



**MINUTES**  
**CITY OF NORCO**  
PLANNING COMMISSION  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
REGULAR MEETING  
MAY 14, 2008

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1. CALL TO ORDER: 7:00 p.m.
2. ROLL CALL: Chair Newton, Vice-Chair Wright, Commissioners Harris, Hedges and Jaffarian
3. STAFF PRESENT: Economic Development Director Oulman, Urban Futures Consultant Paul Showalter, Senior Planner King, Associate Planner Robles and Executive Secretary Dvorak
4. PLEDGE OF ALLEGIANCE: Commissioner Harris
5. APPEAL NOTICE: Read by staff
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: None
7. APPROVAL OF MINUTES: Minutes of April 30, 2008

**MOTION:** M/S Wright/Hedges to approve the minutes of April 30, 2008 as written.

AYES: Unanimous

**MOTION CARRIED**

8. CONTINUED ITEMS: None
9. PUBLIC HEARINGS: **Resolution No. 2008-15**; Report and Recommendation to the Redevelopment Agency and City Council Concerning the Proposed 2008 Amendment to the Redevelopment Plan for Project Area No. One and its Conformity to the City's General Plan. The Amendment would Increase the Plan's Stated Amount of Bonded Indebtedness that can be Outstanding at One Time, and would Increase the Amended Plan's Tax Increment Limit. Recommendation: Approval (Economic Development Director Oulman)

EDD Oulman presented the staff report in detail (the report being on file in the Planning Department).

Paul Showalter from Urban Futures said this was being done in accordance with state law. Urban Futures is doing all the documentation for the processing of this

amendment. Mr. Showalter explained this is just a cap; it doesn't mean that the money will be spent but to have come back and have to do this would be expensive. He said unless staff has it too low, this number tonight is realistic according to projections based on growth projections. The financial side of Urban Futures worked with EDD Oulman and Andy Okuro, Director of Fiscal and Support Services. Every parcel along Hamner Avenue and Old Town Norco are in the Redevelopment Area.

EDD Oulman said the City is already pushing up to the current caps. This is the first public hearing on this. He said Urban Futures went throughout Norco block by block to show that blight still exists in order to get this money.

PC Jaffarian asked what the effect of the current housing element expiring the end of June would have on this.

EDD Oulman said that the City operates under what is in place at the time, even if it is the old housing element. Mr. Showalter agreed that it should not be a problem.

PC Wright noted that the Wyle property and the Silverlakes property are not in the Area. Staff confirmed, saying it was because those properties were expected to be developed without the help of redevelopment funds.

Chair Newton opened the public hearing, there were no comments and the hearing was closed.

PC Harris was concerned that the housing element from the general plan is still in draft stage from 2000, during which we used the 1990 census information. He asked how this could be valid. He said the new housing element is the one that should be considered with this item. He was concerned that this is a lot of money and again there is no audience. PC Harris said he talked with the state today and they said we were not in compliance.

SP King said the existing housing element was adopted by the City Council and although it was not accepted by the state, Norco still has a housing element.

Mr. Showalter explained that because of the extension granted by the state, the housing element is in accordance and, always, the Redevelopment Plan parallels the General Plan.

EDD Oulman said the Redevelopment Plan is under the General Plan and has nothing to do with the Housing Element.

EDD Oulman said 5,000+ property owners will be getting a notice for the next public hearing on this. If the Commission denied this or chose to take no action, it would delay the Council's hearing for 30 days; after that, the City could proceed past the Commission's action.

**MOTION:** M/S Jaffarian/Wright to adopt Resolution 2008-15 recommending that the City Council/Redevelopment Agency approve the 2008 Amendment to the Redevelopment Plan, Project Area No. One.

Under discussion: PC Harris wanted to see Finding E struck out. The rest of the Commission was fine with keeping it in.

AYES: Unanimous  
NOES: Harris

**MOTION CARRIED**

PC Harris voted no because he wanted the Commission to have a better understanding of the fiscal impacts before voting and he wanted to have Finding E struck.

10. BUSINESS ITEMS:

- A. Architectural Review 2008-01 (Gomez): A Request for Approval of a Proposed Architectural Façade Renovation of an Existing Restaurant Located at 2335 Hamner Avenue located within the Norco Auto Mall Specific Plan Area. Recommendation: Approval (Associate Planner Robles)

AP Robles presented the staff report in detail (the report being on file in the Planning Department). She noted that if any landscaping or signage came forward, staff would review.

The representative said all the existing landscaping is being renovated. The Commission made him aware palm trees were not welcomed.

PC Jaffarian asked about signage; it was noted the monument sign on Hamner will be updated; some signs on the building will be removed.

**MOTION:** M/S Wright/Jaffarian to approve Architectural Review 2008-01.

AYES: Unanimous

**MOTION CARRIED**

- B. Appeal 2008-01 (Rosa): An Appeal of the Planning Department's Determination to Require a Direct 15-foot wide Access to the Primary

Animal Keeping Area (PAKA) on Property Located at 159 Wild Horse Lane Located within the Norco Ridge Ranch Specific Plan (NRRSP).  
Recommendation: Denial (Associate Planner Robles)

AP Robles presented the staff report in detail (the report being on file in the Planning Department).

There was discussion on what the Commission meant when it said "clear and direct access." PC Jaffarian said he thought the straight access was for emergency vehicles. Chair Newton said it involved safety per the Fire Department. Other issues were for animal feed delivery.

The applicant, Richard Rosa, said that if the city is going to have ordinances that affect neighborhoods, maybe they could add notices to the water bills. He said the Ordinance does not say "straight line," it says "direct access." He said it makes no sense that the barn cannot be in front of the PAKA. If he moves the location of his planned barn, he will have lots of wasted space on his flat lot.

Dave Henderson, 3010 Corona Avenue, said that all sorts of items ended up in the rear yard access only because the NRRSP was not adhered to. The amendments were necessary because of inconsistencies but there are times that a variance process would work and this is a perfect situation for that. Clear unobstructed access is the main intent.

Don Bowkler, 3201 Cutting Horse Rd., agreed the variance process would be perfect for this if the layout works.

There was discussion that recording the access with the County of Riverside would protect the 15-foot access from ever being built on.

AP Robles did not recommend a variance because it is expensive and there are legal restrictions. The findings need to meet certain requirements set by the state. SP King agreed, saying in this case the applicant can comply, he just doesn't want to, so a variance would not work.

Chair Newton commented that the photos showing access violations submitted by the applicant tonight are similar to ones ignored by Councils in the past.

The applicant said he moved to this house in 2004 so why is he not grandfathered. The City is making it difficult for him; he is putting up a \$60,000+ 32'x40' stuccoed and studded barn with a cement floor and no interior poles. While he is going to put a tractor and a few tools in it, the next owner could easily install stalls and use mats for the floor for animals. Mr. Rose stated he is not

using the barn for RV or any vehicle storage. He does have direct access although it is not a straight line. By suggesting he build this barn in another area, the Commission is asking him to waste space on his property and he would rather not build in that case.

PC Wright thanked staff for denying this because the intent of direct access was a straight line; and that needs to be corrected in the Code with another zone code amendment. He would approve this with access to the PAKA recorded.

PC Harris wants to see "direct" redefined. To put the barn in the middle of the area makes no sense; neither to put in on one side. He said the Commission needs to have flexibility. If a project doesn't block access, staff could approve.

Dave Henderson noted that to have a surveyor record meets and bounds is expensive but needed to record the 15-foot access, more so than a variance. He remembered when the City changed the rear yard setback to 100 feet, the Commission was busy with variances for patios from a newly built subdivision by Riverside Community College. The cost for those variances was then modified by Council because so many properties were affected. Mr. Henderson asked that the Commission choose a review process, such as a variance, that requires adjudication by the Commission.

There was discussion that the cost of a minor variance is \$1,200 and a regular one is only \$100 more. Chair Newton asked if we need the City Attorney's opinion. PC Wright suggested that until the Code is modified; that the fees be waived. Staff noted Council needs to do that. Chair Newton said that might open the city to a lot of waivers. PC Jaffarian said it should be a variance, case-by-case, and there is no reason to waive fees. PC Harris agreed. But, PC Jaffarian said if the Commission approves after staff denies, the Commission could be setting precedence. PC's Hedges and Newton want the City attorney's opinion.

SP King said provisions for variance are dictated by state law. In this case, the applicant can put the barn to not be in line with direct access; he just doesn't want the barn in that portion of his property.

PC Jaffarian says a barn can be built on a PAKA, but not more than 45% of it. There are so many places to place a barn on this property that would comply.

PC Harris said the placement of the barn should rest with the property owner. The applicant has already said he wants to put the barn in a specific area.

SP King explained that staff cannot bring this as a variance under current codes because the required findings could not be made. Staff does not bring variances

forward for denial. The Commission may be putting itself in a position where a variance could not stand up in legal context. He is leery of going the variance route because the laws that control a variance go beyond the City's Municipal Code.

PC Harris asked about reconfiguring the PAKA; that was not met well by the rest of the Commission.

The applicant asked for continuance until clear interpretation from the City attorney is received.

**MOTION:** M/S Wright/Newton to continue Appeal 2008-01 to May 28, 2008.

AYES:

**MOTION CARRIED**

NOES: Hedges

PC Hedges said she wanted to make a determination tonight.

Chair Newton called for a recess at 8:50 and reconvened at 9:00 p.m.

C. Discussion Regarding Potential Zone Code Amendment for Permitted Coverage in the A-1 Zone. Recommendation: Direction (Director Daniels)

SP King presented the staff report in detail (the report being on file in the Planning Department). He said that currently on lots with slopes, owners can cover the entire flat area of their property with structures and still be complying with Code, because the Code makes no differentiation between a completely flat lot and a lot with a sloped area.

Chair Newton said in some of NRRSP, the lots visually don't look like half-acre lots; they look "all house."

PC Jaffarian said lot coverage and pad area are distinctly different.

PC Harris said the two-story garages springing up in the NRR area are awful. People with three or four built-in garages are adding garages. There are three-story homes. Two-story garages have balconies. He asked if the Commission is representing Norco or only certain citizens of Norco. He asked why this wasn't changed years ago, before so many people invested so much. He asked what the Commission wants to see happen up in the NRR area.

The rest of the Commission agreed this was affecting the entire city, not just the NRR area.

PC Jaffarian said Norco was incorporated as an animal-keeping community. He is looking for a balance for the owner who has the property now to enjoy it as he wants as long as it doesn't preclude a new owner from using it for animal-keeping. He questioned whether a swimming pool should be counted as coverage and whether coverage should be a function of the lot pad and not the lot size. Current non-compliant lots could not add more.

Chair Newton said he had wanted a power-point presentation tonight and wanted to see this item come back with that.

Dave Henderson noted that originally, staff and commission wanted a 20,000 square-foot pad. He said a pad size change should be across the board, not just for certain properties.

Chair Newton asked that this item come back as power point presentation.

PC Harris how many homes were affected and what was the potential impact.

Staff was so directed to bring this item back at a future meeting, and to include calculations, examples, estimates and visual aids.

11. CITY COUNCIL: Received and filed.
  - A. City Council Action Agenda dated May 7, 2008
  - B. City Council Minutes dated April 16, 2008
12. PLANNING COMMISSION: Oral Reports from Representatives on Various Committees/Commissions:
  - PC Jaffarian noted he gave staff comments on Fresh and Easy.
  - PC Harris said the EDAC emphasis was shifting from bringing in new to enhancing what is here.
13. STAFF: Current Work Program: No discussion.
14. OTHER MATTERS:
  - PC Harris asked where is the "Welcome to Horsetown USA" portion of the sign at the Chick's site. The City did some trade-offs for that but the signage has not happened. Other Commissioners reported that it had been reported to them that the structure had been determined to not have the wind-load capacity for another panel.

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- PC Harris asked that the problem with two story garages popping up all over the newer developments be put on the agenda for discussion at a later date.
- PC Jaffarian asked staff to better define “barn”, in regards to the PAKA issue.
- Chair Newton asked about the Moreno House. SP king said a grading plan was submitted for the site the house is going to be relocated to.

15. ADJOURNMENT: 9:35 p.m.

Respectfully submitted,

James E. Daniels  
Planning Secretary

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