public lands or roads.
☐	☑	24. Change in pattern, scale or character of general area of project.
☐	☑	25. Significant amounts of solid waste or litter.
☐	☑	26. Change in dust, ash, smoke, fumes or odors in vicinity.
☐	☑	27. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.
☐	☑	28. Substantial change in existing noise or vibration levels in the vicinity.
☐	☑	29. Site on filled land or on slope of 10 percent or more.
☐	☑	30. Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
☐	☑	31. Substantial change in demand for municipal services (police, fire, water, sewage, etc).
☐	☑	32. Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.).
☐	☑	33. Relationship to a larger project or series of projects.
☐	☑	34. Has a prior environmental impact report been prepared for a program, plan, policy or ordinance consistent with this project?
☐	☐	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.

Vacant land with no existing structures. Please see soil report and attached plans for topographical information and photos

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.

Surrounding properties are single family homes

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: 9/23/2018	Signature:
	For:

November 27, 2018

RECEIVED
CITY OF NORCO

NOV 28 2018

CITY CLERK
TIME: 2:36

To: City of Norco

From: Rachel Stanhoff

James Mc Bride

RE: Lots on Southfork Drive and south of East St.

Variance has been requested and should be continued based on the following open items which need to be addressed prior at any variance being granted. It is my concern, along with fellow neighbors that the following should take precedence due to the safety of all people living near this High Power Transmission line. The power pole is supporting the High Power electricity has been unearthed and possess a real threat and safety to those around.

1. Did the owner of the property been issued permits to grade?
    A. Large amounts of earth has been cut and filled
    B. A cut has been removed in the hill at a approximate depth of 5 feet and 18 inches from a high power transmission line. (Edison)
    C. Did a licensed engineer (Stamp) review the grading plan?
    D. Did the Riverside county or city of Norco approve this plan?
    E. Has the fee been paid for the grading?
    F. The equipment was working on the property on the weekends, does the operator have a permit to work weekends?
    G. Does the operator have a spotter for safety? There must be two people on site at all times.
    H. Damage was done to property due to rock breaker and chards flying across the fence.

2. Did the city of Norco and Southern California Edison have plans to repair the damage to the high power pole and has it been approved?
    A. Licensed civil engineer (signoff)
    B. Edison Engineer (signoff)
    C. Letter from Edison stating repairs are in accordance with standard practices for high power.

3. Repairs and construction shall be performed by a licensed contractor with a PE stamp NOT AN OWNER BUILDER.

EXHIBIT "F"

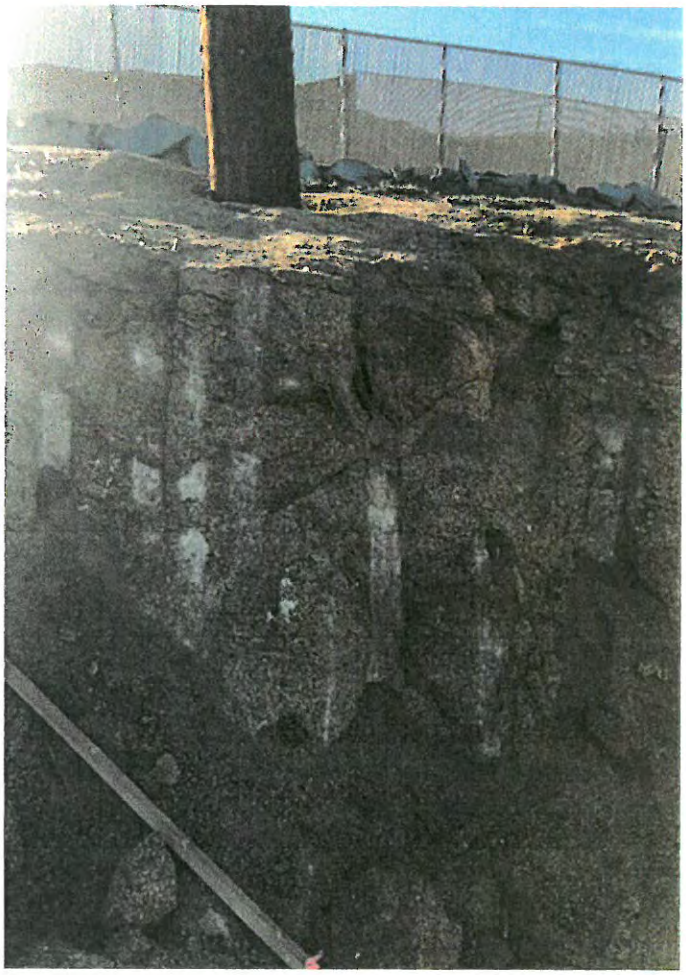
A. Due to the events the months of June and July 2018 it is clear the owner builder is not working within safe practices nor within the California contractors board.
B. These actions have shown disregard for life, property, and rules in place from the city of Norco.
C. At this time due to the nature of his actions on July 29, 2018 I feel threaten for my life and property.

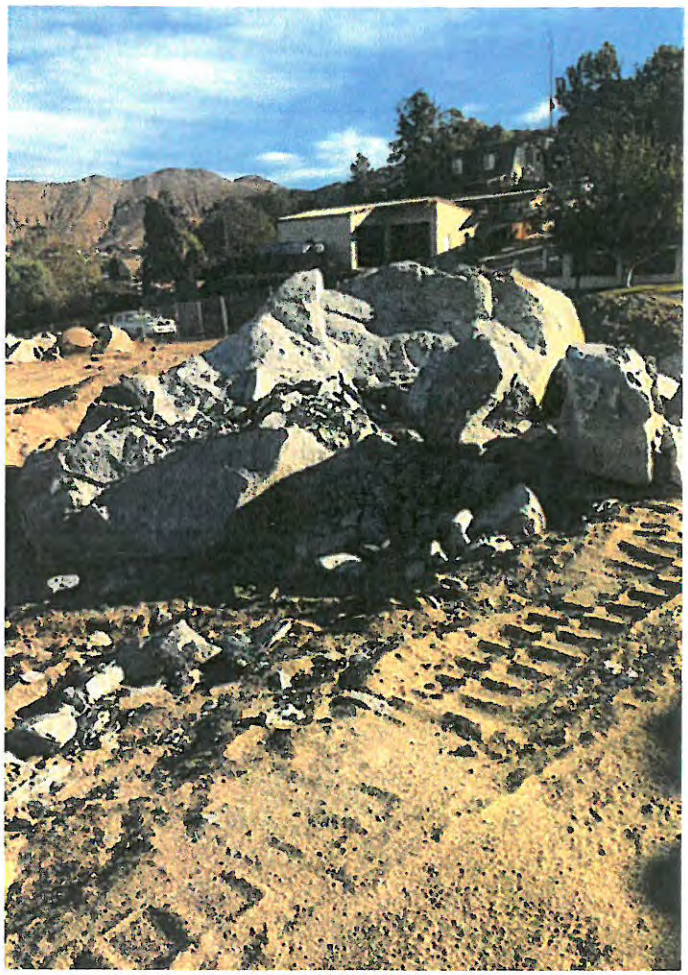
Sincerely,

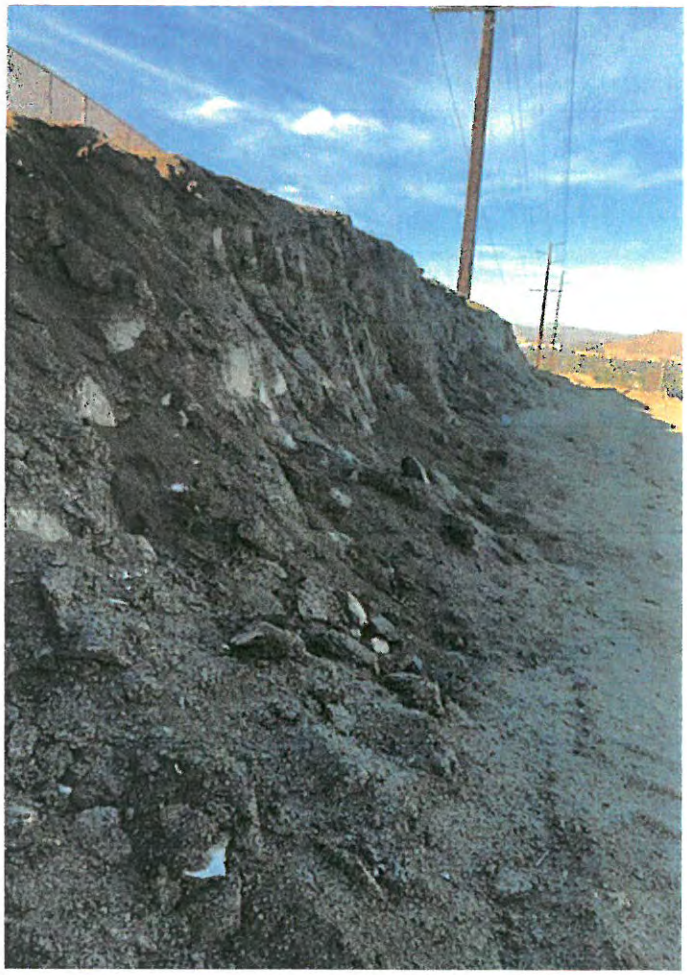
Rachel Stanhoff

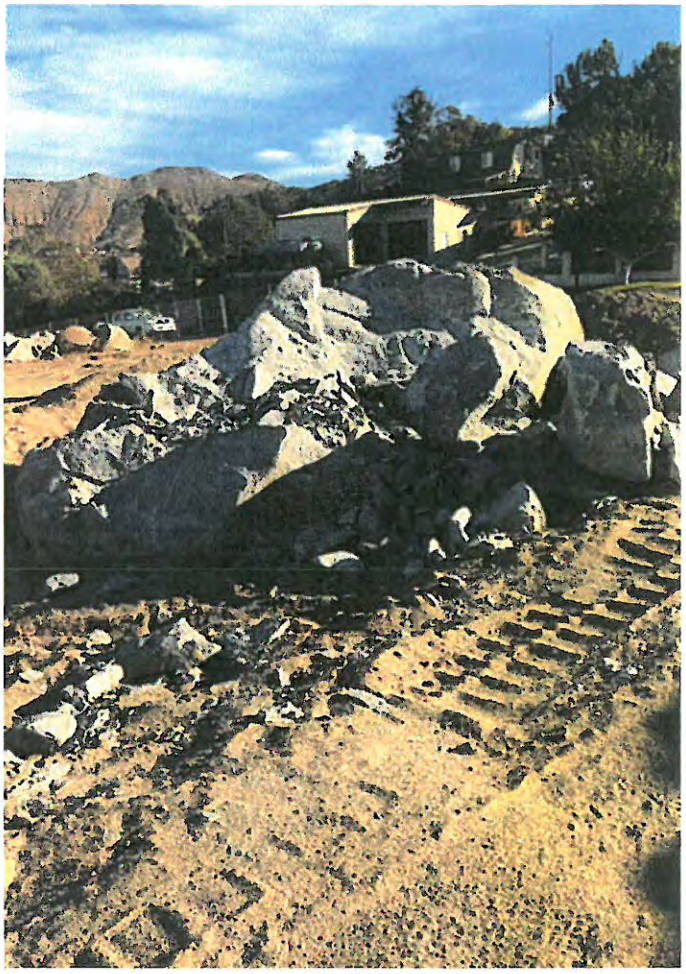
Rachel Stanhoff

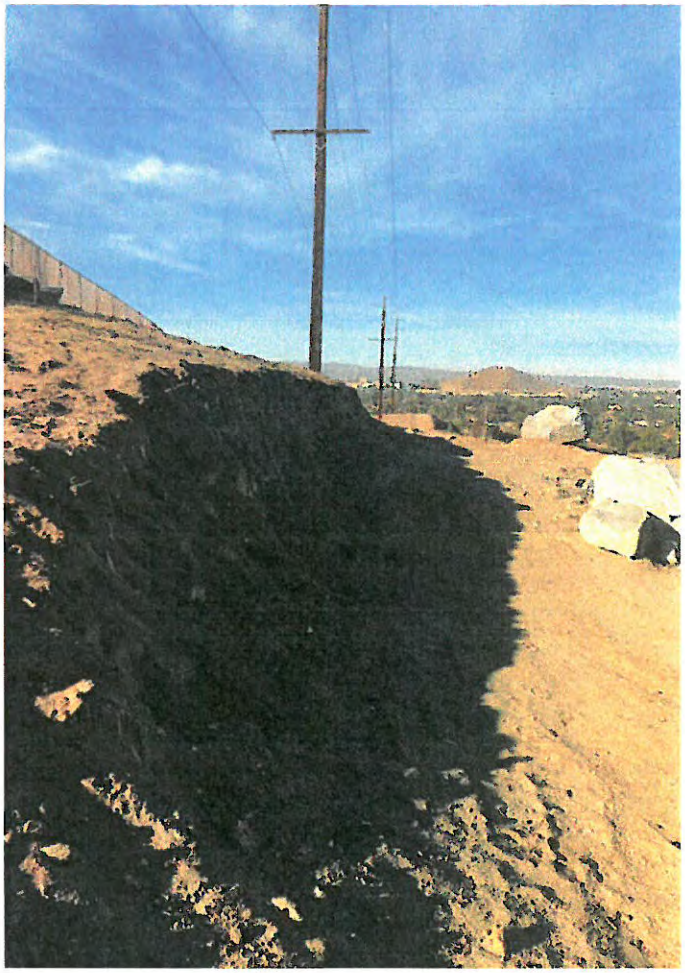
(909)374-5920

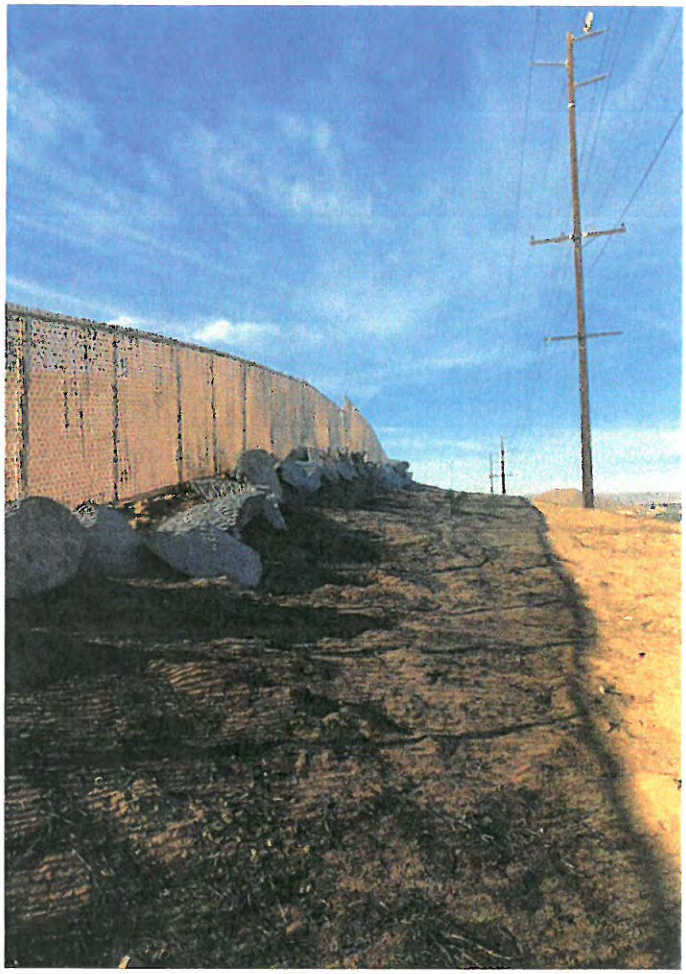


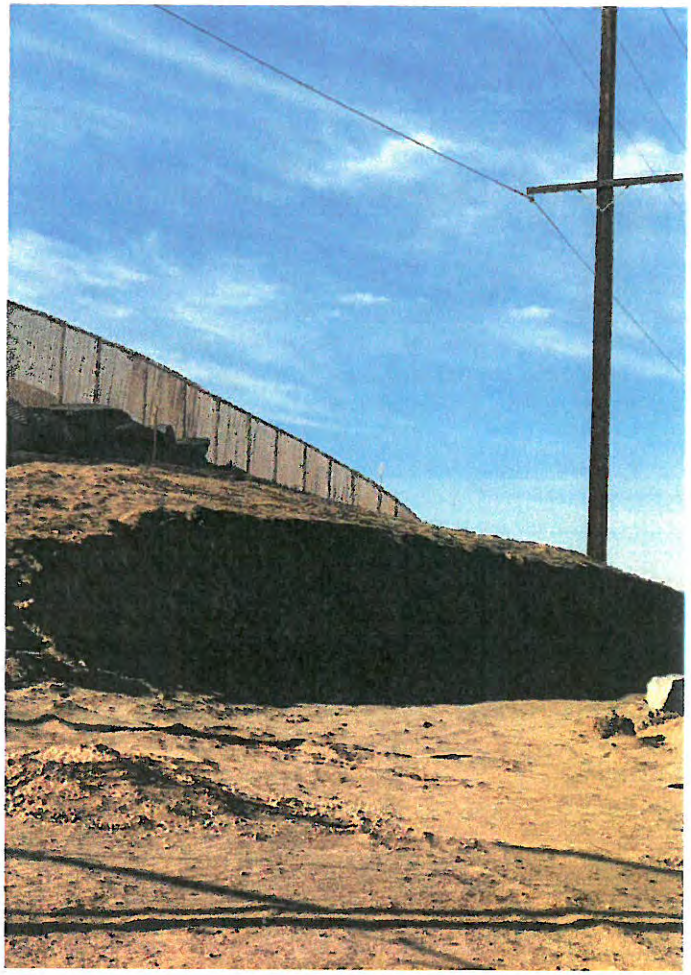












CITY OF NORCO
STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Steve King, Planning Director

DATE: December 12, 2018

SUBJECT: Monument sign versus pole sign regulations

RECOMMENDATION: Receive and file.

BACKGROUND: The Planning Commission requested a report on the regulations for a monument sign versus a pole sign as contained in the Norco Municipal Code (NMC). The NMC does not have one specific definition for a monument sign or for a pole sign but rather defines them for the zone in which they are permitted.

Monument signs are allowed in the Open Space (OS), Limited Development (LD), Agricultural, and Single Family Residential zones for property developed with non-residential uses, as follows:

NMC 18.37: SIGNS

A. Signs permitted in the Open Space (O-S), Limited Development (L-D), Agricultural (A-E, A-1, and A-2), and Single-Family Residential (R-1) Zones for property developed with nonresidential uses:

2. Monument Sign. One freestanding monument sign shall be allowed, with a maximum sign area of 20 square feet and maximum height of five feet from street or natural grade of the property.

a. If site is 20 acres or more, sign may increase one square foot for each additional acre to a maximum of 80 square feet.

b. Sign shall be located at least five feet from street right-of-way and five feet from interior property line or driveway.

c. All monument signs shall contain a site address and shall adhere to the design standards in this section.

d. For sites under 20 acres, a freestanding sign taller than five feet and/or with a sign area larger than 20 square feet may be approved by the Planning Commission.

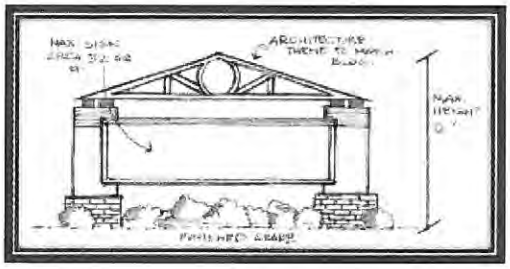
e. Monument signs are limited to business identification only.

Monument signs are allowed in the Commercial General, Commercial, Heavy Commercial/Light Manufacturing, and commercially zoned property within a specific plan area as follows:

B. Signs permitted in the Commercial Office (C-O), Commercial General (C-G), Commercial (C-4), Heavy Commercial/Light Manufacturing Zones (M-1) and any other commercially zoned property within a specific plan area:

3. *Monument Sign (See Exhibit 18.37.10-2). One freestanding monument shall be allowed per street frontage, with a maximum sign area of 32 square feet and maximum height of six feet from street or natural grade of the property and subject to the following:*

Exhibit 18.37.10-2: Monument Sign



a. A monument shall be located at least one foot from frontage property line, five feet from interior property line or a driveway, and not placed within the ultimate planned street right-of-way.
b. Letter height for a monument shall be a minimum of eight inches for readability.
c. For property with frontages of 200 feet or more, more than one monument sign may be permitted by the Planning Commission with the approval of a special sign permit, with the submittal of a sign program for the entire property.
d. All monument signs shall contain a site address and shall adhere to the design standards in this section.
e. For monument signs on Sixth Street, or on other commercial lots that front onto horse trails, up to a three-foot increase in the allowed height may be considered to increase the visibility of the monument sign above horse trail fencing.
f. Monument signs may be allowed a height of over six feet to accommodate architectural elements with approval by the Planning Commission.
g. Monument signs are limited to business identification only.

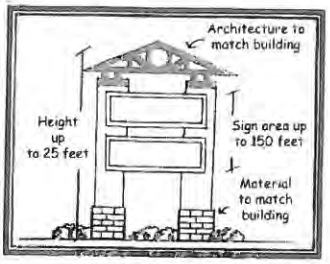
Exhibit 18.37.10-2 is only shown in Section B.3 for the C-G, C, and M-1 zones, and for commercial sections of specific plans. It is not shown in Section A.2 for the OS, LD, A-E, A-1, A-2, and R-1 (developed with non-residential uses) zones. The dimensions shown in this exhibit match the requirements for monument signs as listed in B.3 but do not match the monument sign requirements as listed in A.2.

A pole sign is not listed as a permitted sign in the OS, LD, A-E, A-1, A-2, and R-1 zones; however it is listed in the C-G, C, and M-1 zones, and for commercial sections of specific plans as follows with the accompanying exhibit:

B. *Signs permitted in the Commercial Office (C-O), Commercial General (C-G), Commercial (C-4), Heavy Commercial/Light Manufacturing Zones (M-1) and any other commercially zoned property within a specific plan area:*

4. Pole Sign (See Exhibit 18.37.10-3). For a center greater than 15 acres, one freestanding pole sign, which shall include signs supported on two poles, shall be allowed per street frontage instead of a monument sign, with the approval of a conditional use permit and subject to the following:

Exhibit 18.37.10-3: Pole Sign



a. The pole sign shall be allowed a maximum sign area of 150 square feet and a maximum height of 25 feet from street or natural grade of the property.
b. Sign support shall not be located within five feet of an interior property line or driveway and shall not be placed within or extend into the ultimate planned street right-of-way.
c. Pole signs shall contain a site address and shall adhere to the design standards in this section.

One of the intents and purposes of Chapter 18.37 (Signs) is to "provide incentive and latitude for variety, good design relationship, and spacing:"

18.37.04 Intent and Purpose.
The regulation and control of the location, size, type, and number of signs permitted shall be governed by the provisions of this chapter. The purpose of this chapter shall be as follows:

A. To direct persons to various activities and enterprises, in order to provide for the maximum public convenience;
B. To provide a reasonable system of controls for signs, to ensure the development of a high quality environment;
C. To encourage signs which are well designed and pleasing in appearance and to provide incentive and latitude for variety, good design relationship, and spacing;
D. To encourage a desirable urban character with a minimum of overhead clutter;
E. To enhance the economic value of the community and each area thereof through the regulation of such things as size, number, location, design and illumination of signs;
F. To encourage signs which are compatible with adjacent land uses;
G. To reduce possible traffic and safety hazards through good signing; and
H. To protect the general public health, safety and welfare of the community.

The NMC makes provision with a Special Sign Permit that allows modifications of signs to address individual site restraints and conditions.

18.37.06 Administration.
It is the duty of the Planning Director to enforce all provisions of this chapter. The Planning Director has the authority to designate a representative of the Department to implement the provisions of this chapter. Further, the Planning Director has the option of referring any sign request to the Planning Commission for their review and determination.

F. Special Sign Permits. Certain signs, because of their potential increased for height, area, size or site location, may only be permitted by Planning Commission approval of a special sign permit. The signs requiring a special sign permit are noted in this chapter. The procedure for a special sign permit is as follows:

2. *Findings for Approval. Before a special sign permit may be granted, the Planning Commission or City Council, upon appeal, shall make a finding from the evidence submitted, that all of the following conditions exist:*
   a. *The required sign will not adversely affect the General Plan or the public convenience or general welfare of the community or persons residing or working in the neighborhood thereof;*
   b. *The requested sign will not adversely affect land uses or property in the same proximity in which it is proposed to be located;*
   c. *The location or configuration of the requested sign will not cause visual interference for the traveling public nor interfere with sighting of other signs or nearby buildings;*
   d. *The sign dimensions including height and area are in proportion to the site and the viewing needs;*
   e. *The requested sign is designed so business identification is easily determined;*
   f. *The sign meets all sign standards as contained in Section 18.37.12; and*
   g. *The sign is consistent with other sign on the site and/or the adopted sign program for the* site.

There are cites in the NMC where a Special Sign Permit is required but the permit is not limited to just these types of signs.