



AGENDA
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
June 30, 2010

1. CALL TO ORDER: 7:00 p.m.
2. ROLL CALL
3. STAFF PRESENT
4. PLEDGE OF ALLEGIANCE: Chair Jaffarian
5. 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. Please contact City planning staff at (951) 270-5661 if you have any questions regarding any item you may wish to appeal.
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: Please limit your comments to three minutes. If you have an item that will require extended discussion, please request that the time be scheduled on a regular agenda.
7. APPROVAL OF MINUTES: Minutes of June 9, 2010
8. CONTINUED ITEMS:
9. PUBLIC HEARINGS:
 - A. **Resolution No. 2010-___**; Zone Code Amendment 2010-01 (City): A proposed Ordinance to amend Title 18 (Zoning) of the Norco Municipal Code to regulate the size, height, and approval process of accessory buildings allowed in agricultural-residential zones. *Recommendation: Recommend for Approval (Planning Director King)*
 - B. **Resolution No. 2010-___**; Specific Plan 91-02, Amendment 5 (City): A proposed Ordinance to amend the Norco Hills Specific Plan to regulate the height and approval process of accessory buildings allowed in the

Equestrian Residential District. *Recommendation: Recommend for Approval (Planning Director King)*

- C. **Resolution No. 2010-___**; Specific Plan 99-01, Amendment 4 (City): A proposed Ordinance to amend the Norco Ridge Ranch Specific Plan to regulate the height and approval process of accessory buildings allowed in the Equestrian Residential District. *Recommendation: Recommend for Approval (Planning Director King)*
- 10. BUSINESS ITEMS: None
- 11. CITY COUNCIL:
 - A. City Council Action Minutes dated June 16, 2010
 - B. City Council Minutes dated June 2, 2010
- 12. PLANNING COMMISSION: Oral Reports from Various Committees
- 13. STAFF: Current Work Program
- 14. OTHER MATTERS
- 15. ADJOURNMENT

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.

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)

/sd-75914

CITY OF NORCO STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Planning Division

PREPARED BY: Steve King, Planning Director

DATE: June 30, 2010

SUBJECT: **Resolution No. 2010-07;** Zone Code Amendment 2010-01 (City): A Proposed Ordinance to Amend Title 18 (Zoning) of the Norco Municipal Code to Regulate the Size, Height, and Approval Process of Accessory Structures Allowed in Agricultural-Residential Zones.

Resolution No. 2010-08; Specific Plan 91-02, Amendment 5 (City): A proposed Ordinance to Amend the Norco Hills Specific Plan to Regulate the Height and Approval Process of Accessory Structures Allowed in the Equestrian Residential District.

Resolution No. 2010-09; Specific Plan 99-01, Amendment 4 (City): A Proposed Ordinance to Amend the Norco Ridge Ranch Specific Plan to Regulate the Height and Approval Process of Accessory Structures Allowed in the Equestrian Residential District.

RECOMMENDATION: Recommend approval to the City Council with the following motions:

Motion 1: Adopt Resolution 2010-07 recommending to the City Council that Zone Code Amendment 2010-02 be approved;

Motion 2: Adopt Resolution 2010-08 recommending to the City Council that Specific Plan 89-02 Amendment 5 be approved;

Motion 3: Adopt Resolution 2010-09 recommending to the City Council that Specific Plan 99-01 Amendment 4 be approved.

Motion 4: Approve "Residential Accessory Building Review Checklists" for Minor Site Plan and Minor Conditional Use Permit Reviews.

SUMMARY: The Planning Commission and City Council have reviewed several options to control the size of accessory structures and preserve adequate open areas to maintain animal-keeping as a primary land use in the City's animal-keeping residential areas. Prior to and at the February 24, 2010 meeting, a majority of the Planning Commission had come to agreements on the primary components of what the draft code amendment and the draft specific plan amendments should contain and directed staff to set the matters for public hearing. At its May 19, 2010 meeting the City Council agreed with most of what had been recommended by the Planning Commission but asked that certain changes be incorporated including the definition of a barn. At the May 26, 2010 meeting the Planning Commission came up with a proposed definition and that was agreed to by the City Council on June 2, 2010.

BACKGROUND/ANALYSIS: The primary issues that have been agreed to by both the Planning Commission and City Council are summarized below.

1. Flat work, patios, pools, and courts are not counted in the building coverage.
2. A barn is defined as: "a building used for permitted agricultural uses, storing farm products, and sheltering livestock." A barn is not restricted from having a concrete floor.
3. A minor site plan review is required for accessory buildings 864 square feet or less, in the A-1 and A-E zones, and the Norco Hills and Norco Ridge Ranch Specific Plans.
4. A minor conditional use permit is required for accessory buildings that exceed 864 square feet, in the A-1 and A-E zones, and the Norco Hills and Norco Ridge Ranch Specific Plans.
5. Lot coverage regulations are not being changed in either the A-1 and A-E zones, or in the Norco Hills and Norco Ridge Ranch Specific Plans.
6. On lots where there is no Primary Animal Keeping Area (PAKA) a request for an accessory structure cannot be considered until after the applicant has demonstrated contiguous open areas based on the allowed number of animal units for that lot. There is no provision for encroachments into these open areas by any structure, as opposed to encroachments that can be allowed for animal-keeping structures on lots with PAKAs.
7. The allowed maximum height of an accessory structure, 864 square feet or less, in the A-1 or A-E zones, and in the Norco Hills and Norco Ridge Ranch Specific Plans is "14 feet or as approved by the Planning Commission." For structures that exceed 864 square feet the allowed maximum height is 20 feet, or as approved by the Planning Commission.

The intent of the code amendment is to:

1. Protect animal-keeping rights as a primary use in agricultural-residential zones in the City by protecting large open areas on animal-keeping lots (that do not have a PAKA, and are not located within a specific Plan);
2. Control the size of accessory buildings so that they do not overwhelm the main residence (or a neighboring residence) and do not overwhelm a neighborhood; and
3. Control the size, design, and location of accessory buildings so that they do not become eyesores in the community.

From the May 19, 2010 meeting the City Council wanted to amend three specific items before taking any action to adopt the ordinances. The first was the definition for a barn which has already been discussed. The City Council had also asked for a definition of a "workshop" but the Planning Commission determined that defining that term might give the impression that a use more intensive and commercial in nature could be allowed in a residential/animal-keeping neighborhood where it is not the case. That determination was presented to the City Council at the June 2, 2010 meeting and the City Council did not disagree.

Another correction that the City Council directed be included was a higher threshold in the size of an allowed accessory structure determining which would be subject to a minor site plan review as opposed to a minor conditional use permit review. The original threshold was 600 square feet and that was raised to 864 square feet.

The third issue that the City Council asked the Planning Commission to re-address was the concept of a "contiguous open animal area." As it was written in the draft ordinance the requirement in the A-1 and A-E zones was that one contiguous open animal area equal to the allowed number of animal units on a property multiplied by 576 square feet would have to be maintained. The discussion from City Council was that for larger properties it could be punitive to require that the entire area be one large contiguous open area where separated animal areas could still provide the required open space and still be adequate for animal-keeping, while giving more flexibility to the property owner. The proposed wording in the draft regulations has been revised to allow this flexibility with the requirement that any one open animal area would have to be rectangular and could not be smaller than 24 feet on any side.

Lastly it has been a request of the Planning Commission and the City Council that checklists are prepared to assist homeowners to know what is being asked of them in the design of accessory structures, and what the Planning Commission will be looking for in its review. Attached (Exhibits "A" and "B") are draft checklist forms that have been presented to the City Council with the understanding that ultimately the final forms would be approved by the Planning Commission. The attached checklists were received and accepted by the City Council and are attached for Planning Commission approval.

/sk-75884

Attachments: Resolution 2010-07
Resolution 2010-08
Resolution 2010-09
Exhibit "A" – Review Checklist (Minor Site Plan)
Exhibit "B" – Review Checklist (Minor Conditional Use Permit)
Exhibit "C" – Excerpt Resolution 2010-07 (highlighted changes to code)
Exhibit "D" – Excerpt Resolution 2010-08 (highlighted changes to Norco
Hills Specific Plan)
Exhibit "E" – Excerpt Resolution 2010-09 (highlighted changes to Norco
Ridge Ranch Specific Plan)
Exhibit "F" – Excerpt City Council Minutes May 19, 2010

**RESOLUTION NO. 2010-07
ZONE CODE AMENDMENT 2010-01
HIGHLIGHTED CHANGES TO CODE**

Chapter 18.12

18.12.02 Intent and Purpose

This zone is intended to provide and encourage the development of agricultural estate areas designed to take advantage of the rural environment, as well as the outdoor recreation potential of the community by maintaining contiguous undeveloped open land on each and every residential lot.

18.12.06 Permitted Uses

(3) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code, ~~unless expressly authorized by this ordinance.~~ Approval shall be through a minor site plan review.

18.12.08 Uses Which May be Permitted by Conditional Use Permit

(13) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.

18.12.18 Permitted Heights

The maximum height of any main buildings shall be two and one-half stories or 35 feet, whichever is less. ~~The maximum height of any accessory structures shall be two stories.~~

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet. Structures may exceed 14 feet but only as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet. Structures may exceed 20 feet but only as approved by the Planning Commission.

Chapter 18.13

18.13.02 Intent and Purpose.

This zone is intended to provide and encourage the development of agriculturally-oriented low-density living areas designed to take advantage of the rural environment, as well as the outdoor recreation potential of the community by maintaining contiguous undeveloped open land on each and every residential lot.

18.13.06 Permitted Uses.

(3) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-

keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code, unless expressly authorized by this ordinance. Approval shall be through a minor site plan review.

18.13.08 Uses Which may be Permitted by Conditional Use Permit.

(19) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.

18.13.18 Permitted Heights.

The maximum height of any main buildings shall be two and one-half stories or 35 feet, whichever is less. ~~The maximum height of any accessory structures shall be two stories.~~

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet. Structures may exceed 14 feet but only as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet. Structures may exceed 20 feet but only as approved by the Planning Commission.

18.13.20 Permitted Coverage.

For lots that do not have a primary animal-keeping area, the maximum lot coverage of all structures shall be not more than 40 percent of the total lot area. The maximum pad coverage of all structures on the pad shall be not more than 40 percent of the total pad area. The pad area is defined as the "flat" part of the lot ~~with a percentage of slope that does not exceed four percent (4% grade or less).~~ For building coverage purposes where a sloped area that is greater than four percent is graded to be four percent or less, the additional graded area is considered part of the pad if the new graded area meets the minimum primary animal-keeping area (PAKA) criteria established in this chapter.

For determining structural coverage on the lot in question:

(a) When a sloped area that is greater than four percent is graded to be four percent or less, the additional graded area is considered part of the pad if the new graded area meets the minimum primary animal-keeping area (PAKA) criteria established in this chapter.

(b) All site plans submitted for review of accessory structures as required in Sections 18.13.06(3) and 18.13.08(19) above, shall show all existing structures, the flat pad area, and the location of contiguous animal areas.

(c) A contiguous open animal area shall be rectangular in shape with a minimum of 24 feet on any side. The total open area shall be equal to the allowed number of animal units multiplied by 576 square feet. The contiguous open animal areas shall be free of any structures that require a building permit.

RESOLUTION NO. 2010-08
SPECIFIC PLAN 91-02, AMENDMENT 5
HIGHLIGHTED CHANGES TO SPECIFIC PLAN

III. DEVELOPMENT REGULATIONS

- A. Introduction
- B. General Provisions
- C. Regulations

1. Equestrian Residential District

c. Permitted Uses

6) Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.

d. Uses Permitted with a Conditional Use Permit

7) Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.

f. On-Site Development Standards

2) Maximum Height: The maximum height of any the main residential structure shall be 35 feet.

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet. Structures may exceed 14 feet but only as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet. Structures may exceed 20 feet but only as approved by the Planning Commission.

**RESOLUTION NO. 2010-09
SPECIFIC PLAN 99-01 AMENDMENT 4
HIGHLIGHTED CHANGES TO SPECIFIC PLAN**

III. DEVELOPMENT REGULATIONS

- A. GENERAL PROVISION
- B. EQUESTRIAN RESIDENTIAL DISTRICT REGULATIONS

1. ALLOWABLE USES

a. Permitted Uses

6) Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.

b. Uses Permitted with a Conditional Use Permit

6) Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures that exceed 864 square feet provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.

2. RESIDENTIAL LOT & PAD STANDARDS

3. ARCHITECTURAL STANDARDS

e. Yard Space and Setbacks

5) Maximum Height: The maximum height of any the main residential structure shall be 35 feet.

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet. Structures may exceed 14 feet but only as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet. Structures may exceed 20 feet but only as approved by the Planning Commission.