



MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
JANUARY 27, 2010

1. CALL TO ORDER: 7:00 p.m.
2. ROLL CALL: Chair Jaffarian, Vice-Chair Hedges, Commission Members Harris, Newton and Wright
3. STAFF PRESENT: Planning Manager King, Senior Planner Robles and Executive Secretary Dvorak
4. PLEDGE OF ALLEGIANCE: Commission Member Wright
5. APPEAL NOTICE: Read by PM King.
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: None.
7. APPROVAL OF MINUTES: Minutes of January 13, 2010

Member Harris indicated a change on Page 2 after "...discussed under Other Matters": to add His concern also included how the Commission continually sees changes without the integrity of maintaining previous discussions. We continually look at the micro level without reflection on how it reflects the macro level. Member Harris also corrected the last sentence on Page 3 to read: It was noted this does not affect homes in specific plan areas. It was discussed at a previous meeting that future discussion may include eliminating specific plans and placing all current properties under specific plans as R-1- or A-1-zoned properties.

Chair Jaffarian corrected Page 3, first bullet: ~~Strike as a concrete floor would not allow a structure to be a barn.~~ Insert: Animal-keeping determines barn use; while a car in a building does not.

MOTION: Wright/Hedges to approve the minutes of January 13, 2010 as amended.

AYES: Unanimous:

MOTION CARRIED

8. CONTINUED ITEM: Continued Discussion of a Proposed Amendment in Residential and Animal-Keeping Zones Regarding Lot Coverage and the Size of Permitted Accessory Buildings. Recommended Action: Direction (PM King). (from January 13, 2010)

PM King explained this item was sent for publishing of the public hearing before the Planning Commission decided to continue the item. Public comments could be taken tonight if the Commission wished or they could continue the hearing to February 10, 2010.

Member Harris noted that because it was noted on this agenda as going to be continued to February 10, 2010, interested parties might have been deterred from attending tonight's meeting.

PM King explained different scenarios on different slides.

Member Newton said he had met with PM King earlier and requested Exhibits "G" and "I". He questioned consistency with wording in 18.13.02 Intent and Purpose, and suggested that maybe animal units should not be shown on these examples. Stay with ...on each and every residential lot., striking the rest of the proposed wording. Regarding 18.13.20, Member Newton questioned the need for the specific wording of criteria referenced in this chapter.

PM King explained we didn't want someone just at the point of building a large building grading an area just to fit in the building. Any newly graded area needs to be equal to the current Primary Animal-Keeping Area (PAKA).

Member Wright noted for the record that the Commission had discussed this being a minor Conditional Use Permit (CUP) but noted that the Commission felt the fees would be excessive. PM King said that lower fees would be presented to Council and then set by that body.

Member Harris said these slides were confusing and asked PM King for some clarification matching what was current against what was proposed.

PM King said front and side yards are included in the animal area in the exhibits but that is not so in reality because you will not see animals generally in front or side yards

Member Harris referred to Exhibit K and asked if a swimming pool could be added to a different area, to which PM King replied yes, and that the exhibits were just examples.

Chair Jaffarian asked about a 600 sq. ft. or smaller building; is it in one instance? PM King said that each instance is counted separately so that each time a building is added, there needs to be a 10-foot separation between buildings.

Chair Jaffarian felt that there is really need for more discussion.

Member Wright suggested the Commission take comments on Item 8; and if the Commission feels ready to set a specific date for the public hearing, that could be done.

By straw vote, the Commission stayed on Item 8, taking comments at this time.

John Box, 159 Oldenburg Lane, said he is hearing-impaired and asked the Commission to continue this to a time when all the microphones are working and also that he is color-impaired so the colored exhibits are of no help to him. He did not feel the community is aware of what this amendment is proposing or there would definitely be a larger audience tonight. This proposal is taking away property owners' rights. He does not know where this proposal came from. He did not think this was what the Commission intended and strongly recommended if this moved forward, that staff go out into the community and pick real examples.

There were no more comments and the item was brought back before the Commission.

Member Harris voiced concern that this proposal is not only taking quite a bit away from every person who owns property in Norco, some more than others, but really discriminating against the smaller lots. He believes the formula falls apart regarding the smaller building pads and doesn't agree with this concept without some allowance. In looking at public records, of 237 homes in the Hills, 82 (34.6 per cent) have swimming pools. Summers are hot, residents want pools. It is wrong to tell property owners that they cannot have swimming pool just because of the lot configuration. He referred to the January 13, 2010 minutes on page 3 where Chair Jaffarian said driveways and swimming pools added into the coverage was debatable. Member Harris asked when that will be debated; the Commission is not following its own procedure. He took offense at requiring a permit for concrete work, it has not been required in the past; there is no need to do it now; it adds a burden to the land owner.

Chair Jaffarian said permits for flatwork should be under a separate discussion. He agreed with Member Harris and suggested that it be omitted. The Commission agreed.

Vice-Chair Hedges appreciated the slides. She wanted to preface the reason why the Commission is doing this, as in some of the reasons are the large and sometimes ugly accessory buildings being built throughout our residential areas. The Commission needs to look at what fits the community best; for Norco, rural animal-keeping is what is best and most equitable for everyone.

Member Wright: Norco is an animal-keeping town but we are getting more and more of these accessory buildings eating into the animal-keeping areas. He didn't know what the right percentage is but the goal should be that the property owner has the right to do what he wants as long as the animal-keeping use is maintained. The large buildings are not conducive to everyone.

Member Newton said the speaker system is bad and needs to be fixed before the public hearing. He likes simple concise ordinances. He agrees with the 600 sq. ft. limit, and that swimming pools are structures and should be included in consideration with the house. He

believes that driveways and sidewalks over 30 inches in elevation require permits and asked staff to verify that with the Building Official. Flat driveways and sidewalks should not be included in calculations. He was okay with cement floors for barns. He said the slides were confusing. It is the overwhelming accessory buildings that look like aircraft hangers that impact neighboring properties that are wrong.

Chair Jaffarian agreed with striking certain language to keep the amendment simple. He felt the breakpoint on swimming pools is a flat pool compared to one with large rocks and waterfalls. Slide "B" with 70% coverage is essentially same as the existing code, exclusive of the swimming pool, and sets a good benchmark. Either staff needs a few more slides looking at 70-80% coverage with animal unit exclusion, or needs to look at the existing Code and work to find an equitable solution. He has no intent to make this more difficult, but felt a big subject is whether to include pools or not in the lot coverage.

Member Harris agreed with the Chair's logic; why even change the Code, keep as is and just address accessory buildings. No reason not to do that. Go back to 40% and don't touch anything else.

Chair Jaffarian noted there were more anomalies with the current Code.

Member Harris said this proposal is very difficult to understand; he wants to just address the fundamental problem of accessory buildings. He doesn't see the gains in this proposal.

Chair Jaffarian felt the 600 sq. ft. limit is critical as far as requiring Commission review and feels the distinct height limit is very important. Easements could also affect calculations. He can endorse some of the proposed changes.

Member Harris said the Commission is trying to do this change without pertinent information as to how this amendment will impact property rights.

Chair Jaffarian told PM King that what is being proposed should be compared to existing Codes for the next meeting. PM King said that under the current Code, certainly anything we do will restrict some rights that exist today.

Member Wright asked for examples of real properties with the large accessory buildings for the next meeting.

Staff was directed to bring back this item in draft form for another review before setting for public hearing.

9. PUBLIC HEARING: **Resolution No. 2010-___**; Zone Code Amendment 2008-09 (City): A Proposed Ordinance to Amend Title 18 (Zoning) of the Norco Municipal Code to Regulate the Size of Accessory Buildings Allowed in Agricultural and Residential Zones. PUBLIC HEARING CONTINUED TO FEBRUARY 10, 2010.

Under discussion: Member Newton asked when the moratorium expires. PM King said it is expected that at the February 3, 2010 Council meeting that it will be extended to February 2011.

MOTION: M/S Wright/Hedges to continue this item off-calendar because there is more work to be done on it.

AYES: Unanimous:

MOTION CARRIED

Chair Jaffarian called for a recess at 8:25 p.m. and called the meeting back to order at 8:35 p.m.

10. BUSINESS ITEM: **Resolution 2010-01**; Site Plan 2009-07 (Wells): A Request for Site Plan Approval to Allow the Conversion of an Existing Residential Building into a Commercial Office Building at 911 Sixth Street in the C-4 zone. Recommendation: Approval (Senior Planner Robles)

SP Robles presented the staff report on file in the Planning Division.

In response to concerns from Vice-Chair Hedges, SP Robles indicated that the project could be conditioned to require concrete mow curbing along the trail (no redwood) and confirmed that the air conditioning unit is going to be on the ground, not on the roof.

Member Newton was agreeable with the elimination of the man entrance to the trash enclosure but wanted to see that landscaping will continue in that area. He noted that Water Quality Control is requiring roofs over trash enclosures now. SP Robles confirmed that the landscape drawings go back to staff and not the Commission and that the existing palm tree was destined to be removed.

The Commission liked the proposed façade and wished the applicants well. Member Newton asked if the façade money approved by the Council at their last meeting should have been done after the project's approval by the Commission. PM King noted that was a staff error.

MOTION: M/S Wright/Hedges to approve Site Plan 2009-07 in accordance with and subject to all conditions of approval contained within Resolution 2010-01.

AYES: Unanimous

MOTION CARRIED

11. CITY COUNCIL: Received and filed.
 - A. City Council Action Minutes dated January 20, 2010
 - B. City Council Minutes dated December 14, 2009 (Study Session), December 16, 2009 (Regular Meeting) and January 13, 2010 (Special Meeting)

12. STAFF: Current Work Program: Received and Filed
13. OTHER MATTERS: Appointment of a Planning Commission Member to the Norconian Strategic Plan Committee, with one alternate: PM King explained meeting dates and times have not been set. Vice-Chair Hedges and Member Newton volunteered.

Member Newton has noticed that the City has not been flying the flags during business hours.

Vice-Chair Hedges asked about Wall Design on Sixth Street. PM King said that is an active code enforcement case.

Vice-Chair Hedges asked about the signs for the City lot by Riley Gym. PM King said the sign regarding no parking allowed has been ordered.

14. ADJOURNMENT: 8:54 P.M.

Respectfully submitted,

Steve King
Planning Secretary

/sd-74700