



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

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

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

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

PLEDGE OF ALLEGIANCE: Member Robert Leonard

APPEAL NOTICE: **Read by Director King**

1. PUBLIC COMMENTS:
• NONE

2. PUBLIC HEARING:
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. **Recommended Action:** Approval (Senior Planner)

Planner Robles presented the staff report on file in the Planning Department. All requirements were met; staff recommends approval. Planner Robles noted that staff has added a condition that the CUP be transferable, this is the 3 time this CUP has been before the commission for a change in ownership.

Vice Chair Jaffarian questioned staff to clarify the process that the applicant must go through to get approval, Planner Robles explained in detail.

Member Leonard questioned staff if the business is currently open, Planner Robles stated yes.

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

Vice Chair Jaffarian made note that staff has added the condition that the CUP would be transferable, and he is ok with that as long as the other steps are still in place.

Member Leonard questioned staff about the background check the applicant must go through to obtain approval, Planner Robles explained that the new owner did obtain all approvals, however they wanted to sell, Member Leonard wanted to clarify that the new owner passed a background check, Planner Robles stated yes.

M/S JAFFARIAN/AZEVEDO to adopt Resolution 2018-44 to approve Conditional Use Permit 2018-12 to allow the application to change for a foot massage business at 2743 Hamner Ave, Suite 111; the motion was carried by the following roll call vote:

AYES: HEDGES, AZEVEDO, JAFFARIAN, LEONARD

NOES: NONE

ABSENT: RIGLER

ABSTAIN: NONE

- B. Conditional Use Permit 2018- 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. **Recommended Action:** Approval (Senior Planner)

Planner Robles presented the staff report on file in the Planning Department. All requirements were met; staff recommends approval.

Member Leonard noted he made a visit to the site, and seen the electrical pole near the site and asked what the city will do about the grading, Senior Engineer Sam Nelson answered that emails show that a resolution has been made.

Chair Hedges questioned staff about a note on the plans in regards to distance between the two sites, Planner Robles stated that since staff does not know where the neighbor's house will be placed, if the applicant wishes to have animals and will not meet the thirty-five foot set back so the applicant will have to install a six foot solid wall.

Applicant, Ashley Hart explained why the application was submitted, explained about the grading that was done prior to having a permit, she explained that Edison's engineer has been on site and they were currently working with them to find a resolution.

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

Gene VanDeWalker objected to granting Variance's and explained that they are needed for special circumstances, concerned with the amount of dirt removed near the Edison pole, and had concerns about the use of explosives.

Ray VanDeWalker agreed with the last speaker, and noted that the applicant was working without permits, and was purposely trying to avoid the city, and explained that the Edison pole near the site and the applicant working without a permit is a liability.

Becky Osborne objected to the granting of the Variance.

Rachel Stanhoff is opposed to the granting of the Variance, explained in detail the issues that came from the applicant doing illegal grading at the site, we need to work together, and permits need to be obtained.

Jim McBride would like a letter from Edison stating that the area is safe to work on, the pole on this site is a primary transmission line, and noted that a large amount of dirt has been unearthed, and noted again that a letter from Edison's engineer should be obtained before any more work is done on the site.

Gonzalo Murillio lives on East Street, noted that Edison has been to the site and in contact, and noted that the Variance is needed to build, the lot has been empty for years, give the applicant a shot to build.

Todd Adams lives across the street from the applicant, stated that the things others were saying were not true, stated that there was only six feet of digging near the pole, stated that there are horses over a block away, he stated that he gave the applicant water, stated the applicant has made mistakes, let him build is home, it's better than an empty lot.

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

Vice Chair Jaffarian explained what the commission is reviewing in detail, and asked Attorney Harper that if there is damage to property they would need to file a civil claim, Harper stated yes.

Member Leonard agreed with Vice Chair Jaffarian, and added that the applicant should be double permit fees.

Member Azevedo agrees with the others, and noted that a Variance is needed so the lot can be built on.

Chair Hedges agrees with all however has an issue with setting precedence, Attorney Harper noted that granting a Variance does not set precedence.

Vice Chair Jaffarian gave an example to all about a property in town that had quite a few easements on it and needed a Variance, and noted that going through the process and making sure they meet all the requirements.

Member Leonard questioned staff about lot coverage; Planner Robles explained where the lot coverage was noted on the plans.

M/S JAFFARIAN/LEONARD to adopt Resolution 2018-43 to approve Variance 2018-04, to allow a Variance from the rear yard setback and wall height; the motion was carried by the following roll call vote:

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

3. BUSINESS ITEMS:

A. Monument sign versus pole sign regulations. **Receive and File** (*Planning Director*)

Member Leonard explained why he requested this be discussed, and went in to detail in regards to the definition of a pole sign and a monument sign.

Vice Chair Jaffarian noted that removing the word pole from the sign, maybe which would help and the sign code is very ambiguous. Attorney Harper stated to change the sign definition so that there is discretion for the planning commission permit.

Chair Hedges invited those wishing to speak, with no one wishing to speak Chair Hedges brought discussion back to commission.

M/S JAFFARIAN/HEDGES to receive and file the staff report; the motion carried by the following roll call vote:

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

4. PLANNING COMMISSION / STAFF COMMUNICATIONS:

A. Oral Reports from Various Committees:

- NONE

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

- NONE

ADJOURNMENT: Chair Rigler adjourned the meeting at **7:59 p.m.**

Respectfully submitted,

Lacey David
Minutes Clerk
Planning Commission