



MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
APRIL 14, 2010

1. CALL TO ORDER: 7:00 p.m.
2. ROLL CALL: Chair Jaffarian, Vice-Chair Hedges, Members Harris, Newton, and Wright
3. STAFF PRESENT: Planning Director King, Senior Planner Robles, and Executive Secretary Dvorak
4. PLEDGE OF ALLEGIANCE: Commission Member Wright
5. APPEAL NOTICE: Read by staff.
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA:
7. APPROVAL OF MINUTES: Minutes of March 31, 2010

MOTION: M/S Wright/___ to approve the minutes of March 31, 2010.

MOTION DIED FOR LACK OF SECOND

Member Newton made a correction to Page 2 to correct the reference of the grossly oversized buildings to John Box's letter, not the Code.

There was discussion on Member Harris' submittal of his "no" vote at the March 31st meeting after the meeting was over.

MOTION: M/S Harris/Hedges to approve the minutes of March 31, 2010 as corrected and with the attachment of Member Harris' no vote.

AYES: Harris, Hedges, Jaffarian and Wright

NOES: Newton

MOTION CARRIED

Member Newton said his vote is no because he is fine with the minutes and the minor correction but not with attaching Member Harris' paper because it was received after the meeting was over. He felt Member Harris had the right to read that document into the minutes at this meeting tonight.

8. CONTINUED ITEMS: None
9. PUBLIC HEARING: Silverlakes Development Agreement (Belstarr Sports Management) (Planning Director King)

PD King said attorneys from both sides are very involved in this document and recommended this item be continued to May 12, 2010.

MOTION: M/S Wright/Newton to continue the Silverlakes Development Agreement to May 12, 2010.

AYES: Unanimous

MOTION CARRIED

10. BUSINESS ITEMS: Appeal 2010-01 (Cogley): An Appeal of the Planning Division's Determination to Require Perimeter Fencing Installed at 179 Cavaletti Lane Located within the Norco Ridge Ranch Specific Plan (NRRSP), to be removed because it does not comply with the Established Wall and Fence Plan for the NRRSP. Recommendation: Deny Appeal (Senior Planner Robles)

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

Member Wright asked about the Conditions, Covenants and Restrictions (CC&Rs) stance on fences. PD King said it does not specifically talk about fencing; just asks for consistency with the specific plan as approved.

The Chair invited the applicant to address the Commission.

Lisa Cogley said she was improving the property by putting in a sprinkler system and landscaping, in answer to a question about what kind of construction was happening in the back yard. She asked how the homeowner is supposed to know about CC&Rs; she turned to the Municipal Code for direction. Regarding the wrought iron, she does not feel she is doing anything she should not be. She feels her fence is better than most in the neighborhood.

Chair Jaffarian said that the specific plan for her area is the Code she needs to follow.

PD King said the CC&Rs are between the seller and property owner, whether or not there is a homeowner's association. The City does not enforce CC&Rs though the City does review them for animal-keeping protection. A fence plan was required of the five developers in the Hills.

Joe Arambula said it is nice to see property being upgraded and cleaned up but asked the Commission to uphold the denial and to ask that this property owner abide to codes. Allowing this to go through would set precedence.

Roy Hungerford agreed. High winds a few weeks ago rattled that fence badly. He submitted 14 letters for the record from neighbors asking that the appeal be denied.

Don Bowker asked the Commission to deny the appeal.

John Box agreed, adding it was the responsibility of her realtor to have informed her.

There were no further comments.

Member Newton asked Member Harris who is a realtor, about CC&Rs.

Member Harris said the original homeowner gets the CC&Rs from the developer. In a resale, in this case from a bank, the bank might not have that information. A realtor should disclose what they know but most banks assign their own realtors who may not know about CC&Rs. He felt the City should come out with caution points. A lot of property is being sold up in the Hills, with five different CC&Rs which protect the original developer and the City. He felt the City should present a one-page document alerting new buyers.

Member Newton said homeowners have some responsibility also. He said a lot of work went into the specific plan documents. He suggested perhaps a green wall with landscaping inside the fence. He said rolling gates with slates will lay down in high winds. The footings for this wrought iron fence with the attached metal panels may not be enough when the high winds rip through the hills. A standalone wood fence six feet high does not require a permit but the dynamics change when you attach it to something.

Chair Jaffarian asked how staff would deal with a redwood fence attached to the wrought iron.

PD King said Engineering Department staff would have to make the determination that the extra load /wind load was acceptable. He noted that wrought iron fencing required a permit because of the footings while wood fencing does not.

All the Commissioners voiced compassion to the property owner.

MOTION: M/S Wright/Hedges to deny Appeal 2010-01 on the basis that the fencing is not allowed per the established wall and fence plan for the Norco Ridge Ranch Specific Plan.

AYES: Unanimous

MOTION CARRIED

11. CITY COUNCIL: Receive and file
 - A. City Council Action Minutes dated April 7, 2010
 - B. City Council Minutes dated March 17, 2010
12. PLANNING COMMISSION: Oral Reports from Various Committees--None
13. STAFF: Current Work Program—Receive and file
14. OTHER MATTERS:

Planning Commission Minutes

Page 4

April 14, 2010

- PD King reported the “No Parking for Sale” signs at the Community Center parking lot were taken down because of construction and corrected signs will be put back up as soon as possible. That is a long and narrow parking lot that is being constructed along Old Hamner, not quite down to the Santa Ana River.
- The abandoned building situation next to Circle K on Fourth Street is being addressed by our current building official, who is only here one day a week.
- Chair Jaffarian asked that staff research construction action and current zoning for property at First Street and Parkridge Avenue.
- Vice-Chair Hedges asked staff to report back on a wooden sign at Reyna’s at Sixth Street and California Avenue.

15. ADJOURNMENT: 7:55 p.m.

Respectfully submitted,

Steve King
Planning Secretary

/sd-75344