



AGENDA
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
OCTOBER 10, 2012

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

STAFF PRESENT:

PLEDGE OF ALLEGIANCE: Chair Wright

1. **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.
2. **PUBLIC COMMENTS:** Hearing from the audience on items not listed on the agenda. Please limit your comments to three (3) minutes. If you have an item that will require extended discussion, please request that the time be scheduled on a regular agenda.
3. **APPROVAL OF MINUTES:**
 - ❖ Minutes of September 12, 2012
 - Recommended Action: Approval** (Deputy City Clerk)
4. **CONTINUED ITEM:** None
5. **PUBLIC HEARINGS:**
 - a. **Conditional Use Permit 2012-10 (Marino):** A request for approval to allow an accessory building consisting of a 2,700 square-foot storage and garage building at 3535 California Avenue located within the A-1-20 zone
Recommended Action: Approval (*Senior Planner*)
 - b. **Conditional Use Permit 2012-11 (Helm):** A request for approval to allow an accessory building consisting of a 2,609 square-foot barn at 4086 Equestrian Lane located within the A-1-20 zone
Recommended Action: Approval (*Senior Planner*)

- c. Conditional Use Permit 2012-13 (Miller): A request for approval to allow accessory buildings consisting of a 2,378 square-foot horse shelter and a 2,378 garage for trailers at 1984 Corona Avenue (APN 125-150-033) located within the A-1-20 zone **Recommended Action: Provide Direction** (*Senior Planner*)
- d. Conditional Use Permit 2012-12 (Jeff Wilhelm, LLC): A request for approval of a conditional use permit to allow ancillary auto-related uses such as used car sales, rentals, and auto services, typically only allowed as ancillary uses to a new car dealership, to operate in existing buildings of a former new car dealership that is no longer present at 2000 Hamner Avenue in the Auto Mall Specific Plan (APN 126-120-015) **Recommended Action: Approval of the Temporary CUP Option** (*Planning Director*)
- e. Zone Change 2012-10 and General Plan Amendment 2012-03; and Specific Plan 85-1 (Auto Mall) Amendment 5 (City of Norco): A proposal to amend the Auto Mall Specific Plan by changing the zoning over portions of the Auto Mall to C-G (Commercial General) with the corresponding General Plan Amendment 2012-03 to change the Land Use designation from SP (Specific Plan) to CC (Commercial Community) on various lots east and west of Hamner Avenue south of Third Street. Specific Plan 1 Amendment 5 will include a change in the underlying zoning designation on two lots on the east side of Four Wheel Drive north of Second Street from M-1 (Light Industrial) to C-G along with text updates to bring the Specific Plan document consistent with current code regulations (Various APN's) **Recommended Action: Approval** (*Planning Director*)
- f. Zone Change 2012-11 and General Plan Amendment 2010-04 (City of Norco): A proposal to change zoning from M-1 (Heavy Commercial/Light Manufacturing) to C-G (Commercial General) with the corresponding General Plan Amendment 2012-04 to change the Land Use designation from I (Industrial) to CC (Commercial Community) on 22.9 acres located on the southwest corner of Fifth Street and Horseless Carriage Drive (APN 129-200-011) **Recommended Action: Approval** (*Planning Director*)

6. BUSINESS ITEMS:

- a. Site Plan 2012-13 (Sanchez): A request for approval to allow an accessory building consisting of a 256 square-foot storage building at 1271 Dodge City Place located within the Norco Hills Specific Plan (NHSP) **Recommended Action: Approval** (*Senior Planner*)

7. CITY COUNCIL: Receive and File

- ❖ City Council Minutes dated September 5, 2012
- ❖ City Council Minutes dated September 19, 2012

8. PLANNING COMMISSION:

- a. Oral Reports from Various Committees
- b. Request for Items on Future Agenda (within the purview of the Commission)

9. 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)

/di-81798



MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
SEPTEMBER 12, 2012

CALL TO ORDER: **7:02 PM**

ROLL CALL: **Chair Wright, Vice Chair Henderson, Commission Members Hedges and Jaffarian; Commission Member Leonard absent.**

STAFF PRESENT: **Planning Director King, Senior Planner Robles and Deputy City Clerk Germain**

PLEDGE OF ALLEGIANCE: **Commission Member Jaffarian**

1. APPEAL NOTICE: **Read by Planning Director King**

2. PUBLIC COMMENTS: **NONE**

3. APPROVAL OF MINUTES:

❖ Minutes of August 8, 2012

❖ Minutes of July 25, 2012 (continued from meeting of August 8, 2012)

Recommended Action: Approval (Deputy City Clerk)

M/S Henderson/Hedges to approve the minutes of Planning Commission regular meeting of July 25, 2012

AYES: Wright, Henderson, Hedges, Jaffarian

Motion Passed

ABSENT: Leonard

M/S Henderson/Hedges to approve the minutes of Planning Commission regular meeting of August 8, 2012

AYES: Wright, Henderson, Hedges

Motion Passed

ABSENT: Leonard

ABSTAIN: Jaffarian

4. CONTINUED ITEM: **NONE**

5. PUBLIC HEARINGS:

- A. Conditional Use Permit 2012-08 (Seymour): A request for approval to allow an accessory building consisting of a 2,497 square-foot garage at 2638 Valley View Avenue located within the A-1-20 Zone **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Division. She noted that all requirements have been met. Staff recommends approval.

In response to Commission Member Jaffarian, Senior Planner Robles confirmed that the Fire Department will also review the plans through the permit process.

Chair Wright 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 Wright CLOSED the public hearing, bringing the discussion back to the Commission.

M/S Henderson/Hedges to adopt Resolution 2012-34, to approve Conditional Use Permit 2012-08, to allow an accessory building consisting of a 2,497 square-foot garage at 2638 Valley View Avenue; adding a condition which would limit storage to a personal recreation vehicle only, not to be used for commercial type vehicle.

AYES: Wright, Henderson, Hedges, Jaffarian Motion Passed

ABSENT: Leonard

- B. Conditional Use Permit 2012-09 (Gonzales): A request to Modify Conditional Use Permit 87-05 to Allow Ancillary Outdoor Storage and Vehicle Parking at 1308 Sixth Street (.82 acre) for an Adjacent and Existing Contractor's Office and Storage Yard Located at 1338 Sixth Street (1.23 acres) on the southwest corner of Sixth Street and Valley View Avenue in the C-4 zone (APN 131-200-014)
Recommended Action: Approval (Planning Director)

Planning Director King presented the staff report on file in the Planning Division. Staff recommends approval.

In response to Commission Member Jaffarian, Planning Director King explained that the two lots would become one large lot, requiring one CUP.

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

Manuel Pavao: Mr. Pavao stated his concern with the noise level from the business early in the morning including Saturdays. He asked that they be required to have a 9' tall block wall.

Cathlene Ohare: Ms. Ohare stated her opposition to the business location, noting that it is an industrial business. She also stated her concerns with the noise level.

Chair Wright CLOSED the public hearing, bringing the discussion back to the Commission.

Discussions continued regarding the hours of operation, the height of the block wall against neighboring residences and the location of the trash bin.

M/S Jaffarian/Henderson to adopt Resolution 2012-35, to modify Conditional Use Permit 87-05, to allow ancillary outdoor storage and vehicle parking at 1308 Sixth Street for an adjacent and existing contractor's office and storage yard at 1338 Sixth Street; with the following changes:

- Condition 10: to indicate that the masonry wall at the property line be at a continuous height of eight/nine feet for both properties combined.

- Condition 22: the trail crossing on Valley View shall remain as decomposed granite; remove following language, “*or as approved by the City Engineer in accordance with standard City policies in regard to trail crossing.*”
- Condition 32: change to read: “*no storage yard loading activities, including loud speakers, after 6:00 p.m. or before 7:00 a.m. or on Sundays or holidays without prior written approval from the City.*”
- Add Condition 40: note that the two properties are to be merged as one lot prior to use of 1308 Sixth Street.
- Add Condition 41: dumpster to be placed at the rear of the property, not within 100 feet of the residential zone and/or the horse trail.

AYES: Wright, Henderson, Hedges, Jaffarian

Motion Passed

ABSENT: Leonard

6. BUSINESS ITEMS:

A. Update on Site Plan 2005-09 (Norco Country Center) **Recommended Action: Receive and File** (*Planning Director*)

Planning Director King presented the staff report on file in the Planning Division. He compared the approved Site Plan and the current setting of the area surrounding the water wheel facing Sixth Street.

Commission Member Hedges stated her concern that what was approved initially, the donkey corral, is now a seating area and a smaller horse corral. She said she did not like the look, nor that this change had not come before the Planning Commission for approval.

In response to the Commission Members, Planning Director King stated that the minor changes were approved at staff level and was not required to be brought back to the Commission.

Received and Filed

B. Site Plan 2012-11 (Castaneda): A request for approval to allow a 400 square-foot combination patio, storage room and bathroom addition to an existing accessory recreational vehicle (RV) garage building at 2232 Stallion Drive located within the A-1-20 Zone (Agricultural Low-Density). **Recommended Action: Provide Direction** (*Senior Planner*)

Senior Planner Robles presented the staff report on file in the Planning Division. She explained that one of the existing buildings is a code compliance issue; this site plan request is an attempt to come into compliance. She asked for direction from the Commission.

Mr. Castaneda, applicant, answered a few questions from the Commission in order to clarify usage. He confirmed that the primary use will be for family gatherings, pool enjoyment, BBQs, etc.

M/S Henderson/Hedges to adopt Resolution 2012-36, to approve Site Plan 2012-11, to allow a 400 square-foot combination patio, storage room and bathroom addition to an existing accessory recreational vehicle garage building at 2232 Stallion Drive; with the following modifications:

- Condition 1: note *"Approved based on Exhibit C – Site Plan..."*
- Close off second door entrance from the garage
- Remove the water heater if present

AYES: Wright, Henderson, Hedges

Motion Passed

NOES: Jaffarian

ABSENT: Leonard

7. CITY COUNCIL:

Received and Filed

- ❖ City Council/Oversight Board Minutes dated July 18, 2012
- ❖ City Council Special Meeting Minutes dated August 1, 2012
- ❖ City Council Minutes dated August 1, 2012
- ❖ City Council Minutes dated August 15, 2012

8. PLANNING COMMISSION:

a. Oral Reports from Various Committees:

1. Vice Chair Henderson gave an overview of the Zoning and Development Issues Working Group meeting.

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

NONE

9. ADJOURNMENT: Chair Wright adjourned the meeting at **8:30 PM**

Respectfully submitted,

Steve King
Planning Director

/di-81796

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: October 10, 2012

SUBJECT: Conditional Use Permit 2012-10 (Marino): A request for approval to allow an accessory building consisting of a 2,800 square-foot storage and garage building at 3535 California Avenue located within the A-1-20 zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2012-41, approving Conditional Use Permit 2012-10.

Conditional Use Permit 2012-10 is a request for approval to allow an accessory building consisting of a 2,800 square-foot storage and garage building at 3535 California Avenue located within the A-1-20 zone (ref. Exhibit "A" – Location Map). The property consists of about .58 acres/25,264 square feet (ref. Exhibit "B" – APN Map).

Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. The site plan and building elevations for the proposed building are attached (ref. Exhibit "C" – Site Plan, and Exhibit "D" – Building Elevations). The building consists of a 2,500 (50' x 50') square foot storage/garage building area with an attached 300 square-foot overhang/patio that will have a dirt floor. The building is proposed to be wood construction and painted to match the existing house. The following is required of accessory buildings:

- A minimum of 5 feet from property lines and 10 feet from any other structure is required for accessory buildings. **The proposed building will meet these requirements.**
- The maximum height of any accessory structure that exceeds 864 square feet is 20 feet, or as approved by the Planning Commission. **The structure is proposed with a maximum height of 14 feet.**
- The maximum lot coverage of all structures shall be not more than 40% of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less). **The subject property is approximately 25,264 square feet, but is not flat. The property steps up from the front creating at least three different flat pad areas with an average grade of 4% grade or less. The combined flat pad areas are equal to at least 22,000 square feet. The pad coverage for the property is approximately 30%, which takes into account the existing and proposed structures.**
- A contiguous open animal area must be shown on the site plan which must be rectangular in shape with a minimum of 24 feet on any side. The total open area must be equal to the allowed number of animal units multiplied by 576 square feet. **Based on the size of the property, a total of six animal units would be allowed which would require an open area of at least 3,456 square feet. There is an open area of over 3,456 square feet towards the rear of the property behind the proposed structure (ref. Exhibit "E" – Aerial and Site Photos).**

Conditional Use Permit 2012-10

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The project was provided to the Architectural Review Sub-Committee (ARC). No concerns were expressed over the architecture.

As proposed, the project meets the requirements of an accessory building that exceeds 864 square feet. Staff is recommending that the Planning Commission adopt resolution 2012-41 approving Conditional Use Permit 2012-10.

/adr-81981

Attachments:

Resolution 2012-41

Exhibit "A" – Location Map

Exhibit "B" – Assessor's Parcel Map

Exhibit "C" – Site Plan

Exhibit "D" – Building Elevations

Exhibit "E" – Aerial and Site Photos

RESOLUTION NO. 2012-41

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN ACCESSORY BUILDING CONSISTING OF A 2,800 SQUARE-FOOT STORAGE AND GARAGE BUILDING AT 3535 CALIFORNIA AVENUE LOCATED WITHIN THE A-1-20 ZONE. (CONDITIONAL USE PERMIT 2012-10)

WHEREAS, an application to the City of Norco, California has been submitted for a conditional use permit under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code by PEGGY MARINO for property located at 3535 California Avenue (APN 133-320-007) and

WHEREAS, notice of a public hearing on said petition has been given in the manner and for times required by law; and

WHEREAS, at the time set, at 7 p.m. on October 10, 2012 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is exempt from environmental assessment.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

A. The requested Conditional Use Permit will not adversely affect the general welfare of persons residing or working in the neighborhood thereof.

B. The requested use will not adversely affect the adjoining land uses.

C. The size and shape of the site proposed for the use is adequate to allow full development of the proposed use.

D. The traffic generated by the proposed use will not impose an undue burden.

E. The City of Norco, acting as lead agency, has determined that the project is categorically exempt from environmental assessment per Section 3.13, Class 3 of the City of Norco Environmental Guidelines.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled October 10, 2012 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "C" – Site Plan and Exhibit "D" – Building Elevations dated August 30, 2012 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of this permit.
4. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.
6. The applicant shall obtain building permits and pay all applicable fees before beginning construction of the structure on the subject property.

7. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.
8. A home occupation business shall not be permitted from the subject building.
9. The subject building shall be painted to match the existing residence.
10. This approval is for an accessory storage and garage building consisting of a 2,500 (50' x 50') square foot storage/garage building area with an attached 300 square-foot overhang/patio. It is hereby established that it shall be grounds for revocation of this conditional use permit if the property owner has:
 - A. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or
 - B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.
11. Building permits for this accessory building are issued within the confines of this Conditional Use Permit. Any violation of a condition resulting in a revocation of this Conditional Use Permit may result in an order to remove the accessory building at the owner's expense.
12. This garage building is for storage of personal items and vehicles. Storage of goods or vehicles for a commercial use or business operation is not allowed.

Resolution No. 2012-41
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PASSED AND ADOPTED by the Planning Commission at a regular meeting held on October 10, 2012.

Robert E. Wright, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

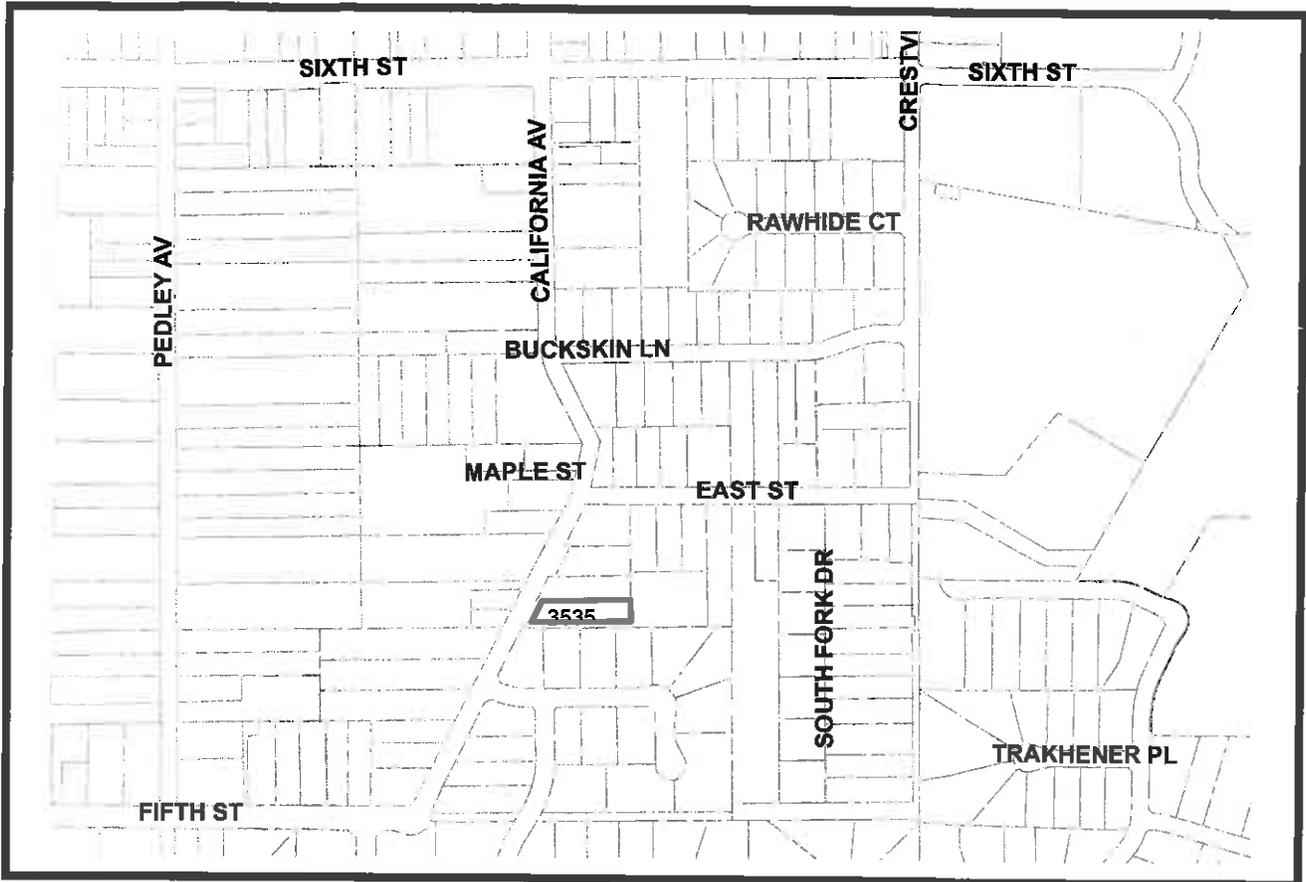
I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on October 10, 2012 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr-81741

LOCATION MAP



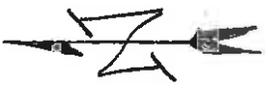
Not to Scale



PROJECT: Conditional use Permit 2012-10
APPLICANT: Peggy Marino
LOCATION: 3535 California Avenue

Exhibit "A"

Site Plan



PEGGY MARINO
 2535 CALIFORNIA AVE
 NORCO, CA 92860

PROPOSED NEW BUILDING
 50' x 50'
 REMOVE OLD BARN
 WHERE NEW BUILDING
 WILL GO

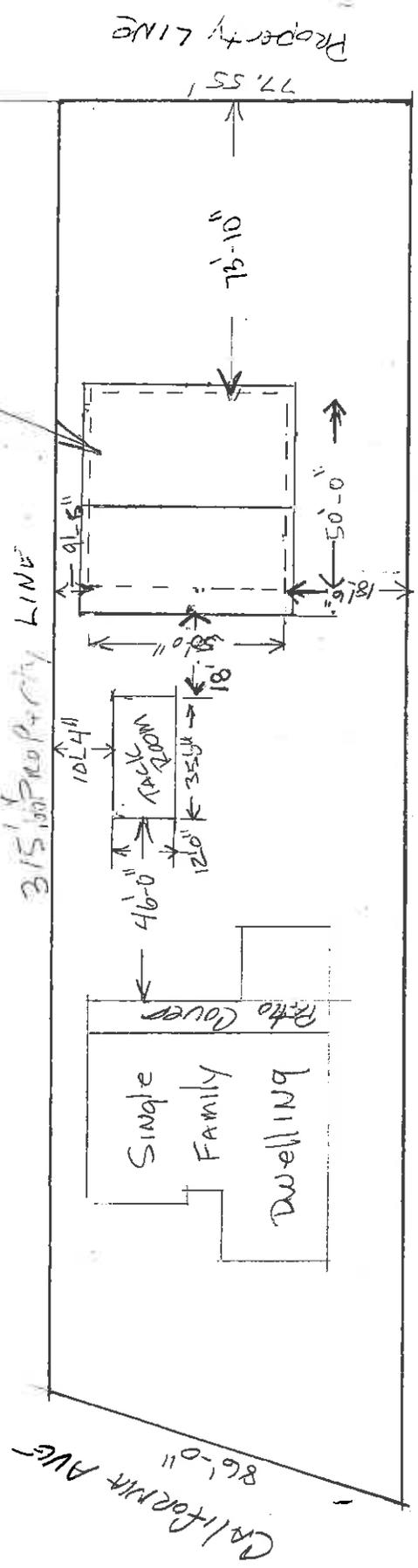


EXHIBIT "C"

8.30.12

SCALE 3/32" = 1'-0"

ELEVATION PLAN

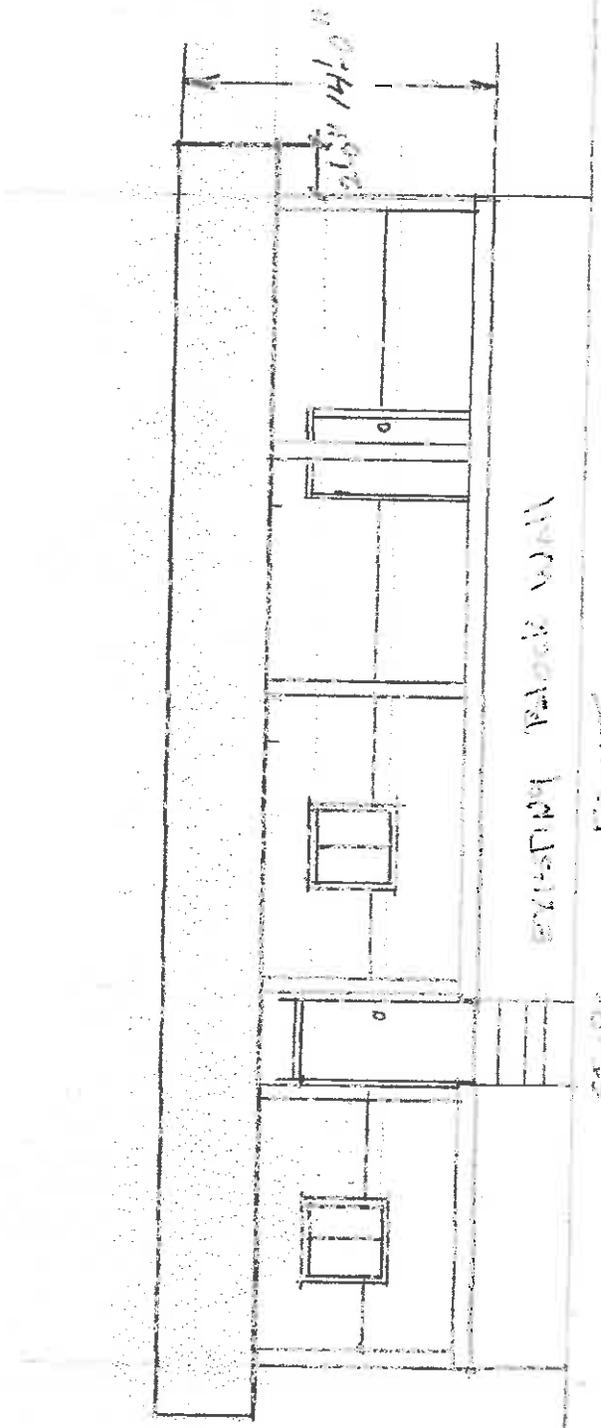
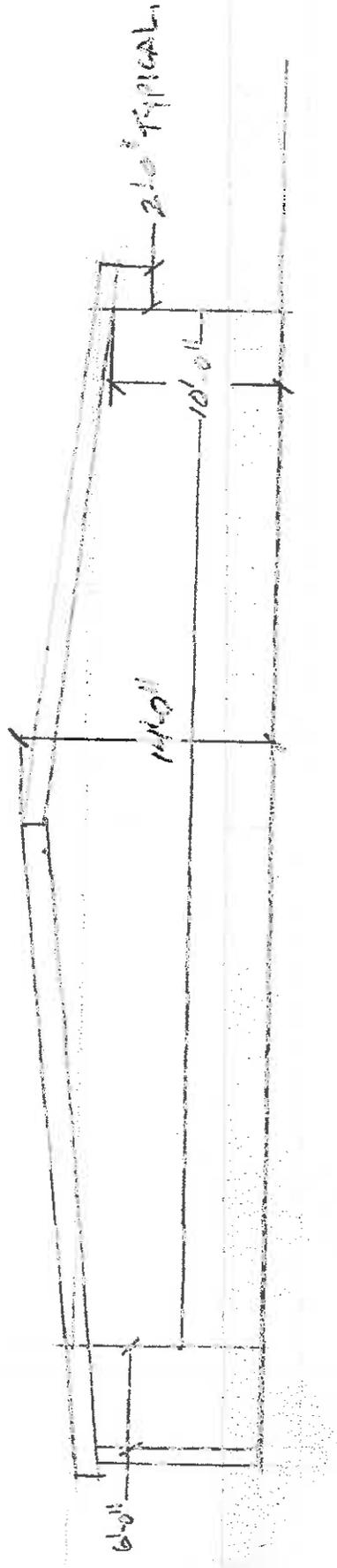
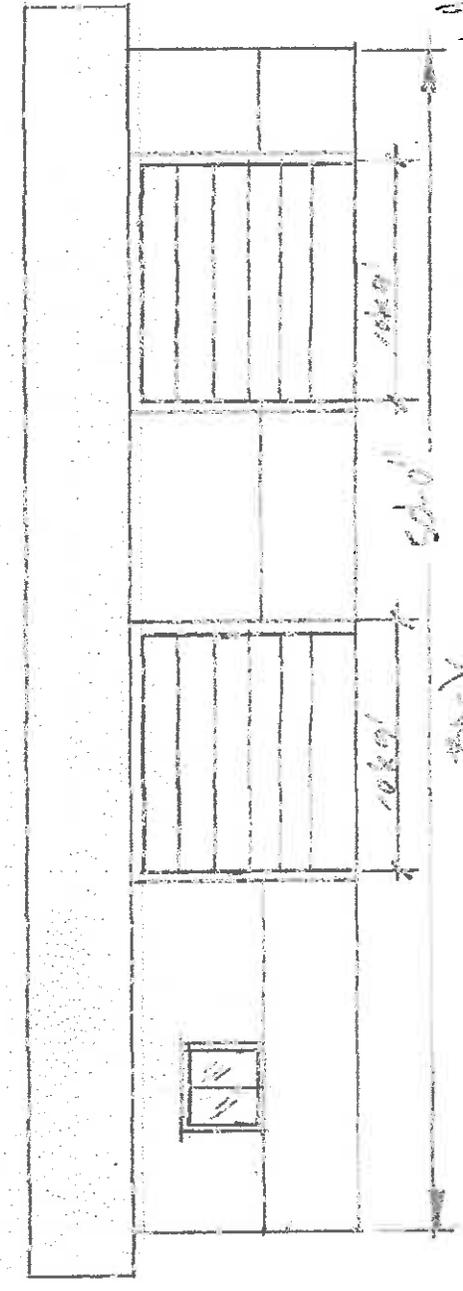
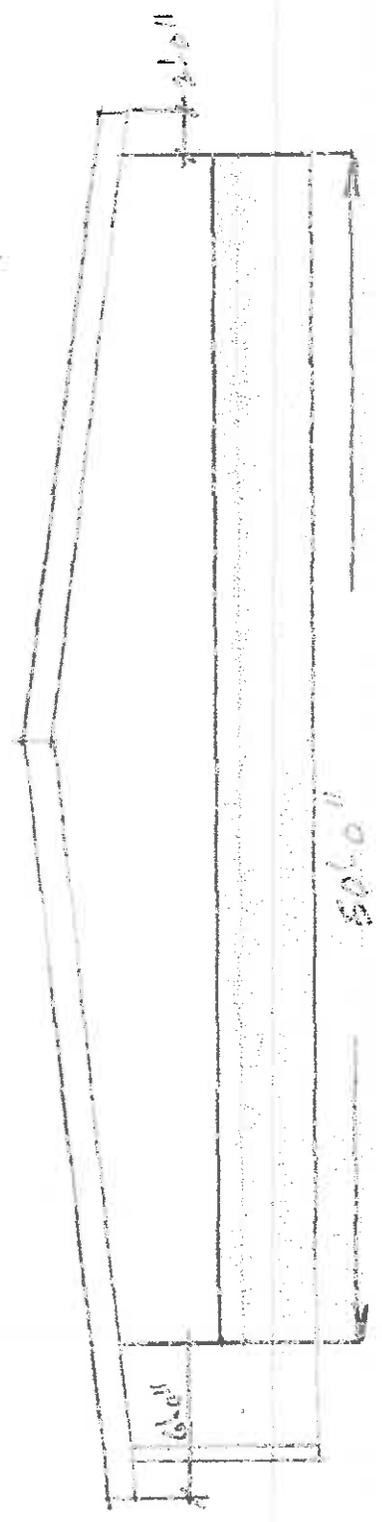


EXHIBIT "D"
 8.30.12

SCALE 1/4" = 1'-0"

ELEVATION PLAN



Scale $\frac{1}{4}'' = 2'-0''$

PROX

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: October 10, 2012

SUBJECT: Conditional Use Permit 2012-11 (Helm): A request for approval to allow an accessory building consisting of a 2,609 square-foot barn at 4086 Equestrian Lane located within the A-1-20 zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2012-38, approving Conditional Use Permit 2012-11.

Conditional Use Permit 2012-11 is a request for approval to allow an accessory building consisting of a 2,609 square-foot barn at 4086 Equestrian Lane located within the A-1-20 zone (ref. Exhibit "A" – Location Map). The property consists of about .44 acres/19,166 square feet (ref. Exhibit "B" – APN Map).

Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. The site plan, floor plan and building elevations for the proposed building are attached (ref. Exhibit "C" – Site Plan and Exhibit "D" – Floor Plan and Building Elevations). The barn consists of an enclosed area of about 1,507 square feet and a porch area of about 1,102 square feet. The barn is a metal building that consists of panels that are brown in color, and green trim (Exhibit "E" – Barn Pictures). The following is required of accessory buildings:

- A minimum of five feet from property lines and 10 feet from any other structure is required for accessory buildings. **The proposed building will meet these requirements.**
- The maximum height of any accessory structure that exceeds 864 square feet is 20 feet, or as approved by the Planning Commission. **The structure is proposed with a height of 16 feet 4 inches as measured to the peak of the roof.**
- The maximum lot coverage of all structures shall be not more than 40% of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less). **The subject property is approximately 19,166 square feet with a pad of about 17,401 square feet. The pad coverage for the property is approximately 32%, which takes into account the existing and proposed structures.**
- A contiguous open animal area must be shown on the site plan which must be rectangular in shape with a minimum of 24 feet on any side. The total open area must be equal to the allowed number of animal units multiplied by 576 square feet. **Based on the size of the property, a total of four animal units would be allowed which would require an open area of at least 2,304 square feet. There is an open area of over 2,304 square feet noted on the site plan in front of the proposed structure (ref. Exhibit "E" – Aerial and Site Photos).**

The project was provided to the Architectural Review Sub-Committee (ARC). No concerns were expressed over the architecture; however, one member of the ARC expressed concern

Conditional Use Permit 2012-11

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indicating that although lot coverage was met, the proposed structure seems too big for the property.

As proposed, the project meets the requirements of an accessory building that exceed 864 square feet. Staff is recommending that the Planning Commission adopt resolution 2012-38 approving Conditional Use Permit 2012-11.

/adr-81953

Attachments:

Resolution 2012-38

Exhibit "A" – Location Map

Exhibit "B" – Assessor's Parcel Map

Exhibit "C" – Site Plan

Exhibit "D" – Floor Plan and Building Elevations

Exhibit "E" – Barn Pictures

Exhibit "F" – Aerial and Site Photos

RESOLUTION NO. 2012-38

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN ACCESSORY BUILDING CONSISTING OF A 2,609 SQUARE-FOOT BARN AT 4086 EQUESTRIAN LANE LOCATED WITHIN THE A-1-20 ZONE. (CONDITIONAL USE PERMIT 2012-11)

WHEREAS, an application to the City of Norco, California has been submitted for a conditional use permit under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code by JEFFREY MARK HELM for property located at 4086 Equestrian Lane (APN 121-553-002) and

WHEREAS, notice of a public hearing on said petition has been given in the manner and for times required by law; and

WHEREAS, at the time set, at 7 p.m. on October 10, 2012 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is exempt from environmental assessment.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

A. The requested Conditional Use Permit will not adversely affect the general welfare of persons residing or working in the neighborhood thereof.

B. The requested use will not adversely affect the adjoining land uses.

C. The size and shape of the site proposed for the use is adequate to allow full development of the proposed use.

D. The traffic generated by the proposed use will not impose an undue burden.

E. The City of Norco, acting as lead agency, has determined that the project is categorically exempt from environmental assessment per Section 3.13, Class 3 of the City of Norco Environmental Guidelines.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled October 10, 2012 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "C" – Site Plan and Exhibit "D" – Floor Plan and Building Elevations dated September 12, 2012 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of this permit.
4. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.
6. The applicant shall obtain building permits and pay all applicable fees before beginning construction of the structure on the subject property.

7. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.
8. A home occupation business shall not be permitted from the subject building.
9. This approval is for an accessory barn for **animal-keeping and agricultural uses**. It is hereby established that it shall be grounds for revocation of this conditional use permit if the property owner has:
 - A. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or
 - B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.
10. Building permits for this accessory building are issued within the confines of this Conditional Use Permit. Any violation of a condition resulting in a revocation of this Conditional Use Permit may result in an order to remove the accessory building at the owner's expense.

Resolution No. 2012-38

Page 4

October 10, 2012

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on October 10, 2012

Robert E. Wright, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on October 10, 2012 by the following roll call vote:

AYES:

NOES:

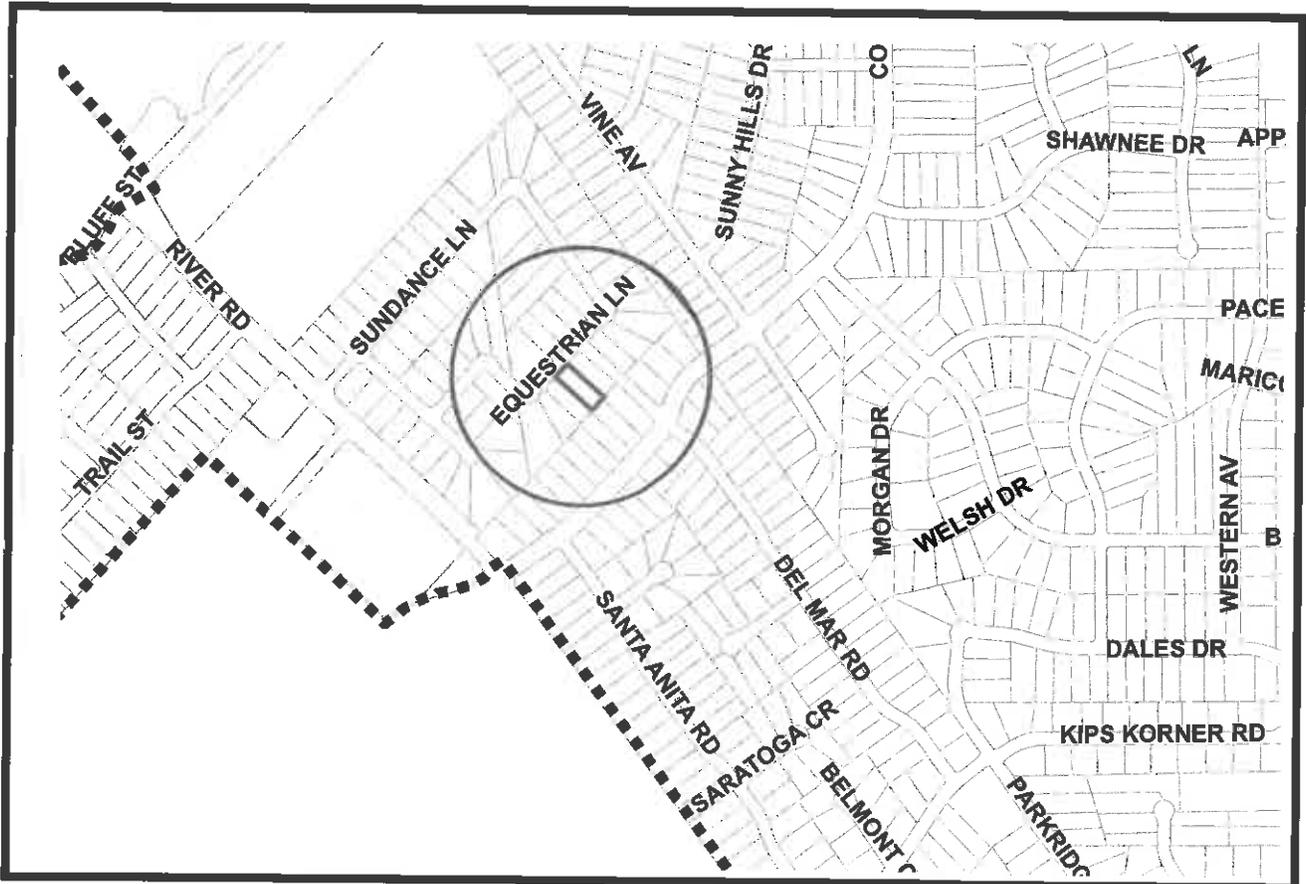
ABSENT:

ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr-81954

LOCATION MAP



Not to Scale



PROJECT: Conditional use Permit 2012-11
APPLICANT: Jeffrey Helm
LOCATION: 4086 Equestrian Lane

Exhibit "A"

ASSESSOR'S PARCEL MAP

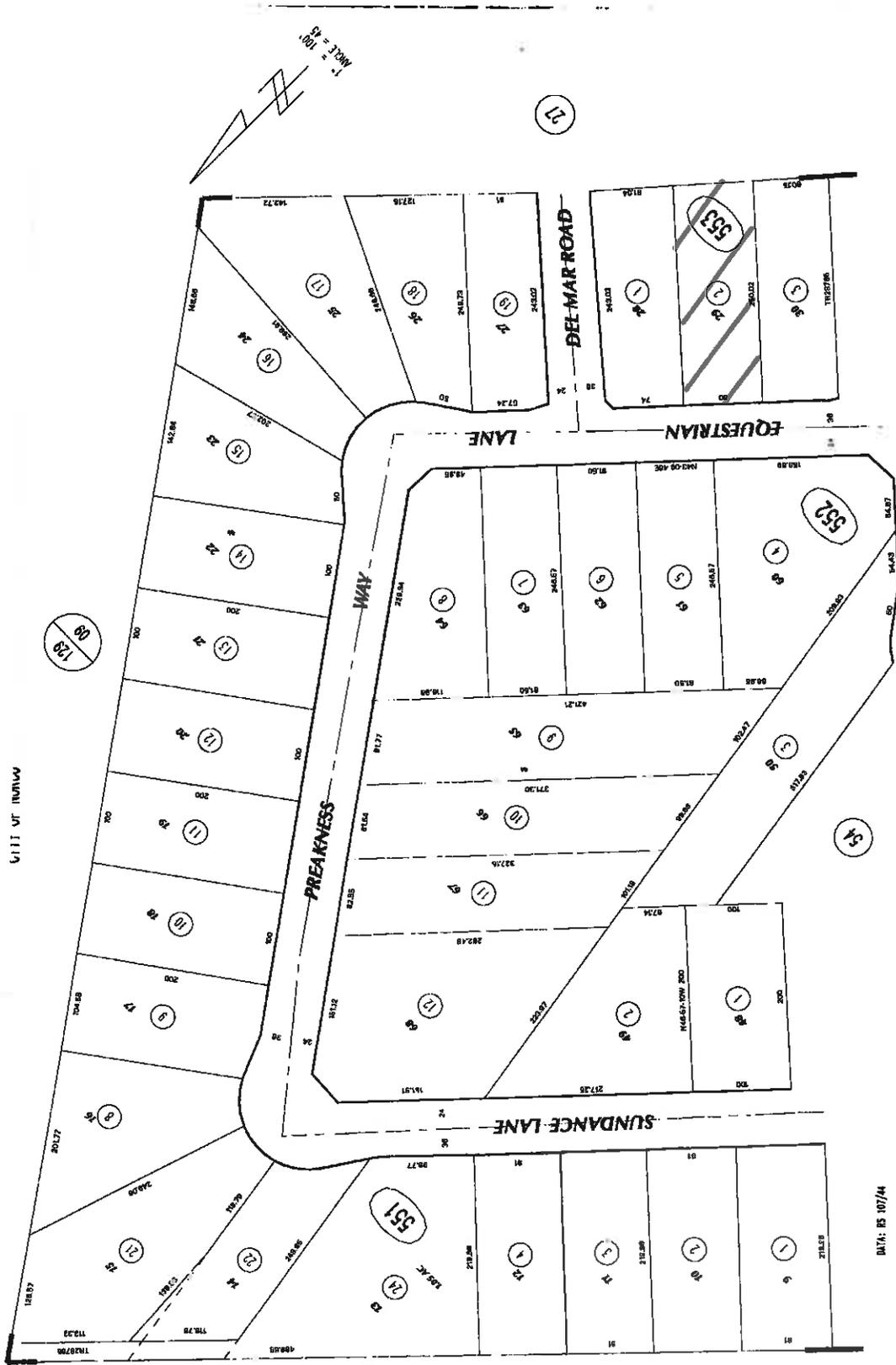


Exhibit "B"

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: October 10, 2012

SUBJECT: Conditional Use Permit 2012-13 (Miller): A request for approval to allow accessory buildings consisting of a 2,378 square-foot horse shelter and a 2,378 garage at 1984 Corona Avenue (APN 125-150-033) located within the A-1-20 zone.

RECOMMENDATION: Staff recommends that the Planning Commission provide direction on whether Conditional Use Permit 2012-13 needs to be revised for an approval to be granted.

Conditional Use Permit 2012-13 is a request for approval to allow accessory buildings consisting of a 2,378 square-foot horse shelter and a 2,378 square-foot garage (which is intended for horse trailers) at 1984 Corona Avenue located within the A-1-20 zone (ref. Exhibit "A" – Location Map). The property consists of about .71 acres/30,928 square feet (ref. Exhibit "B" – Legal Map). The property is currently being developed with a single-family home (ref. Exhibit "E" – Aerial and Site Photos).

Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. The site plan, floor plan and building elevations for the proposed buildings are attached (ref. Exhibit "C" – Site Plan, Floor Plan and Building Elevations). The horse shelter consists of a painted metal roof with corral fencing on all sides, and the garage also consists of painted metal (Exhibit "D" – Pictures of Similar Buildings). Renderings of what is envisioned for the property has also been provided (ref. Exhibit "F" – Renderings).

The following is required of accessory buildings:

- A minimum of five feet from property lines and 10 feet from any other structure is required for accessory buildings. **The proposed buildings will meet these requirements.**
- The maximum height of any accessory structure that exceeds 864 square feet is 20 feet, or as approved by the Planning Commission. **The horse shelter is proposed with a height of about 14 feet and the garage is proposed with a height of about 18 feet. The height indicated is measured to the peak of the roof for both structures.**
- The maximum lot coverage of all structures shall be not more than 40% of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less). **The subject property is approximately 30,928 square feet but is not flat. The property consists of a pad for the house currently under construction and a second pad behind the house for the proposed structures. There are also a few flat areas around these pads. The**

Agenda Item 5.c.

combined flat areas on the property (that appear to have an average grade of 4% or less) equal about 22,815 square feet. The pad coverage for the property is approximately 40% which takes into account the existing and proposed structures.

- **A contiguous open animal area must be shown on the site plan which must be rectangular in shape with a minimum of 24 feet on any side. The total open area must be equal to the allowed number of animal units multiplied by 576 square feet. Based on the size of the property, a total of seven animal units would be allowed which would require an open area of at least 4,032 square feet. The applicant is proposing two open areas of about 1,160 square feet on two sides of the proposed horse shelter to equal about 2,320 square feet. The applicant is requesting that the remaining required open space of 1,712 (to equal the required 4,032 square feet) be allowed under the proposed horse shelter.**

Per the Code, the contiguous open animal areas must be free of any structures that require a building permit. Furthermore, on lots one acre or less, the contiguous open area must be one contiguous area. Staff is concerned that the open area requirement is not being met specifically because the proposed horse shelter will require a building permit. However, it is important to note that this structure is open on all sides and does not include a slab foundation. The area to be covered with a roof is shown to remain with a dirt floor. However, since the City does not require permits for flat work there would be no way to monitor whether a slab had been poured or not.

The project was provided to the Architectural Review Sub-Committee (ARC). No concerns were expressed over the architecture.

Because of staff's concerns over the animal-keeping area, staff is recommending that the Planning Commission review the project and provide direction on whether Conditional Use Permit 2012-13 needs to be revised for an approval to be granted. Staff has included a draft resolution of approval for the project should the Commission determine that the project be approved as proposed.

/adr-81958

Attachments:

- Resolution 2012-39
- Exhibit "A" – Location Map
- Exhibit "B" – Legal Map
- Exhibit "C" – Site Plan, Floor Plan and Building Elevations
- Exhibit "D" – Pictures of Similar Buildings
- Exhibit "E" – Aerial Photo and Site Photos
- Exhibit "F" – Renderings

RESOLUTION NO. 2012-39

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO APPROVING A CONDITIONAL USE PERMIT TO ALLOW ACCESSORY BUILDINGS CONSISTING OF A 2,378 SQUARE-FOOT HORSE SHELTER AND A 2,378 GARAGE AT 1984 CORONA AVENUE LOCATED WITHIN THE A-1-20 ZONE. (CONDITIONAL USE PERMIT 2012-13)

WHEREAS, an application to the City of Norco, California has been submitted for a conditional use permit under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code by RUDY AND DEBRA MILLER for property located at 1984 Corona Avenue (APN 125-150-033) and

WHEREAS, notice of a public hearing on said petition has been given in the manner and for times required by law; and

WHEREAS, at the time set, at 7 p.m. on October 10, 2012 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is exempt from environmental assessment.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

A. The requested Conditional Use Permit will not adversely affect the general welfare of persons residing or working in the neighborhood thereof.

B. The requested use will not adversely affect the adjoining land uses.

C. The size and shape of the site proposed for the use is adequate to allow full development of the proposed use.

D. The traffic generated by the proposed use will not impose an undue burden.

E. The City of Norco, acting as lead agency, has determined that the project is categorically exempt from environmental assessment per Section 3.13, Class 3 of the City of Norco Environmental Guidelines.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled October 10, 2012 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "C" – Site Plan, Floor Plan and Building Elevations dated September 26, 2012 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of this permit.
4. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.
6. The applicant shall obtain building permits and pay all applicable fees before beginning construction of the structures on the subject property.

7. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.
8. A home occupation business shall not be permitted from the subject buildings.
9. The subject buildings shall compliment the residence in color.
10. This approval is for an accessory horse shelter for animal-keeping and agricultural uses and an accessory garage. It is hereby established that it shall be grounds for revocation of this conditional use permit if the property owner has:
 - A. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or
 - B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.
11. Building permits for this accessory building are issued within the confines of this Conditional Use Permit. Any violation of a condition resulting in a revocation of this Conditional Use Permit may result in an order to remove the accessory building at the owner's expense.
12. This garage building is for storage of personal vehicles. Storage of vehicles for a commercial use or business operation is not allowed.

Resolution No. 2012-39
Page 4
October 10, 2012

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on October 10, 2012

Robert E. Wright, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

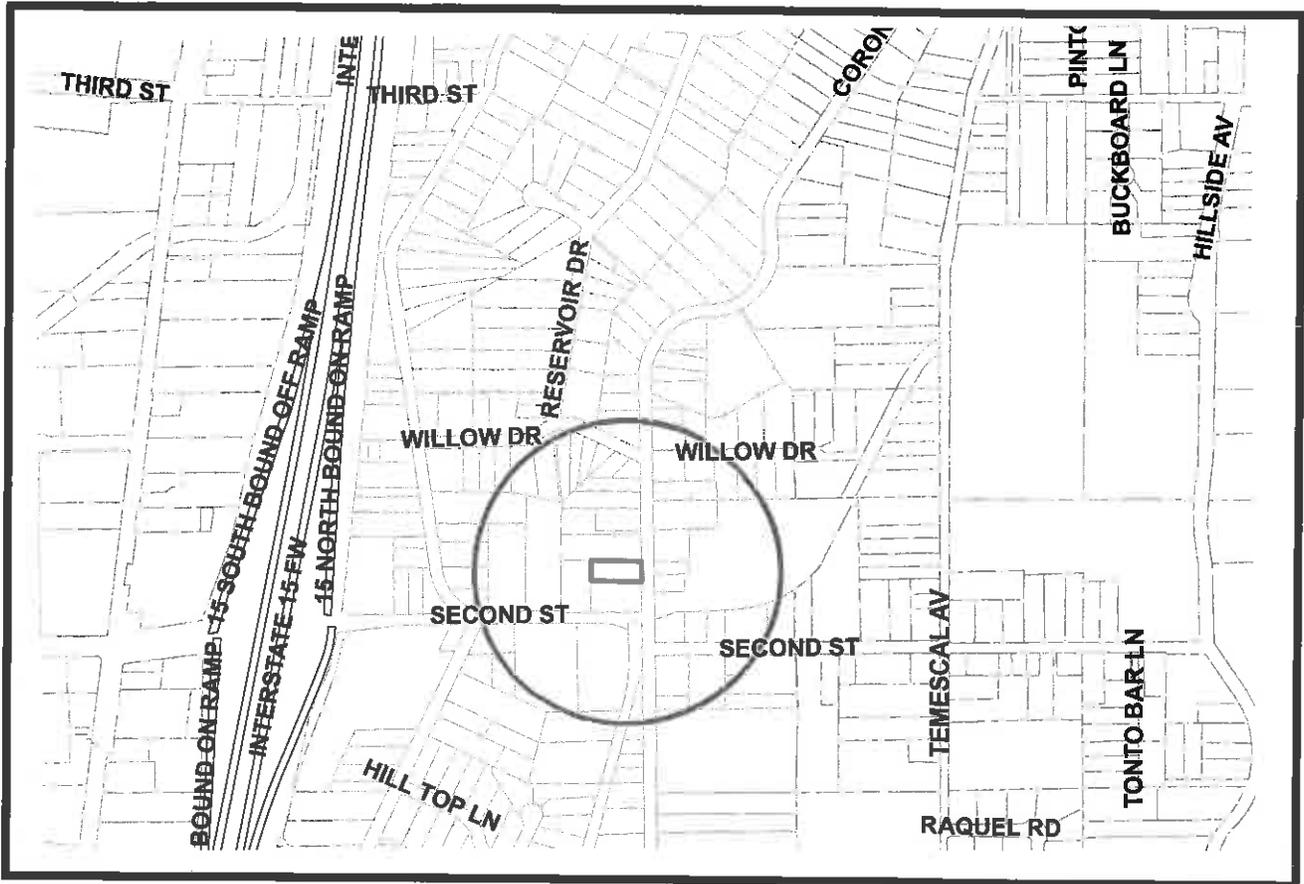
I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on October 10, 2012 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr-81965

LOCATION MAP



Not to Scale



PROJECT: Conditional use Permit 2012-13
APPLICANT: Rudy and Debra Miller
LOCATION: 1984 Corona Avenue

Exhibit "A"

EXHIBIT A LEGAL DESCRIPTION



G. Bart Stryker
 G. BART STRYKER DATE 7/15/12

PREPARED BY:

STRYKER ENGINEERING
 CIVIL ENGINEERING & PLANNING
 1450 N. TUSTIN AVENUE, SUITE 200
 SANTA ANA, CA 92705
 PH (714) 954 - 0433
 FAX (714) 954 - 0280

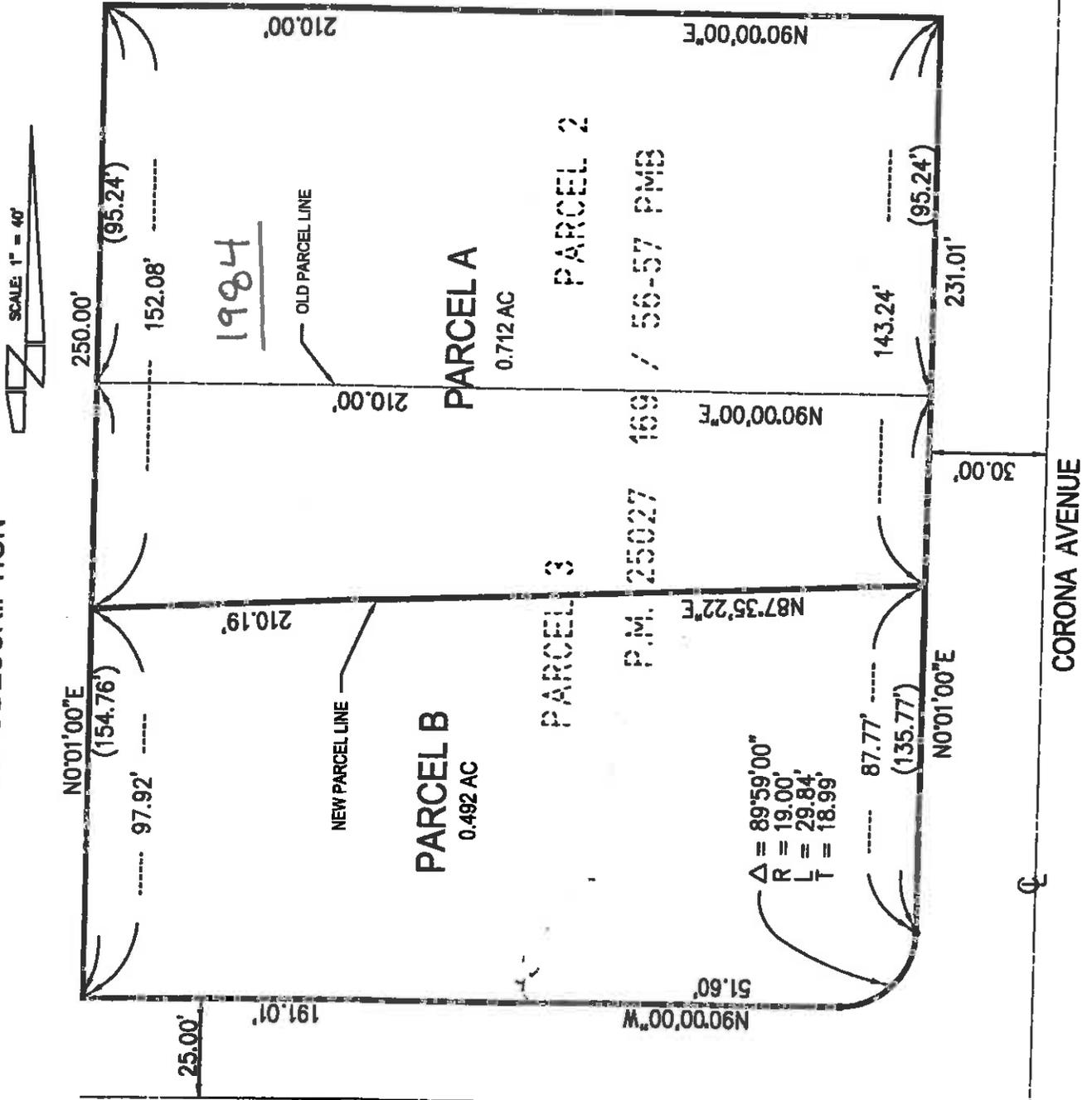


EXHIBIT "B"

CITY OF NORCO STAFF REPORT

TO: Honorable Chairman and Members of the Planning Commission

FROM: Planning Division

PREPARED BY: Steve King, Planning Director

DATE: October 10, 2012

SUBJECT: Conditional Use Permit 2012-12 (Jeff Wilhelm, LLC): A request for approval of a conditional use permit to allow accessory auto-related uses, typically only allowed as accessory uses to a new car dealership, to operate in existing buildings of a former new car dealership that is no longer present at 2000 Hamner Avenue in the Auto Mall Specific Plan (APN 126-120-015).

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2012-___, approving Conditional Use Permit 2012-12 for one-year on 2.33 acres on the southwest corner of Hamner Avenue and Four Wheel Drive.

SUMMARY/PROJECT DESCRIPTION: The project is a request to allow accessory auto-related uses such as used car sales, rentals, and auto services, to operate in the existing buildings of a former new car dealership that is no longer in business (ref. Exhibit "A" – Location; Exhibit "B" – Site Map). These uses are only allowed as accessory uses to a new car dealership or by approval of a conditional use permit if a new car dealership does not exist. Some uses are already in business at the site but are not allowed without the primary permitted use (new car dealership) or approval of a conditional use permit (CUP).

BACKGROUND: The project site is the former Mazda dealership that went out of business in 2009. In 2010 the property was sold to someone interested in locating a new electric vehicle dealership at the site. At the same time an existing used car dealership in the City was working in concert with the previous owner and the new owner to relocate his used car dealership onto the site. The sale of used cars is considered an accessory use at this site per the Auto Mall Specific Plan and is only allowed in conjunction with a new car dealership operation. The City worked out an agreement with the parties involved that a conditional use permit (CUP) for accessory uses would not be required provided a new car dealership would be located there. The used car dealership was allowed to re-locate there based on that agreement which included performance standards that needed to be met in order to allow the agreement to stay valid (ref. Exhibit "C" – "Timeline for Evolution Auto." Most of the performance standards in the agreement were never met (ref. Exhibit "D" – "Timeline for Evolution Auto – Status") even though other "accessory uses" continued locate to the site.

ANALYSIS: The Auto Mall Specific Plan was approved with a tiered classification of three land use categories based on the suitability of a site to accommodate a new car dealership (ref. Exhibit "E" – Auto Mall Specific Plan Land Use Map). Sites identified as Area "A" were the sites deemed most suitable for the establishment of new car dealerships. Area "B" sites were deemed to be support services to the new car dealers. In Area B, those auto-related uses only allowed as accessory uses in Area A could be permitted as stand-alone businesses. Area "C" sites consisted of existing development and were deemed as locations for Auto Mall business support services but not necessarily limited to auto-related uses.

In 1988 the Specific Plan was amended to add an "underlying zone" in all three Areas. The underlying zone consisted of the zoning that existed previous to the adoption of the Specific Plan wherein uses allowed in those zones could be approved in the Auto Mall upon approval of a CUP. The site in question (former Mazda site) is in Area A and so accessory uses (e.g. auto repair, auto rentals, etc.) can only be there if there is a new car dealership or a CUP has been approved based on the underlying zoning:

Permitted Uses:

(1) Area A:

- (a) New automobile dealerships and accessory uses as an integral part of the operation of a new automobile dealership.*
- (b) Other uses as permitted by the underlying zone may be allowed upon approval of a Conditional Use Permit (CUP). Such a permit may be granted where the proposed use is similar and compatible with the permitted uses, there is reasonable assurance that the use will be economically viable, and will not materially adversely affect the goals, objects and purpose of Specific Plan One.*

The current agreement with the different parties at this site was based on a loose interpretation of (1) (a) above. One of the parameters in the agreement was to allow these uses to operate so that the owner could build a base of working capital toward the goal of "obtaining a large new car franchise" in the future. It seems clear, however, that the intent of the Specific Plan was that accessory services would be allowed with a new car dealership for its customers or as "an integral part of that operation." It was not the intent for Area A sites to become small mini-malls of disparate auto-related uses.

Since the City agreed to the Timeline Performance Standards it has been an on-going effort on the City's part to have the owner maintain this site for its ultimate intended use as a new car dealership and to maintain the appearance of the site so as not to detract from ambience of the Auto Mall itself (ref. Exhibit "F" – Letters to Owner and/or Potential Tenants) (ref. Exhibit "G" – Photos). Besides the issues listed in the Timeline, and those addressed in Exhibit "F," there are on-going issues at this site that include:

- Inconsistent maintenance of the landscaping.
- Parking vehicles related to the “accessory uses” along the entire Hamner Avenue frontage where new cars should be displayed along with complete dominance of the overall site by what would otherwise be accessory uses.
- An overall general lack of maintenance over the entire site.
- Apparent lack of interest and investment on the part of the property owner to have the site ready for a new car dealership.
- Uses that generate little in terms of taxable sales and retail traffic effectively remove an anchor commercial site that is needed for a stable tax base and for ultimate success of the Auto Mall.

Staff is concerned that the current situation does not lend itself to the attraction of another new car dealership. There is also concern that a continuation of what has been the trend in a lack of on-going site maintenance will detract from the functionality of the rest of the Auto Mall. The options available to the Planning Commission are:

- 1) Deny the conditional use permit request. This would mean that all existing business would have to leave the site.
- 2) Approve a permanent CUP that would allow existing businesses to remain with conditions of approval that if not maintained could result in revocation of the permit. This type of approval should include performance dates (i.e. 30 days to clean up the site, 60 days to open with specific amounts of inventory on site, etc.) and could also include a performance bond requirement. This option should include a restriction of businesses that while auto-related may not be complementary to the Auto Mall.
- 3) Approve a temporary CUP (one-year time limit) to allow existing businesses to continue to operate while they look for new locations. After one year the businesses would have to leave the site.

Resolutions for these options have been attached for the Planning Commission’s consideration. Staff’s recommendation is approval of a temporary CUP (expires in one year) to allow existing businesses time to re-locate. Without any action the existing businesses no longer have standing to be at this site.

Attachment: Resolution 2012-__ (for denial)
Resolution 2012-__ (for permanent CUP approval)
Resolution 2012-__ (for temporary CUP approval)
Exhibit “A” – Location Map
Exhibit “B” – Site Map
Exhibit “C” – Timeline for Evolution Auto
Exhibit “D” – Timeline for Evolution Auto – Status
Exhibit “E” – Auto Mall Specific Plan Land Use Map
Exhibit “F” – Letters to Owner and/or Potential Tenants (4 letters)
Exhibit “G” – Photos

RESOLUTION TO DENY

RESOLUTION 2012-37

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO, CALIFORNIA TO DENY CONDITIONAL USE PERMIT 2012-12 ON 2.33 ACRES LOCATED ON THE SOUTHWEST CORNER OF HAMNER AVENUE AND AUTO MALL DRIVE (2000 HAMNER AVENUE).

WHEREAS, JEFF WILHELM, LLC, initiated an application for a conditional use permit on property generally described as:

All that portion of Lot(s) 3 and 4 in Block 7 of Riverside Orange Heights Tract, as shown by map on file in Book 6 Page(s) 74, of Maps, Records of Riverside County, California;

More generally described as approximately 2.33 acres located on the southwest corner of Hamner Avenue and Four Wheel Drive (APN's 126-120-015, -016); and

WHEREAS, said application has been duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set at 7 p.m. on October 10, 2012, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92960, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the City of Norco, acting as the Lead Agency, determined that the project is exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines per Class 1.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

- A. The proposed Conditional Use Permit is not consistent with the intent of the Auto Mall Specific Plan and implementation of the Conditional Use Permit may be detrimental to the City and to full implementation of the intended uses of the Auto Mall.
- B. The Auto Mall Specific Plan designates this site for a new car dealership which is the only primary permitted use on the property. The uses pro-

posed with the conditional use permit are only supposed to be accessory to the operation of a new car dealership. The location of these accessory uses on-site without the primary new car dealership may be a deterrent to the site from reaching its full intended use as envisioned in the Auto Mall Specific Plan.

- C. A conditional use permit for uses allowed in the underlying zoning can only be granted if it can be determined that the uses are similar and compatible with a new car dealership, that the uses will be economically viable, and that such uses will not materially adversely affect the goals, objectives, and purpose of the Auto Mall Specific Plan. There is no assurance that a group of accessory uses operating separately as single businesses can meet these objectives.
- D. The site in its recent history has not been consistently maintained in a clean condition as is required by the Auto Mall Specific Plan and the City of Norco Municipal Code. This is a deterrent to the site reaching the full intention as a new car dealership as envisioned in the Auto Mall Specific Plan which could be detrimental to the City and to other businesses within the Auto Mall.
- E. The City of Norco has been determined to be the lead agency for environmental reporting purposes pursuant to State and local environmental guidelines, and has determined that the project is exempt pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines (Class 1).

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Norco, California, in session assembled October 10, 2012 does hereby deny Conditional Use Permit 2012-12.

#

October 10, 2012

PASSED AND ADOPTED by the Planning Commission at a regular meeting held October 10, 2012.

Robert E. Wright, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a special meeting thereof held on October 10, 2012 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/sk-81935

RESOLUTION FOR PERMANENT APPROVAL

RESOLUTION 2012-37

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO, CALIFORNIA GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT TO ALLOW SPECIFIC ACCESSORY AUTO-RELATED USES TO OPERATE IN EXISTING BUILDINGS OF A FORMER NEW CAR DEALERSHIP THAT IS NO LONGER PRESENT ON 2.33 ACRES LOCATED ON THE SOUTHWEST CORNER OF HAMNER AVENUE AND AUTO MALL DRIVE (2000 HAMNER AVENUE) IN THE AUTO MALL SPECIFIC PLAN. CONDITIONAL USE PERMIT 2012-12

WHEREAS, JEFF WILHELM, LLC, initiated an application for a conditional use permit on property generally described as:

All that portion of Lot(s) 3 and 4 in Block 7 of Riverside Orange Heights Tract, as shown by map on file in Book 6 Page(s) 74, of Maps, Records of Riverside County, California;

More generally described as approximately 2.33 acres located on the southwest corner of Hamner Avenue and Four Wheel Drive (APN's 126-120-015, -016); and

WHEREAS, said application has been duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set at 7 p.m. on October 10, 2012, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92960, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the project is exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines per Class 1.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

- A. The existing uses were established as accessory uses to a previous new car dealership, which is the primary permitted use for this site, but which is no longer at this site. The accessory uses are still in business but are not

permitted at this location without a new car dealership or without approval of a conditional use permit.

- B. Uses allowed in the underlying zone may be allowed upon approval of a conditional use permit provided they are similar and compatible with the primary permitted use (new car dealership), and there is reasonable assurance that the uses will be economically viable and that the uses will not materially adversely affect the goals, objectives, and purpose of the Auto Mall Specific Plan.
- C. As conditioned the proposed uses are compatible to the intent and purpose of the Auto Mall Specific Plan in that no physical changes are proposed to the buildings or the site that would preclude the site from being used again for a new car dealership, and conditions require the site to be maintained so as not to detract visually from the Auto Mall.
- D. The City of Norco has been determined to be the lead agency for environmental reporting purposes pursuant to State and local environmental guidelines, and has determined that the project is exempt pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines (Class 1).

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled on October 10, 2012 that the aforesaid application for a conditional use permit is granted, subject to conditions, as provided for in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Conditional Use Permit 2012-12 is valid and legal for a period not to exceed one year from the effective date of this approval, and shall be renewed on an annual basis including payment of application fees as established by the City Council. Applications for renewal shall be received at least one month prior to the expiration of one year from the approval date and every subsequent year thereafter.
2. Approval is based on Exhibit "B" – Site Map incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
3. The allowed uses approved with this conditional use permit are limited to used car sales, R.V. sales and rentals, commercial trailer sales, moving

truck/trailer rentals, and minor vehicle service and repairs. Auto body repairs and similar uses are not considered minor and are not permitted with this CUP.

4. The recorded owner of the property shall submit to the Planning Division, for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.

5. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions including the Auto Mall Specific Plan. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.

6. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.

7. No building permits shall be issued for any tenant improvements without prior approval of a floor plan by the Planning Division to ensure that buildings are not altered in any way that would preclude future use for the primary intended use of the site which is a new car dealership.

8. The applicant shall obtain permits for any tenant improvements to the interior of the units that will be used. Tenant improvements shall comply with building and safety requirements and shall only be for those uses approved with this conditional use permit. No tenant improvements shall be allowed for any other accessory uses until those uses have been approved by the Planning Commission through a modification of this CUP.

9. This is not an approval to begin work or to occupy the subject buildings. No work shall be commenced and the units shall not be occupied until the City has issued building permits and all other appropriate permits and licenses (i.e., business license, certificate of occupancy, etc.).

10. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate.

Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations, shall be permitted except upon application for, and approval of,

modification of this application in compliance with all procedures and requirements thereof.

The addition of more accessory uses, other than the approved specific uses listed in Condition #3, is considered an expansion of use and shall not occur without prior approval from the Planning Commission.

11. No signs are authorized by approval of this conditional use permit. Any signs proposed for this project shall be submitted to the Planning Division for review and approval. Once signs are approved, building permits shall be obtained from the Building Division for issuance of a building permit.

12. Regardless of temporary advertising signage that may be allowed pursuant to the Auto Mall Dealers Association agreements, no temporary advertising signs shall be erected without prior approval of a Special Events Sign Permit from the Planning Division.

13. All signs for which a sign permit or a special event sign permit has not been approved, or has been approved but has expired, shall be removed immediately upon approval of this CUP. Within 30 days of approval of this CUP a new permanent sign face shall be installed in the existing monument sign on Hamner Avenue.

14. No service or work on vehicles shall be permitted in front of the existing buildings along the frontage of Hamner Avenue and Auto Mall Drive. Furthermore, no outdoor storage of any kind (including vehicle storage) is permitted. However, a vehicle being serviced by a subject business may be parked/stored outdoors overnight in the vehicle service and repair/service parking interior courtyard as shown on the approved site plan, but in no case longer than 48 hours.

15. Vehicles needing to be serviced shall not be parked in driveways or drive aisles. All driveways and drive aisles must remain clear and unobstructed at all times.

16. All rental vehicles shall only be stored/displayed in paved marked parking stalls and not within 45 feet of the Hamner Avenue right-of-way. Rental vehicles shall not be stored in landscaping areas.

17. A clarifier approved by the Director of Public Works shall be installed and connected to the City sewer system to treat existing floor drains not already connected, and any new floor drains located in the building prior to finalization of any needed Building Permits.

18. It is hereby established that it shall be grounds for revocation of this conditional use permit if the permittee, his agent or assigns, or employee(s) of his establishment, or any other person connected or associated with the permittee or his business establishment, or any person who is exercising managerial authority of the business establishment has:

a. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or

b. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.

19. The applicant shall comply with all requirements from Building and Safety, Planning and all other applicable departments and agencies.

20. Said approval shall become null and void unless building permits for all construction/interior modifications authorized by this approval have been issued within two years after the granting of such approval and pursued diligently to completion. Provided, however, that the Planning Director may extend approvals for up to six months, and provided that after consulting with the City Engineer and Fire Chief, he finds that there would be no new requirements due to changes in the Code and the plan as approved meets all present development standards.

21. All landscaping areas within parkways, along the frontage, and within interior parking areas along the frontages of both Hamner Avenue and Auto Mall Drive shall be re-established pursuant to approved landscaping plans on file with the Planning Division (Site Plan 88-2).

22. All landscaping areas shall be provided with a water-conserving automatic irrigation system. Within 30 days of approval of this CUP an underground irrigation plan shall be submitted to the Planning Division for approval including the refurbishment of any previous irrigation lines to be used. Such plans shall indicate the location and dimensions of all landscaped areas and irrigation lines. All irrigation facilities shall be refurbished or installed within 60 days of approval of this CUP, and shall be maintained in working conditions. All landscaping materials shall be planted within 60 days of approval of this CUP. Trees to be planted shall be minimum 24-inch planter boxes. Shrubs to be planted shall be minimum 5-gallon container plants.

23. It shall be the responsibility of the applicant and property owner to ensure that the use is operated in a clean and maintained condition that maintains the attractiveness of the Auto Mall for future new car dealerships, including all landscaping areas. Failure to do so may be subject to a revocation of this conditional use permit.

24. Building addresses shall be visible from a public street. The primary building address shall be visible from Hamner Avenue.

25. "No Trespassing" after-hours signage shall be posted on the rear of all buildings.

26. Adequate lighting shall be maintained during business hours at night.

27. The owner/operator of the business, regardless of any changes in ownership, shall provide a self-audit of compliance with the conditions of approval to the Planning Commission on a form or in a manner determined by the Planning Division, and inclusive of the payment of any fees as may be set by the City Council. Said report shall demonstrate that the project is in compliance with all the conditions of approval and shall be submitted for review no later than six months from the approval date of this CUP. The owner/operator shall be responsible for all staff and attorney fees that may be incurred in the enforcement of the terms of the conditions of approval, whether they are annual inspections or compliance hearings.

Irrespective of the self-audit requirement, the City maintains the option to open an investigation of CUP compliance at any time.

28. The owner, manager, or any successor thereto assigned for management of the property in question shall participate fully in the Norco Auto Mall Dealership Association, including maintenance of the freeway sign.

29. The owners, managers, or any successors thereto assigned for management of any of the businesses specifically allowed by Condition #3 shall be full participating members of the Norco Auto Mall Dealership Association, as applicable, including maintenance of the freeway sign.

October 10, 2012

PASSED AND ADOPTED by the Planning Commission at a regular meeting held
October 10, 2012.

Robert E. Wright, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly
passed and adopted by the Planning Commission of the City of Norco at a special
meeting thereof held on October 10, 2012 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/sk-81955

RESOLUTION FOR TEMPORARY APPROVAL

RESOLUTION 2012-37

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO, CALIFORNIA GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT FOR ONE YEAR TO ALLOW SPECIFIC ACCESSORY AUTO-RELATED USES TO OPERATE IN EXISTING BUILDINGS OF A FORMER NEW CAR DEALERSHIP THAT IS NO LONGER PRESENT ON 2.33 ACRES LOCATED ON THE SOUTHWEST CORNER OF HAMNER AVENUE AND AUTO MALL DRIVE (2000 HAMNER AVENUE) IN THE AUTO MALL SPECIFIC PLAN. CONDITIONAL USE PERMIT 2012-12

WHEREAS, JEFF WILHELM, LLC, initiated an application for a conditional use permit on property generally described as:

All that portion of Lot(s) 3 and 4 in Block 7 of Riverside Orange Heights Tract, as shown by map on file in Book 6 Page(s) 74, of Maps, Records of Riverside County, California;

More generally described as approximately 2.33 acres located on the southwest corner of Hamner Avenue and Four Wheel Drive (APN's 126-120-015, -016); and

WHEREAS, said application has been duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set at 7 p.m. on October 10, 2012, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92960, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the project is exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines per Class 1.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

- A. The existing uses were established as accessory uses to a previous new car dealership, which is the primary permitted use for this site, but which is no longer at this site. The accessory uses are still in business but are not

permitted at this location without a new car dealership or without approval of a conditional use permit.

- B. The proposed uses if established permanently without the presence of a new car dealership may not be consistent with the long-term goals, objectives, and purpose of the specific plan for this site as established in the Auto Mall Specific Plan. The temporary status established with the one-year Conditional Use Permit should not be detrimental to the City or to full implementation of the intended uses at build-out of the Auto Mall and will allow existing businesses time to relocate.
- C. The City of Norco has been determined to be the lead agency for environmental reporting purposes pursuant to State and local environmental guidelines, and has determined that the project is exempt pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines (Class 1).

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled on October 10, 2012 that the aforesaid application for a conditional use permit is granted, subject to conditions, as provided for in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Conditional Use Permit 2012-12 is valid and legal for a period not to exceed one year from the effective date of this approval.
2. Approval is based on Exhibit "B" – Site Map incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
3. The uses approved with this one-year conditional use permit are limited to used car sales, R.V. sales and rentals, commercial trailer sales, moving truck/trailer rentals, and minor vehicle service and repairs.
4. The recorded owner of the property shall submit to the Planning Division, for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
5. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions including the Auto Mall Specific Plan. Non-compliance with any provisions of the Norco Municipal Code (NMC) not speci-

cally waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.

6. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.

7. No building permits shall be issued for any tenant improvements without prior approval of a floor plan by the Planning Division to ensure that buildings are not altered in any way that would preclude future use for the primary intended use of the site which is a new car dealership.

8. The applicant shall obtain permits for any tenant improvements to the interior of the units that will be used. Tenant improvements shall comply with building and safety requirements and shall only be for those uses approved with this one-year conditional use permit. No tenant improvements for additional uses shall be allowed for any other accessory uses until those uses have been approved by the Planning Commission through a modification of this CUP.

9. This is not an approval to begin work or to occupy the subject buildings. No work shall be commenced and the units shall not be occupied until the City has issued building permits and all other appropriate permits and licenses (i.e., business license, certificate of occupancy, etc.).

10. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate.

Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations, shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.

The addition of more accessory uses, other than the approved specific uses listed in Condition #3, is considered an expansion of use and shall not occur without prior approval from the Planning Commission.

11. No signs are authorized by approval of this conditional use permit. Any signs proposed for this project shall be submitted to the Planning Division for review and approval. Once signs are approved, building permits shall be obtained from the Building Division for issuance of a building permit.

12. Regardless of temporary advertising signage that may be allowed pursuant to the Auto Mall Dealers Association agreements, no temporary advertising signs shall be erected without prior approval of a Special Events Sign Permit from the Planning Division.

13. All signs for which a sign permit or a special event sign permit has not been approved, or has been approved but has expired, shall be removed immediately upon approval of this CUP. Within 30 days of approval of this CUP a new permanent sign face shall be installed in the existing monument sign on Hamner Avenue.

14. No service or work on vehicles shall be permitted in front of the existing buildings along the frontage of Hamner Avenue and Auto Mall Drive. Furthermore, no outdoor storage of any kind (including vehicle storage) is permitted. However, a vehicle being serviced by a subject business may be parked/stored outdoors overnight in the vehicle service and repair/service parking interior courtyard as shown on the approved site plan, but in no case longer than 48 hours.

15. Vehicles needing to be serviced shall not be parked in driveways or drive aisles. All driveways and drive aisles must remain clear and unobstructed at all times.

16. All rental vehicles shall only be stored/displayed in paved marked parking stalls and not within 45 feet of the Hamner Avenue right-of-way. Rental vehicles shall not be stored in landscaping areas.

17. A clarifier approved by the Director of Public Works shall be installed and connected to the City sewer system to treat existing floor drains not already connected, and any new floor drains located in the building prior to finalization of any needed Building Permits.

18. It is hereby established that it shall be grounds for revocation of this conditional use permit if the permittee, his agent or assigns, or employee(s) of his establishment, or any other person connected or associated with the permittee or his business establishment, or any person who is exercising managerial authority of the business establishment has:

a. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or

b. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a man-

ner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.

19. The applicant shall comply with all requirements from Building and Safety, Planning and all other applicable departments and agencies.

20. All landscaping areas within parkways, along the frontage, and within interior parking areas along the frontages of both Hamner Avenue and Auto Mall Drive shall be re-established pursuant to approved landscaping plans on file with the Planning Division (Site Plan 88-2).

21. All landscaping areas shall be provided with a water-conserving automatic irrigation system. Within 30 days of approval of this CUP an underground irrigation plan shall be submitted to the Planning Division for approval including the refurbishment of any previous irrigation lines to be used. Such plans shall indicate the location and dimensions of all landscaped areas and irrigation lines. All irrigation facilities shall be refurbished or installed within 60 days of approval of this CUP, and shall be maintained in working conditions. All landscaping materials shall be planted within 60 days of approval of this CUP. Trees to be planted shall be minimum 24-inch planter boxes. Shrubs to be planted shall be minimum 5-gallon container plants.

22. It shall be the responsibility of the applicant and property owner to ensure that the use is operated in a clean and maintained condition that maintains the attractiveness of the Auto Mall for future new car dealerships, including all landscaping areas. Failure to do so may be subject to a revocation of this conditional use permit.

23. Building addresses shall be visible from a public street. The primary building address shall be visible from Hamner Avenue.

24. "No Trespassing" after-hours signage shall be posted on the rear of all buildings.

25. Adequate lighting shall be maintained during business hours at night.

26. The owner/operator of the business, regardless of any changes in ownership, shall provide a self-audit of compliance with the conditions of approval to the Planning Commission on a form or in a manner determined by the Planning Division, and inclusive of the payment of any fees as may be set by the City Council. Said report shall demonstrate that the project is in compliance with all the conditions of approval and shall be submitted for review no later than six months from the approval date of this CUP. The owner/operator shall be respon-

sible for all staff and attorney fees that may be incurred in the enforcement of the terms of the conditions of approval, whether they are annual inspections or compliance hearings.

Irrespective of the self-audit requirement, the City maintains the option to open an investigation of CUP compliance at any time.

27. The owner, manager, or any successor thereto assigned for management of the property in question shall participate fully in the Norco Auto Mall Dealership Association, including maintenance of the freeway sign.

28. The owners, managers, or any successors thereto assigned for management of any of the businesses specifically allowed by Condition #3 shall be full participating members of the Norco Auto Mall Dealership Association, as applicable, including maintenance of the freeway sign.

#

October 10, 2012

PASSED AND ADOPTED by the Planning Commission at a regular meeting held October 10, 2012.

Robert E. Wright, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a special meeting thereof held on October 10, 2012 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/sk-81943

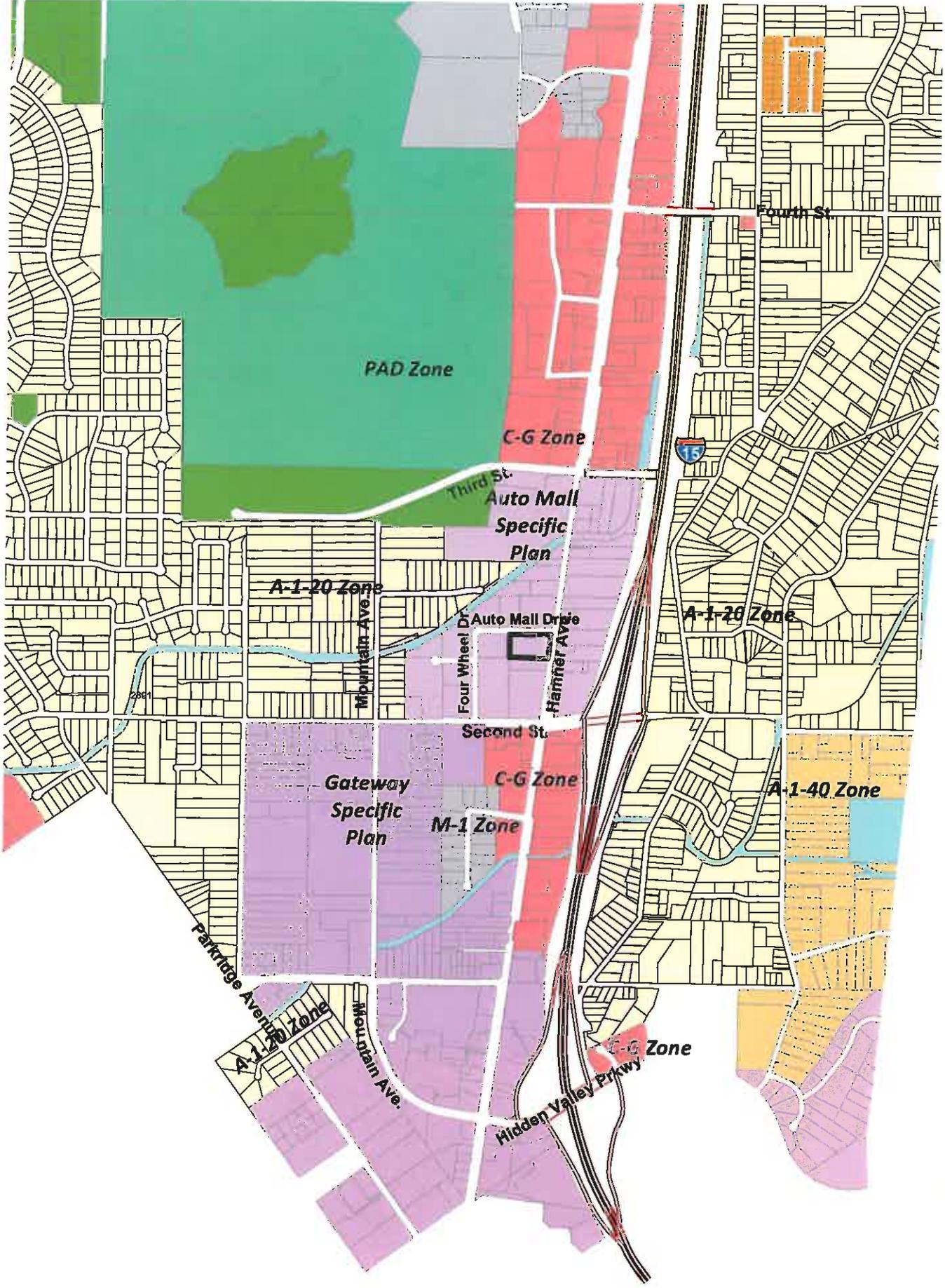


EXHIBIT "A"

West Four Wheel Drive

Pre-owned
Automobile
Sales



Commercial
vehicle/trailer
Rentals

Vehicle
Service
&
Repair

Gen.
Office
Leasing

Summer Avenue

RV Sales
&
Rental

50gal Waste Oil

air compressor

0 gal ATF

Service Parking

Detail

Commercial trailer Sales

locked gate

Parking

EXHIBIT "B"

TIME LINE FOR EVOLUTION AUTO

1. Provide copies of signed franchise agreements from CT&T and Land King to City Manager.
2. After City has obtained signed franchise agreements, open facility with AM Motors.
3. Regardless of business legal name, the name to be used on business identification and business license is: "Evolution Auto" (not Evolution Auto Center).
4. Showing of existing CT&T showroom models already on-site to begin immediately with interest cards for when sale models become available.
5. Promotional curriculum for Land King to be made available immediately.
6. Temporary sign: "Evolution Auto" coming soon, CT&T Auto, Land King, AM Motors.
7. Replace face of existing monument sign with permanent signage:
Example:

EVOLUTION AUTO		
CT&T AUTO	LAND KING	AM MOTORS

8. Land King vehicles for sale on site within 45 days from issuance of business license.
9. CT&T vehicles for sale on site within 30 days of issuance of business license.
10. 60 days from issuance of business license for ancillary services consisting of known brand car rental or car service company to lease out back of facility with separate signage along Four Wheel Drive (not on the main Hamner sign).
11. 60 days to present a plan for City approval for periodic public auctions to increase traffic to the auto mall. The number of auctions shall be limited to the parameters established by Special Event Permits section of the Norco Municipal Code and will not exceed 15 calendar days per year.

FUTURE

1. Obtain enough working capital to obtain large new car franchise.

OPERATIONAL REQUIREMENTS

1. Evolution Auto will be a full participant in Auto Mall Association including maintenance of freeway sign.
2. Dealership to be maintained in a clean condition and have the appearance of a new car dealership.
3. Temporary event signage will be in accordance with Auto Mall temporary signage standards.

PROJECTIONS

- 25 used cars per month
- 10 to 20 CT&T NEV per month
- 10 to 40 Land King EV per month

TIME LINE FOR EVOLUTION AUTO STATUS

ITEM	TASK	STATUS		
1	Provide copies of signed franchise agreements from CT&T and Land King to City Manager.	Not complete.		
	A franchise agreement has only been submitted for Land King, not CT&T.	←		
2	After City has obtained signed franchise agreements, open facility with AM Motors.			
3	Regardless of business legal name, the name to be used on business identification and business license is: "Evolution Auto" (not Evolution Auto Center).	Not complete.		
4	Showing of existing CT&T showroom models already on-site to begin immediately with interest cards for when sale models become available.	Not complete.		
5	Promotional curriculum for Land King to be made available immediately.	Not complete.		
6	Temporary sign: "Evolution Auto" coming soon, CT&T Auto, Land King, AM Motors.	Not complete.		
7	Replace face of existing monument sign with permanent signage (example):	Not complete.		
	EVOLUTION AUTO			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">CT&T AUTO</td> <td style="width: 33%; text-align: center;">LAND KING</td> <td style="width: 33%; text-align: center;">A and M MOTORS</td> </tr> </table>		CT&T AUTO	LAND KING
CT&T AUTO	LAND KING	A and M MOTORS		
	Permanent signage has not been completed and a temporary event sign permit is only good for maximum of 60 days.			
8	Land King vehicles for sale on site within 45 days from issuance of business license.	Not complete.		
	Land King vehicles were supposed to be for sale on-site by November 21, 2010. City is not aware of any retail sales from either electric vehicle company.			
9	CT&T vehicles for sale on site within 30 days of issuance of business license.	Not complete.		
10	60 days from issuance of business license for ancillary services consisting of known brand car rental or car service company to lease out back of facility with separate signage along Four Wheel Drive (not on the main Hamner sign).	Complete.		
	This is supposed to be operated out of the back of the facility with signage along Four Wheel Drive. Vehicles periodically are displayed on Hamner.			
11	60 days to present a plan for City approval for periodic public auctions to increase traffic to the auto mall. The number of auctions shall be limited to the parameters established by Special Event Permits section of the Norco Municipal Code and will not exceed 15 calendar days per year.	N/A		
FUTURE				
1	Obtain enough working capital to obtain large new car franchise.	Not complete.		
OPERATIONAL REQUIREMENTS				
1	Evolution Auto will be a full participant in Auto Mall Association including maintenance of freeway sign.	?		
2	Dealership to be maintained in a clean condition and have the appearance of a new car dealership.	Not being done.		
3	Temporary event signage will be in accordance with Auto Mall temporary signage standards.	Not being done.		
	The site has had ongoing issues with illegal temporary signs and overhead streamers being put up without necessary approvals.			

/sk-81959

EXHIBIT "D"

NORCO AUTO MALL

LEGEND

- Area A (Underlying Zone: C-G) 57.06 Acres
 - Area B (Underlying Zone: M-1) 21.74
 - Area C (Underlying Zone: C-G) 5.08
- 83.88

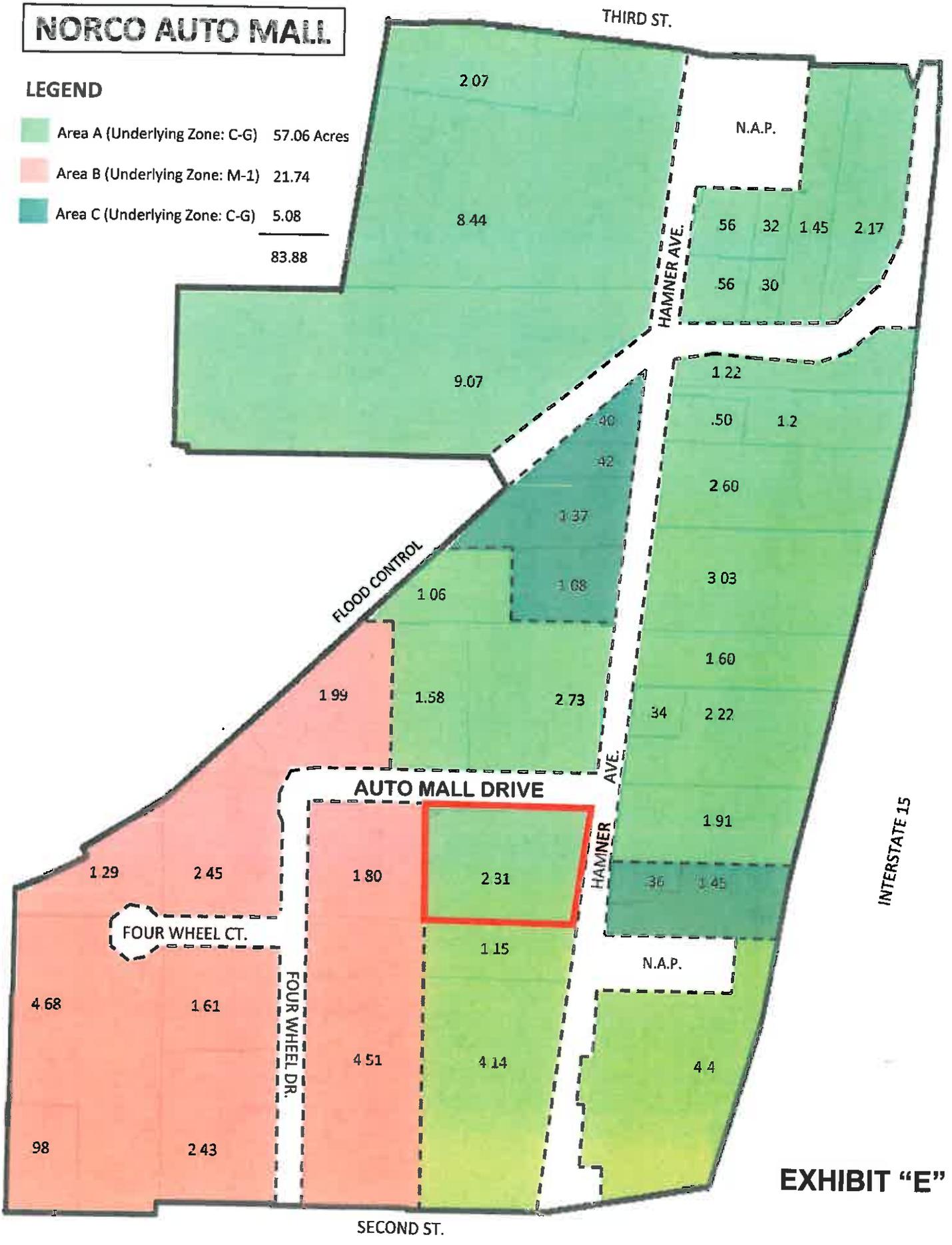


EXHIBIT "E"



CITY of NORCO

CITY HALL • 2870 CLARK AVENUE • NORCO CA 92860 • (951) 735-3900 • FAX (951) 270-5622

December 14, 2010

A and M Motors, LLC
2000 Hamner Avenue
Norco, CA 92860

Re: Evolution Auto: Timeline for Project Development; and, A and M Motors

This is to reiterate the agreements that allowed your business (A and M Motors) to re-locate to a new-car dealership site (2000 Hamner Avenue) in the Norco Auto Mall. The zoning for this site is established by the Auto Mall Specific Plan and the only permitted use on this site is a new car dealership. Other allowed uses can only occur as accessory uses to a new car dealership. Uses otherwise permitted in the underlying zone (Commercial General) or CG zone can only be permitted apart from a new car dealer upon approval of a conditional use permit (CUP). Used car dealerships as a sole business can only be in the Auto Mall after approval of the CUP.

Per our conversations the business development plan for this site included two electric vehicle new car dealerships (CT&T Auto and Land King) along with a used car dealership (A and M Motors) that was to relocate from another location. All would operate under the general umbrella business name of Evolution Auto. The agreement allowed the used car dealership to relocate immediately because the new car dealership franchises were not ready to begin. The City agreed only upon submittal, and the City's agreement to, the timeline as to when the new car dealerships would be in place. Without that the used car dealership could not have relocated without a CUP. In addition to the car dealerships an automobile rental business would be part of "Evolution Auto" but it would be run out of the back of the facility (including any signage) and not on Hamner Avenue.

The timeline referred to in this letter included a list of tasks that would be completed along with operational requirements to insure compatibility with the new car dealership sites of the Auto Mall. Staff is concerned that some of the required tasks have not been completed and that the operation is not consistent with the operational requirements outlined in the timeline. Staff's primary concern is the maintenance and appearance of the Auto Mall as a new car destination point.

A copy of the timeline with completion status is attached. Please address these issues with me at your earliest opportunity. The City wants your business to be successful along with maintaining the attraction of the Norco Auto Mall as a destination point for new car purchases. If you have any questions or comments, please contact me at (951) 270-5662.

Sincerely,

Steve King
Planning Director

/sk-77306

Attachment: Timeline Agreement with Completion Status

cc: Beth Groves, City Manager

EXHIBIT "F"

CITY COUNCIL

BERWIN HANNA
Mayor

KEVIN BASH
Mayor Pro Tem

KATHY AZEVEDO
Council Member

HARVEY SULLIVAN
Council Member

TIME LINE FOR EVOLUTION AUTO

ITEM	TASK	STATUS
1	Provide copies of signed franchise agreements from CT&T and Land King to City Manager.	Not complete.
	A franchise agreement has only been submitted for Land King, not CT&T.	←
2	After City has obtained signed franchise agreements, open facility with AM Motors.	
3	Regardless of business legal name, the name to be used on business identification and business license is: "Evolution Auto" (not Evolution Auto Center).	Temporary sign complete.
4	Showing of existing CT&T showroom models already on-site to begin immediately with interest cards for when sale models become available.	Complete.
5	Promotional curriculum for Land King to be made available immediately.	?
6	Temporary sign: "Evolution Auto" coming soon, CT&T Auto, Land King, AM Motors.	Complete.
7	Replace face of existing monument sign with permanent signage (example):	Not complete.
	EVOLUTION AUTO	
	CT&T AUTO LAND KING A and M MOTORS	
	Permanent signage has not been completed and a temporary event sign permit is only good for maximum of 60 days.	
8	Land King vehicles for sale on site within 45 days from issuance of business license.	Not complete.
	Land King vehicles were supposed to be for sale on-site by November 21, 2010.	
9	CT&T vehicles for sale on site within 30 days of issuance of business license.	Complete, but hard to find.
10	60 days from issuance of business license for ancillary services consisting of known brand car rental or car service company to lease out back of facility with separate signage along Four Wheel Drive (not on the main Hamner sign).	Complete, but not in compliance.
	This is supposed to be operated out of the back of the facility with signage along Four Wheel Drive. Vehicles are being displayed right on Hamner with illegal signs on Hamner.	
11	60 days to present a plan for City approval for periodic public auctions to increase traffic to the auto mall. The number of auctions shall be limited to the parameters established by Special Event Permits section of the Norco Municipal Code and will not exceed 15 calendar days per year.	N/A
FUTURE		
1	Obtain enough working capital to obtain large new car franchise.	N/A
OPERATIONAL REQUIREMENTS		
1	Evolution Auto will be a full participant in Auto Mall Association including maintenance of freeway sign.	?
2	Dealership to be maintained in a clean condition and have the appearance of a new car dealership.	Not being done.
	The dealership has the appearance of a used car dealer and is not being maintained to appear as a new car dealer. Only one or two electric vehicles are ever being displayed along Hamner Avenue.	
3	Temporary event signage will be in accordance with Auto Mall temporary signage standards.	Not being done.
	The site has illegal temporary signs and overhead streamers, none of which are consistent with the temporary signage standards of the Auto Mall Association.	

/sk-77308

ATTACHMENT TO
12-14-10 LETTER



CITY of NORCO

CITY HALL • 2870 CLARK AVENUE • NORCO CA 92860 • (951) 735-3900 • FAX (951) 270-5622

March 24, 2011

Steve Lynn
Lynn's Service Group
4575 Temescal Avenue
Norco, CA 92860

Dear Mr. Lynn:

Re: Business License Application

Your request for a business license cannot be approved at this time. The business license that allowed Evolution Auto to move onto the site at 2000 Hamner Avenue is balanced with strict compliance standards. This site is still identified for a new car dealership in the Norco Auto Mall Specific Plan, and it is in the City's best interest to maintain the attractiveness of the Auto Mall for future dealerships.

The compliance standards prohibit illegal temporary signs and require maintenance of the site in a clean condition. There are currently several illegal temporary signs including one(s) associated with your business. These need to be removed immediately. If a business is operating without a business license it is a violation of the Norco Municipal Code and needs to cease. Permanent signage for any ancillary uses to Evolutionary Auto need to have separate signs facing to Four Wheel Drive, not Hamner Avenue.

Temporary signs announcing grand openings and events can only be placed after approval of a Special Event Sign Permit and those are only allowed for a certain number of days after which they need to be removed. Permanent "temporary signs" (e.g. banners) are prohibited.

If you have any questions please call me at (951) 270-5662, or email me at sking@ci.norco.ca.us.

Respectfully,

Steve King
Planning Director

/sk-78124

c: Cheryl Hankla, Business Licensing

CITY COUNCIL

BERWIN HANNA
Mayor

KEVIN BASH
Mayor Pro Tem

KATHY AZEVEDO
Council Member

GREG NEWTON
Council Member

HARVEY SULLIVAN
Council Member



CITY of NORCO

CITY HALL • 2870 CLARK AVENUE • NORCO CA 92860 • (951) 735-3900 • FAX (951) 270-5622

March 24, 2011

Jason R. Martin
Wisefly Auto Glass
P.O. Box 235
Norco, CA 92860

Dear Mr. Martin:

Re: Business License Application

Your request for a business license cannot be approved at this time. The business license that allowed Evolution Auto to move onto the site at 2000 Hamner Avenue is balanced with strict compliance standards. This site is still identified for a new car dealership in the Norco Auto Mall Specific Plan, and it is in the City's best interest to maintain the attractiveness of the Auto Mall for future dealerships.

The compliance standards prohibit illegal temporary signs and require maintenance of the site in a clean condition. There are currently several illegal temporary signs including one(s) associated with your business. These need to be removed immediately. If a business is operating without a business license it is a violation of the Norco Municipal Code and needs to cease. Permanent signage for any ancillary uses to Evolutionary Auto need to have separate signs facing to Four Wheel Drive, not Hamner Avenue.

Temporary signs announcing grand openings and events can only be placed after approval of a Special Event Sign Permit and those are only allowed for a certain number of days after which they need to be removed. Permanent "temporary signs" (e.g. banners) are prohibited.

If you have any questions please call me at (951) 270-5662, or email me at sking@ci.norco.ca.us.

Respectfully,

Steve King
Planning Director

/sk-78126

c: Cheryl Hankla, Business Licensing

CITY COUNCIL

BERWIN HANNA
Mayor

KEVIN BASH
Mayor Pro Tem

KATHY AZEVEDO
Council Member

GREG NEWTON
Council Member

HARVEY SULLIVAN
Council Member



CITY of NORCO

CITY HALL • 2870 CLARK AVENUE • NORCO CA 92860 • (951) 735-3900 • FAX (951) 270-5622

June 15, 2011

RRBR Automotive
2000 Hamner Avenue
Norco, CA 92860

Re: Evolution Auto: Timeline for Project Development

This is to reiterate the agreements that allowed A and M Motors to originally re-locate to a new-car dealership site (2000 Hamner Avenue) in the Norco Auto Mall. RRBR Automotive was allowed to move into this location under that same agreement as A and M Motors is no longer there. The zoning for this site is established by the Auto Mall Specific Plan and the only permitted use on this site is a new car dealership. Other allowed uses can only occur as accessory uses to a new car dealership. Uses otherwise permitted in the underlying zone (Commercial General or CG) can only be permitted apart from a new car dealer upon approval of a conditional use permit (CUP). Used car dealerships as a sole business can only be in the Auto Mall after approval of the CUP.

The approved business development plan for this site included two electric vehicle new car dealerships (CT&T Auto and Land King) along with a used car dealership (A and M Motors, replaced by RRBR Automotive). All would operate under the general umbrella business name of Evolution Auto. The City agreed, only upon submittal of, and the City's agreement to, a timeline as to when certain standards were being accomplished and being maintained. In addition to the car dealerships an automobile rental business would be part of "Evolution Auto" but it would be run out of the back of the facility (including any signage) and not on Hamner Avenue.

The timeline referred to in this letter included a list of tasks that would be completed along with operational requirements to insure compatibility with the new car dealership sites of the Auto Mall. Staff is concerned that some of the required tasks have not been completed and that the operation is not consistent with the operational requirements outlined in the timeline. Staff's primary concern is the maintenance and appearance of the Auto Mall as a new car destination point.

A copy of the updated timeline with completion status is attached. Please address these issues with me at your earliest opportunity. The City wants your business to be successful along with maintaining the attraction of the Norco Auto Mall as a destination point for new car purchases. If you have any questions or comments, please contact me at (951) 270-5662.

Sincerely,

Steve King
Planning Director

/sk-78775

Attachment: Evolution Auto Timeline Checklist, 6-14-11

cc: Beth Groves, City Manager
Evolution Auto

CITY COUNCIL

BERWIN HANNA
Mayor

KEVIN BASH
Mayor Pro Tem

KATHY AZEVEDO
Council Member

HARVEY SULLIVAN
Council Member

EVOLUTION AUTO TIME LINE CHECKLIST 6-14-11

ITEM	TASK	STATUS
1	Provide copies of signed franchise agreements from CT&T and Land King to City Manager.	Not complete.
<i>A franchise agreement has only been submitted for Land King, not CT&T.</i> ←		
2	After City has obtained signed franchise agreements, open facility with AM Motors.	
3	Regardless of business legal name, the name to be used on business identification and business license is: "Evolution Auto" (not Evolution Auto Center).	Temporary sign complete.
4	Showing of existing CT&T showroom models already on-site to begin immediately with interest cards for when sale models become available.	Complete.
5	Promotional curriculum for Land King to be made available immediately.	?
6	Temporary sign: "Evolution Auto" coming soon, CT&T Auto, Land King, AM Motors.	Complete.
7	Replace face of existing monument sign with permanent signage (example):	Not complete.
	EVOLUTION AUTO	
	CT&T AUTO LAND KING A and M MOTORS	
<i>Permanent signage has not been completed and a temporary event sign permit is only good for maximum of 60 days (CURRENT BANNER SIGN NEEDS TO COME DOWN).</i>		
8	Land King vehicles for sale on site within 45 days from issuance of business license.	Not complete.
<i>Land King vehicles were supposed to be for sale on-site by November 21, 2010.</i>		
9	CT&T vehicles for sale on site within 30 days of issuance of business license.	Complete, but hard to find.
10	60 days from issuance of business license for ancillary services consisting of known brand car rental or car service company to lease out back of facility with separate signage along Four Wheel Drive (not on the main Hamner sign).	Complete, but not in compliance.
<i>This is supposed to be operated out of the back of the facility with signage along Four Wheel Drive. Vehicles are AGAIN being displayed on Hamner Avenue.</i>		
11	60 days to present a plan for City approval for periodic public auctions to increase traffic to the auto mall. The number of auctions shall be limited to the parameters established by Special Event Permits section of the Norco Municipal Code and will not exceed 15 calendar days per year.	N/A

FUTURE

1	Obtain enough working capital to obtain large new car franchise.	?
---	--	---

OPERATIONAL REQUIREMENTS

1	Evolution Auto will be a full participant in Auto Mall Association including maintenance of freeway sign.	?
2	Dealership to be maintained in a clean condition and have the appearance of a new car dealership.	Not being done.
<i>The dealership has the appearance of a used car dealer and is not being maintained to appear as a new car dealer. The landscaping is not being maintained.</i>		
3	Temporary event signage will be in accordance with Auto Mall temporary signage standards.	Not being done.
<i>The Evolution Auto banner across the monument sign needs to come down.</i>		

/sk-78773

ATTACHMENT TO
6-15-11 LETTER

CITY OF NORCO STAFF REPORT

TO: Honorable Chairman and Members of the Planning Commission

FROM: Planning Division

PREPARED BY: Steve King, Planning Director

DATE: October 10, 2012

SUBJECT: Specific Plan 85-1 (Auto Mall) Amendment 5 (City of Norco): A proposal to amend the Auto Mall Specific Plan by creating a new land use designation, Area "C-G (Auto Mall)" with new regulations, and changing the land use designation on 39.42 acres consisting of various lots east and west of Hamner Avenue south of Third Street to Area "C-G (Auto Mall)." Amendment 5 also includes changes in the underlying zoning designation on two lots on the east side of Four Wheel Drive north of Second Street from M-1 (Light Industrial) to C-G. The amendment also includes text changes to bring the Specific Plan document consistent with current code regulations and with this Amendment (Various APN's). (Zone Change 2012-10 and General Plan Amendment 2012-03 are withdrawn)

RECOMMENDATION: That the Planning Commission recommends approval with the following motion:

Adopt Resolution 2012 – 42 recommending that the City Council approve Specific Plan 85-1 (Auto Mall Specific Plan), Amendment 5.

SUMMARY: The project is a proposed amendment to the Auto Mall Specific Plan that includes land use designation changes to add C-G uses as similarly permitted and conditionally-permitted uses for lots in the northern half of the specific plan on both sides of Hamner Avenue, south of Third Street (39.42 acres); and to change the land use designation on 6.1 acres east of Four Wheel Drive, north of Second Street from Area "B" to Area "A." The amendment includes text changes to bring the document consistent with current Code Regulations and consistent with this Amendment.

BACKGROUND: On May 30, 2012 the Planning Commission and City Council held a joint meeting to discuss priorities for staff with City-initiated projects. One of the priorities from that meeting was to review and rezone portions of the Auto Mall to include C-G zone permitted uses. The project was originally advertised to remove properties from the Auto Mall and rezone them C-G. That has since been revised to accomplish all changes under

one amendment to the Specific Plan. The principal reasons for this change were: 1) a more fluid amendment process; and 2) not exclude possible additional new car dealers in the future. The proposed changes to the Specific Plan with this amendment are:

1. Change the land use designation within the Specific Plan on 36.15 acres of Area "A" and 3.27 acres of Area "C" (total 39.42 acres) to Area "C-G (Auto Mall)."
2. Change the land use designation within the Specific Plan on 6.31 acres from Area "B" (underlying M-1 zoning) to Area "A" (underlying C-G zoning).

(ref. Exhibit "B" – Existing Auto Mall Land Use Plan; Exhibit "C" – Proposed Auto Mall Land Use Plan)

3. Text changes to the Specific Plan to bring the document consistent with current Municipal Code changes/requirements and consistent with the land use designation changes of this amendment.
 - a. Change the text to include the permitted and conditionally permitted uses of the C-G zone to be likewise permitted and conditionally permitted in the "Area C-G (Auto Mall)" land use designation.
 - b. Add used car dealers as a conditionally-permitted use in Areas A, B, C, and C-G (Auto Mall).

ANALYSIS: The specific plan amendment is consistent with the prioritized goals as directed by the City Council and Planning Commission in the Joint Meeting that occurred on May 30, 2012 (ref. Exhibit "D" – Minutes, May 30, 2012). The re-categorization of the land use designations is needed because of changes in the auto retail industry since the Auto Mall Specific Plan was first adopted in 1985.

The original Specific Plan was approved for 11 dealerships along Hamner Avenue between Second Street and Third Street of which only five of the sites were ever developed, all on the southern side of the Specific Plan near Second Street (Ford, Dodge, Mazda, Mitsubishi, and Chrysler/Jeep). Of those five only two remain (Ford and Dodge/Chrysler/Jeep). There has been little, if any, interest for new car dealerships as far north as Third Street. The consolidation of companies, elimination of brands, nearby dealerships in adjoining cities, and changes in the way consumers buy vehicles are reasons why it is unlikely that remaining lots in the north half of the Auto Mall will be used for new car dealerships. The Specific Plan Amendment will allow these lots to become more productive commercial uses with better sustainable for the community.

The changes described in Number 1 above change 39.42 acres to Area "C-G (Auto Mall)" with the permitted and conditionally-permitted uses in the C-G zone added as similarly permitted uses to the uses now permitted in Area "A:"

"Permitted Uses:

(1) Area A:

- (a) New automobile dealerships and accessory uses as an integral part of the operation of a new automobile dealership.*
- (b) Other uses as permitted by the underlying zone may be allowed upon approval of a Conditional Use Permit (CUP). Such a permit may be granted where the proposed use is similar and compatible with the permitted uses, there is reasonable assurance that the use will be economically viable, and will not materially adversely affect the goals, objects and purpose of Specific Plan One."*

Item (b) is eliminated in Area "C-G (Auto Mall)" since there is no need for an underlying zone and the list of conditionally-permitted uses from the C-G zone is added (ref. Resolution 2012-42). Used car dealers are added to the list of conditionally-permitted uses since the C-G zone does not now currently allow them.

Used car dealers need to be added to be consistent with the Zone Code Amendment and Zone Change that first established the C-G zone, and then rezoned all of the C-2 and C-3 properties to C-G. One of the intents in that zone change was to eliminate auto sales uses along Hamner Avenue, except in the Auto Mall. The problem that occurred was that the C-G zone became the new underlying zone in Area A of the Specific Plan with used car dealers not being allowed. They used to be allowed upon approval of a CUP because of the underlying C-2 and C-3 zoning. This amendment would make the Specific Plan document consistent with that intent to allow used car sales only in the Auto Mall.

The site development standards of the Auto Mall Specific Plan Area "A" were developed with new car dealerships as the only principal use. A clause has been added to Area "C-G (Auto Mall)" where development would be in accordance with the standards of the C-G zone. The Housing Development Overlay zone that was approved for the 19.58 acres on the southwest corner of Hamner Avenue and Third Street is not affected by the Specific Plan amendment and will remain in place.

Attachment: Resolution 2012-42, Specific Plan 85-1, Amendment 5
Exhibit "A" – Location Map
Exhibit "B" – Existing Auto Mall Land Use Plan
Exhibit "C" – Proposed Auto Mall Land Use Plan
Exhibit "D" – Minutes: May 30, 2012

/sk-81995

RESOLUTION NO. 2012-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO RECOMMENDING THAT THE CITY COUNCIL APPROVE SPECIFIC PLAN 85-01 AMENDMENT 5 TO AMEND THE NORCO AUTO MALL SPECIFIC PLAN WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO CREATE A NEW LAND USE DESIGNATION WITH ADDED ALLOWED USES AND REGULATIONS; A CHANGE TO THE LAND USE DESIGNATIONS ON 39.42 AND 6.1 ACRES RESPECTIVELY AT TWO SEPARATE LOCATIONS; AND AMEND THE TEXT TO MAKE THE DOCUMENT CONSISTENT WITH CURRENT CODE CHANGES AND REGULATIONS AND WITH THE CHANGES ASSOCIATED WITH AMENDMENT 5. SPECIFIC PLAN 85-01 AMENDMENT 5.

WHEREAS, the CITY OF NORCO initiated Amendment 5 to Specific Plan 85-01 (Norco Auto Mall Specific Plan); and

WHEREAS, the Specific Plan Amendment was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, the Specific Plan Amendment was scheduled for public hearing on October 10, 2012 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the Planning Commission held a public hearing and received both oral and written testimony pertaining to the Specific Plan Amendment; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project is categorically exempt from California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines pursuant to Class 3.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATIONS:

I. FINDINGS:

- A. The proposed Specific Plan Amendment is consistent with, and not contrary to, the Norco General Plan, the Zoning Code, and the Norco Auto Mall Specific Plan since the project changes regulations for uses already allowed by conditional use permit to be permitted uses, without eliminating the standard project review and conditioning process.

B. The project has been determined to be exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines pursuant to Section 3.13.

II. DETERMINATION: NOW THEREFORE, the Planning Commission for the City of Norco assembled October 10, 2012 hereby recommends to the City Council of the City of Norco that Specific Plan 85-01 Amendment 5 be adopted, thereby amending the Norco Auto Mall Specific Plan as follows:

70. Permitted Uses

(4) Area C-G (Auto Mall):

Automotive/Vehicle/Vessel	
<i>New Automobile Dealerships; and Accessory Uses (accessory uses only allowed as integral parts of, and under the same business operation as, the new automobile dealership).</i>	<i>p</i>
<i>Used Automobile Dealerships; accessory uses not permitted.</i>	<i>c</i>
<i>Fuel Service</i>	<i>c</i>
<i>Tire Sales and Service (does not include retreading, recapping, etc.)</i>	<i>c</i>
<i>Vehicle/Vessel Service</i>	<i>c</i>
Animals/Pets	
<i>Small Animal Hospitals and Veterinary Clinics</i>	<i>c</i>
<i>Dog Kennels</i>	<i>c</i>
<i>Grooming</i>	<i>p</i>
Office	
<i>Administrative, Business, and Professional Offices</i>	<i>p^{1,5}</i>
<i>Charity and Philanthropic Institutions</i>	<i>c¹</i>
<i>Financial, Insurance, Real Estate Offices</i>	<i>p¹</i>
<i>General Offices</i>	<i>p^{1,5}</i>
<i>Medical and Dental Offices</i>	<i>p¹</i>
Public and Community Facilities	
<i>Auditoriums, Meeting Halls, Banquet Rooms, and Community Centers</i>	<i>c</i>
<i>Bus Terminals, Depots, and other similar transit facilities</i>	<i>c</i>
<i>Child Care Centers</i>	<i>c¹</i>
<i>Churches and Religious Institutions</i>	<i>c¹</i>
<i>Education Facilities (public and private)</i>	<i>c¹</i>
<i>Government and Civic Uses</i>	<i>c¹</i>
<i>Museums and Libraries</i>	<i>c¹</i>
<i>Public Utility Uses</i>	<i>c¹</i>
Entertainment/Recreation	
<i>Health Clubs</i>	<i>c</i>
<i>Indoor and Outdoor Recreation</i>	<i>c</i>

<i>Motel and Hotel</i>	<i>c</i>
<i>Theater (Indoor)</i>	<i>p</i>
Medical Facilities	
<i>Ambulance Services</i>	<i>c¹</i>
<i>Hospitals and Healthcare Centers</i>	<i>c¹</i>
<i>Laboratories (Medical and Dental)</i>	<i>p¹</i>
Retail	
<i>Drug Store/Pharmacy</i>	<i>p</i>
<i>Furniture Stores</i>	<i>p</i>
<i>General and Specialized Retail</i>	<i>p</i>
<i>Grocery Stores/Markets</i>	<i>p</i>
<i>Home Improvement/Goods/Supplies/Appliances</i>	<i>p</i>
<i>On-Site and Off-Site Liquor Sales (hard liquor)</i>	<i>c²</i>
<i>On-Site and Off-Site Liquor Sales (beer and wine)</i>	<i>p</i>
<i>Plant Nursery</i>	<i>p</i>
<i>Reconditioned or Used Merchandise Stores</i>	<i>c</i>
Service Commercial	
<i>Banks</i>	<i>p</i>
<i>Locksmith</i>	<i>p</i>
<i>Mail Cargo Packaging/Processing Services</i>	<i>p</i>
<i>Printing Services</i>	<i>p</i>
<i>Repair Service (non-vehicle, vessel & non-motorized)</i>	<i>p</i>
<i>The processing, treatment, storage, or repair of products which are clearly incidental to, and part of, the business conducted on the premises.</i>	<i>a</i>
Personnel Services	
<i>Dry Cleaning, Tailoring, and Laundromats</i>	<i>p</i>
<i>Hair/Nail Salons, Barbers</i>	<i>p</i>
<i>Spa/Massage</i>	<i>c</i>
Eating and Drinking Establishments	
<i>Catering Establishments</i>	<i>p⁴</i>
<i>Deli/Bakery</i>	<i>p</i>
<i>Dine-in Restaurants</i>	<i>p</i>
<i>Drive-thru, Walk-up, and Outdoor Eating Establishments</i>	<i>c</i>
Other	
<i>Auction Establishments (not including livestock sales)</i>	<i>c</i>
<i>Radio and Television Broadcasting Studios</i>	<i>c¹</i>
<i>Wireless Communication Facilities</i>	<i>c</i>
<i>"p"</i>	<i>Permitted Use</i>
<i>"c"</i>	<i>Requires Approval of a Conditional Use Permit</i>
<i>"a"</i>	<i>Permitted as an Accessory Use</i>
<i>--¹</i>	<i>To encourage more convenient access and visibility for entertainment, retail, restaurant, and service commercial uses, noted uses are not encouraged on</i>

	<i>urban arterial street frontages unless located on the second floor of mixed-use retail/commercial development.</i>
-- ²	<i>Conditionally permitted as an ancillary use only.</i>
-- ³	<i>Plant nurseries shall be permitted to have outdoor displays and sales as ancillary uses.</i>
-- ⁴	<i>Cannot be located on urban arterial street frontages unless the use is ancillary to a restaurant.</i>
-- ⁵	<i>Includes dispatch and office support services for the operation of taxicab/vehicles for hire businesses but does not include the storage, staging, standing, or parking of company vehicles on-site.</i>
	<i>In the event that a use is not listed, and is not easily included in a listed category, at the discretion of the Planning Director, the use is determined to not be permitted. Through procedures established in Section 18.42 the Planning Commission may approve a Similar Use Application for said use.</i>

{4}(5) Existing Uses and Structures:

{5}(6) Temporary Uses:

90. Site Development Regulations:

For development in Area C-G (Auto Mall) that is not an auto dealership the development standards of the C-G zone shall apply.

~~*In addition to the regulations of the zone district, the following regulations shall apply:*~~

In addition to the regulations of the zone district, the following regulations shall apply for development of an auto dealership in any Area, and for any development in Areas A, B, and C.

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held October 10, 2012.

Robert Wright, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting held October 10, 2012 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission

/sk-81996

CITY OF NORCO STAFF REPORT

TO: Honorable Chairman and Members of the Planning Commission

FROM: Planning Division

PREPARED BY: Steve King, Planning Director

DATE: October 10, 2012

SUBJECT: Zone Change 2012-11 and General Plan Amendment 2010-04 (City of Norco): A proposal to change zoning from M-1 (Heavy Commercial/Light Manufacturing) to C-G (Commercial General) with the corresponding General Plan Amendment 2012-04 to change the Land Use designation from I (Industrial) to CC (Commercial Community) on 22.9 acres located on the southwest corner of Fifth Street and Horseless Carriage Drive (APN 129-200-011).

RECOMMENDATION: That the Planning Commission recommends approval with the following motion:

Adopt Resolution 2012 – 40 recommending that the City Council approve Zone Change 2012-11 and General Plan Amendment 2012-04 to change the existing M-1 zone to C-G on the southwest corner of Fifth Street and Horseless Carriage Drive.

SUMMARY: The project is a proposed zone change on 22.9 acres from M-1 to C-G on the southwest corner of Fifth Street and Horseless Carriage Drive. This is consistent with the goals of the Strategic Plan as well as with direction given by a City Council-Planning Commission working group working with staff.

BACKGROUND: On May 30, 2012 the Planning Commission and City Council held a joint meeting to discuss priorities for staff with City-initiated projects. Out of that meeting direction was given to establish a Working Group to work with staff early in the review process of major policy and zoning issues. The working group has met and is currently working on a review for future amendments to the C-4 zoning along Sixth Street. Another location that was determined to have high priority was the rezoning of the 22.9 acres on the southwest corner of Fifth Street and Horseless Carriage Drive from M-1 to C-G. No project has been proposed but it was determined that the current zoning of the site is not the highest and best use given recent changing conditions. Based on that conclusion it was recommended by the Working Group that the property be rezoned for a future commercial development.

ANALYSIS: The zone change is consistent with the Strategic Goals for Planning and Economic Development back in 2007 which included as a goal to accomplish the rezoning of the subject property in order to attract a commercial development. The intent and purpose of the M-1 zone is: "intended to provide an orderly development of heavy commercial and light manufacturing uses in harmony with each other and the rest of the Community." Since the time when the M-1 zone was applied to this property several things have changed that has caused the City to re-evaluate land use for a sustainable community going forward:

- Elimination of the redevelopment agency;
- Announced closure of the prison;
- Development underway at Silverlakes.

The proposed zone change is consistent with goals already set by the City as well as the changed environment that the City is now in. The intent and purpose of the C-G zone is: to "allow retail and commercial uses that are centered around retail, eating & drinking establishments, and entertainment to serve the needs of the community."

Development in the C-G zone will be more accommodating for the City's changed dynamics given the imminent opening of Silverlakes and the new opportunities that will be coming related to the prison closure. The Housing Development Overlay zone that was approved for this site is not affected by the Zone Change and will remain in place.

Attachment: Resolution 2012-40, Zone Change 2012-11/General Plan Amendment 2012-04
Exhibit "A" – Location Map

/sk-81988

RESOLUTION NO. 2012-40

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO RECOMMENDING TO THE CITY COUNCIL THAT ZONE CHANGE 2012-11 AND GENERAL PLAN AMENDMENT 2012-04 BE APPROVED TO CHANGE THE ZONE FROM M-1 (HEAVY COMMERCIAL/LIGHT MANUFACTURING) TO C-G (COMMERCIAL GENERAL) AND CHANGE THE CORRESPONDING LAND USE CATEGORY FROM I (INDUSTRIAL) TO C-C (COMMERCIAL COMMUNITY) ON ABOUT 22.9 ACRES GENERALLY LOCATED ON THE SOUTHWEST CORNER OF FIFTH STREET AND HORSELESS CARRIAGE DRIVE (APN 129-200-011).

WHEREAS, the City of Norco, California initiated Zone Change 2012-11 and General Plan Amendment 2012-04 on property generally identified as:

Por. Section 12 T.3S., R.7W of Parcel Map 30649, as shown by map on file in Book 129, Page 20, of Maps, Records of Riverside County, California;

More generally described as 22.9 acres on the southwest corner of Fifth Street and Horseless Carriage Drive (APN 129-200-011).

WHEREAS, said General Plan Amendment and Zone Change was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, said General Plan Amendment and Zone Change was scheduled for public hearing at a special meeting on October 10, 2012 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the Planning Commission held a public hearing and received both oral and written testimony pertaining to the General Plan Amendment and Zone Change; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project is exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines per Class 3.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATIONS:

I. FINDINGS:

- A. The proposed General Plan Amendment and requested change of zone to apply the C-G zone is necessary for the development of the community in harmony with the objectives of the General Plan and the 2007 Strategic Plan.

- B. The General Plan Amendment and change of zone to apply the C-G zone will be compatible and complementary to existing conditions and to anticipated conditions with the imminent opening of Silverlakes Equestrian and Sports Park as well as the announced closure of the California Rehabilitation Center correctional facility.
 - C. The subject properties are adequate in size to accommodate uses permitted in the C-G zone and all applicable property development standards can be complied with.
 - D. The subject property does properly relate to streets and highways designed and fully improved to carry the type and quantity of traffic that is anticipated to be generated in this area from commercial zoning, and utilities exist or are planned which will adequately serve the properties as rezoned.
 - E. The City of Norco, acting as Lead Agency, has determined that the project is exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines per Class 3.
- II. DETERMINATION: NOW THEREFORE, in light of the evidence and testimony presented at the hearing on this application, and in conformity with the findings set forth hereinbefore and with the requirements necessary for the approval of the General Plan Amendment and change of zone, the Planning Commission for the City of Norco does hereby recommend to the City Council of the City of Norco that Zone Change 2012-11 and General Plan Amendment 2012-04 be approved.

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held October 10, 2012.

Robert E. Wright, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a special meeting held February 29, 2012 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission

/sk-81989

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: October 10, 2012

SUBJECT: Site Plan 2012-13 (Sanchez): A request for approval to allow an accessory building consisting of a 256 square-foot storage building at 1271 Dodge City Place located within the Norco Hills Specific Plan (NHSP).

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2012-43 approving Site Plan 2012-13.

Site Plan 2012-09 is a request for approval to allow an accessory building consisting of a 256 square-foot storage building at 1271 Dodge City Place located within the Norco Hills Specific Plan (ref. Exhibit "A" – Location Map). The property consists of about .68 acres/29,620 square feet (ref. Exhibit "B" – APN Map and Exhibit "D" – Aerial Photo).

Accessory buildings 864 square feet or less require site plan approval by the Planning Commission. The site plan, building elevations and floor plan for the proposed structure are attached (ref. Exhibit "C" – Site Plan, Building Elevations and Floor Plan). The building is proposed to be wood construction and proposed to match the existing house in material and color. ***(Note: there is a proposed patio attached to the house and proposed pool with surrounding improvements that is shown on the plans but that is not part of this review)***. The following is required of accessory buildings:

- A minimum of 5 feet from property lines and 10 feet from any other structure is required for accessory buildings. **The proposed building will meet these requirements.**
- The maximum height of any accessory structure 864 square feet or smaller is 14 feet, or as approved by the Planning Commission. **The structure is proposed with a maximum height of about 13 feet.**
- The maximum accessory building coverage in the NHSP is 30 percent of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less). **The subject property is approximately 29,620 square feet, and consists of a pad of about 16,100 square feet (a combination of the house pad and the lower pad where the accessory building is proposed). The accessory building coverage for the property is about 2%.**

The accessory building ordinance for properties in the NHSP does not require an open animal area since not all properties in the NHSP were graded to safely keep large animals. As such, a designated open animal area was not shown or required on the site plan. Each lot in the NHSP was recorded with the allowed number of animal units based on the pad size. This lot in question was recorded as not being permitted any animal units.

Site Plan 2012-13 (Sanchez)

Page 2

October 10, 2012

A secondary pad of approximately 3,960 square feet was graded downslope from the main pad. The City does not have any record of a permit having been issued for the grading. Nonetheless the site is still recorded as not being allowed any animal units.

As proposed, the project meets the requirements of an accessory building 864 square feet or less. Staff is recommending that the Planning Commission adopt resolution 2012-43 approving Site Plan 2012-13.

/adr-81991

Attachments:

Resolution 2012-43

Exhibit "A" – Location Map

Exhibit "B" – APN MAP

Exhibit "C" – Site Plan, Building Elevations and Floor Plan

Exhibit "D" – Aerial Photo

RESOLUTION 2012-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS, SITE PLAN APPROVAL TO ALLOW A 256 SQUARE-FOOT STORAGE BUILDING AT 1271 DODGE CITY PLACE LOCATED WITHIN THE NORCO HILLS SPECIFIC PLAN (NHSP). SITE PLAN 2012-13

WHEREAS, JORGE SANCHEZ submitted an application for a site plan review to the City of Norco, California under the provisions of Chapter 18.40, Title 18 of the Norco Municipal Code, on property located at 1271 Dodge City Place (APN 122-612-004).

WHEREAS, at the time set; at 7 p.m. on October 10, 2012 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place set, said Planning Commission considered the aforesaid site plan and received both oral and written testimony pertaining to said application; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is categorically exempt from environmental assessment.

NOW, THEREFORE, the Planning Commission of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

A. The proposal does comply with all applicable requirements of the NHSP, Norco Municipal Zoning Ordinance and the General Plan.

B. The overall site and architectural design is consistent with the intent and purpose of the Norco General Plan and Norco Municipal Zoning Ordinance and the NHSP.

C. The proposal is reasonably compatible with the area immediately surrounding the site.

D. The proposal is not detrimental and will be desirable to the overall public convenience or general welfare of the persons residing or working in the neighborhood.

E. The City of Norco, acting as lead agency, has determined that the project is categorically exempt from environmental assessment per Section 3.13, Class 3 of the City of Norco Environmental Guidelines.

DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled October 10, 2012 that the application for Site Plan 2012-13 is approved, subject to the conditions provided in Section 18.40.10 of the Municipal Code of Norco, and including, but not limited to the following conditions:

1. Approval is based on Exhibit "C" – Site Plan, Building Elevations and Floor Plan dated October 4, 2012 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.
4. In the event conditions for approval by the Planning Commission or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. No occupancy and/or use of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.

6. The applicant shall obtain building permits and pay all applicable fees before beginning construction of the building on the subject property.
7. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.
8. A home occupation business shall not be permitted from the subject building.
9. The subject building shall complement the existing house in color.
10. Building permits for this accessory building are issued within the confines of this permit/site plan approval. Any violation of a condition resulting in a revocation of this permit/site plan approval may result in an order to remove the accessory building at the owner's expense.

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on October 10, 2012.

Robert E. Wright, Chairman
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

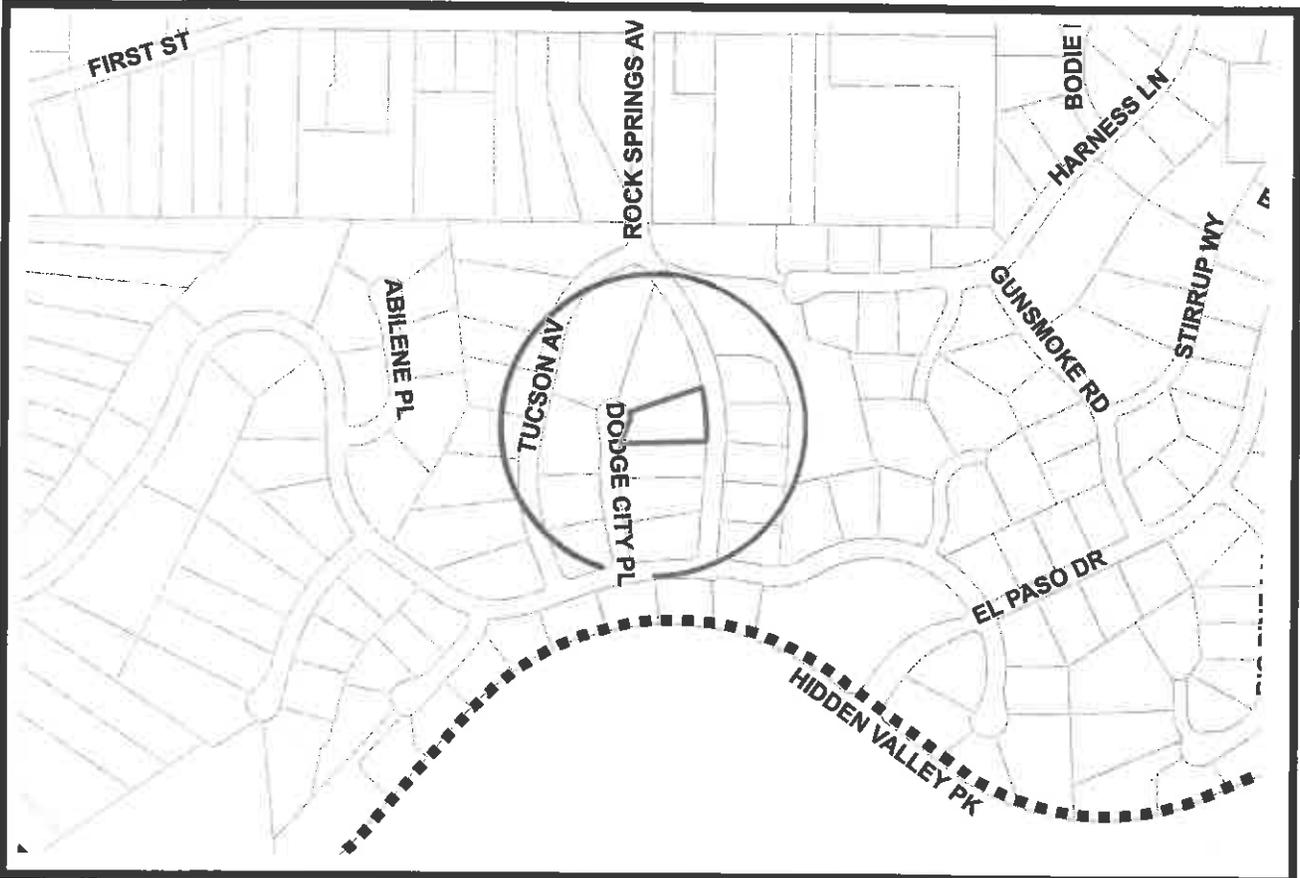
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held October 10, 2012 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr-81993

LOCATION MAP



Not to Scale



PROJECT: Site Plan 2012-13
APPLICANT: Jorge Sanchez
LOCATION: 1271 Dodge City Place

Exhibit "A"

APN MAP

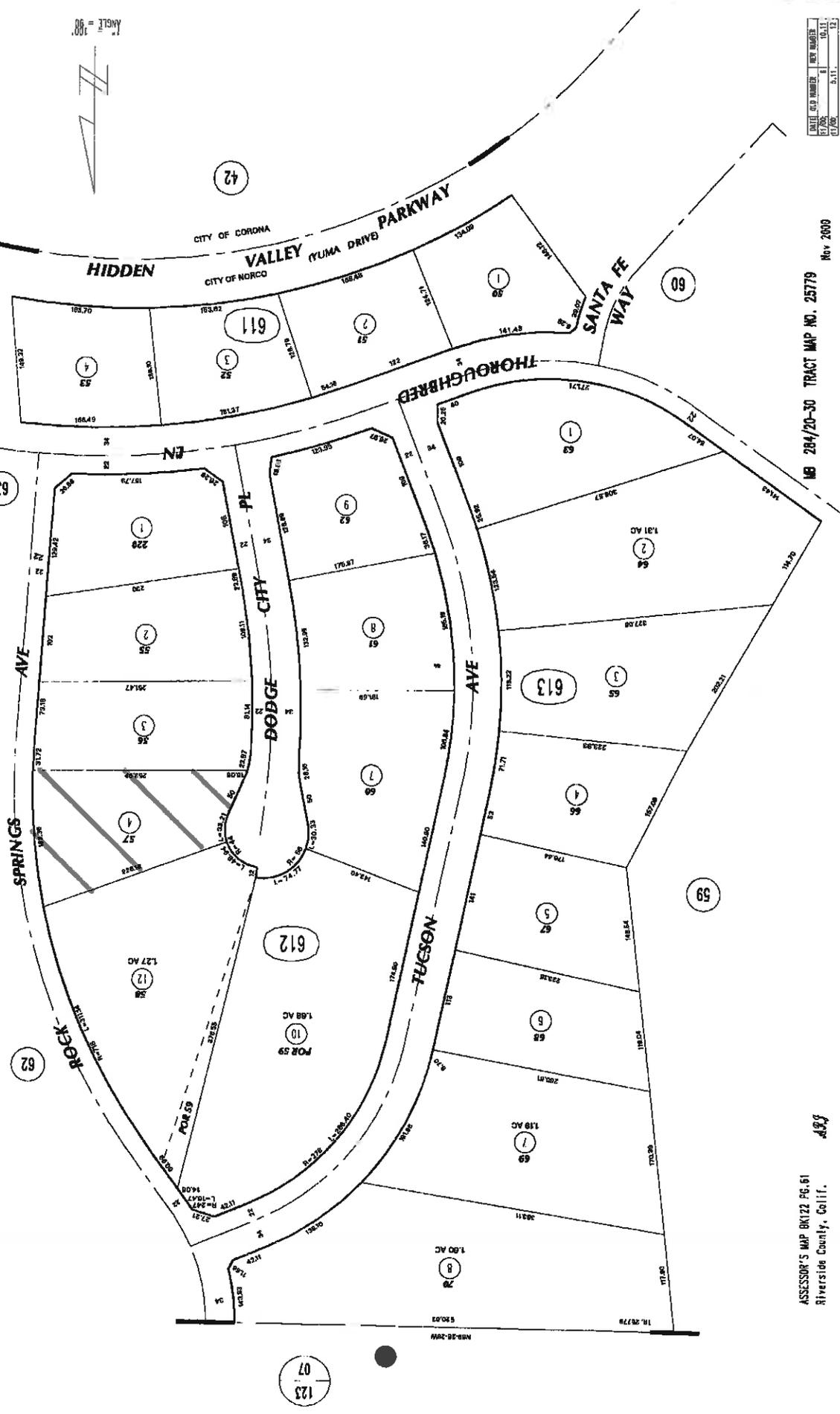
POR, PSEC 19 T. 3S., R. 6W
CITY OF NORCO CORONA

122-61
122-20

T.R.A. 015-007

ANGLE = 88.1

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.



DATE	OLD NUMBER	NEW NUMBER
07/08	1011	1011
07/08	1012	1012

MB 284/20-30 TRACT MAP NO. 25779 Nov 2009

ASSESSOR'S MAP BK122 PG. 61
Riverside County, Calif. 4339

EXHIBIT "B"



MINUTES

CITY OF NORCO

CITY COUNCIL

REGULAR MEETING

CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE

SEPTEMBER 5, 2012

CALL TO ORDER: Mayor Bash called the meeting to order at 6:00 p.m.

ROLL CALL: Mayor Kevin Bash, **Present**
Mayor Pro Tem Kathy Azevedo, **Present**
Council Member Berwin Hanna, **Present**
Council Member Herb Higgins, **Present**
Council Member Harvey C. Sullivan, **Present**

THE CITY COUNCIL RECESSED TO CLOSED SESSION (SECTION 54954) TO CONSIDER MATTERS:

Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation Pursuant to Section 54956.9(c) 11 Potential Cases

RECONVENE PUBLIC SESSION: Mayor Bash reconvened the meeting at 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1) **Deputy City Attorney Burns stated that the City Council authorized the City's Code Enforcement Attorney, Ken Dapeer, to file a receivership action regarding the property located at 3241 Kips Korner.**

PLEDGE OF ALLEGIANCE: Master Gunnery Sergeant D. Robert Reid

INVOCATION: Assembly of God – Beacon Hill
Pastor Rene Parish

PROCLAMATION: Master Gunnery Sergeant D. Robert Reid
Retired USMC

Assemblyman Jeff Miller, along with Mayor Bash and several other agencies, presented proclamations and resolutions to Master Gunnery Sergeant Reid honoring his service in the United States Marine Corps. For his dedicated service in raising the awareness of the contribution of African Americans in the USMC, Master Gunnery Sergeant Reid was inducted in the Montford Point Marine Association, Inc. Hall of Fame in 2010, and was awarded the Congressional Gold Medal from the United States Congress on June 27, 2012, the highest civilian Honor for the Montford Point Marines.

PRESENTATIONS: Dr. Paul Parnell, President
Norco College

Mayor Bash introduced Dr. Parnell, the new President of Norco College. Assemblyman Jeff Miller presented a plaque to Dr. Parnell from himself and Senator Emerson.

Norco High School Softball Team

The National Champion Norco High School Softball Team presented a team picture to Assemblyman Miller and the City of Norco. A framed championship shirt was also presented to the City of Norco to proudly display at City Hall.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

M/S Hanna/Sullivan to approve the items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- A. City Council Minutes:
Regular Meeting of August 15, 2012
Special Joint Meeting of August 15, 2012
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Approval of a Lease Agreement between the City of Norco and the Norco Area Chamber of Commerce & Visitor's Center. **Recommended Action: Approve the Lease Agreement with the Norco Area Chamber of Commerce & Visitor's Center at the Norco Public Library for the term beginning October 1, 2012 and ending September 30, 2015; and direct the City Manager or her designee to execute said Lease.** (City Manager)
- C. Amendment to the FY 2013-2017 Capital Improvement Program Budget to Identify the Hamner Avenue Widening Project Funding Sources and Appropriate Additional Funding for the Project. **Recommended Action: Adopt Resolution No. 2012-65, amending the FY 2013-2017 Capital Improvement Program Budget to Identify the Hamner Avenue Widening Project Funding Sources; and appropriate additional Funding in the amount of \$400,000 from the Measure "A" Fund for the relocation of transmission poles by Southern California Edison in the amount of \$310,000 and the difference of \$90,000 to complete the Project funding.** (Director of Public Works)
- D. Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments to Permit the Provision of Property Assessed Clean Energy (PACE) Services Statewide. **Recommended Action: Approved the Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments to permit the provision of PACE services statewide.** (City Manager)

2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR: **None**

3. CITY COUNCIL DISCUSSION/ACTION ITEMS:

- A. Renaming of the Small Auditorium (Fire Side Room) at the Mildred W. Fleutsch Community Center in Honor of Bob and Karlene Allen. **Recommended Action: Authorize the renaming of the Mildred W. Fleutsch Community Center, Small Auditorium (Fire Side Room), as the Bob and Karlene Allen Community Room.** (Director of Parks, Recreation and Community Services)

The City Council Members briefly commented on Bob and Karlene Allen's accomplishments and thanked them for their support of the community, noting that they deserve this honor.

M/S Bash/Higgins to rename the Mildred W. Fleutsch Community Center, Small Auditorium (Fire Side Room), as the Bob and Karlene Allen Community Room. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

4. PUBLIC COMMENTS OR QUESTIONS:

Manuel Pavao. Mr. Pavao commented on the dumpsters that remain located next to his property, noting the loud noise they create.

Pamela Smith. Ms. Smith made several announcements as follows: The 14th annual Chili Cook-Off will be held on September 15th at 2 p.m.; at 7 p.m. on September 18th, there will be a coffee meet-and-greet for Assembly Candidate Eric Linder; and lastly, the NACC General Membership Meeting will be held on September 19th where Jodie Webber will be the guest speaker regarding keeping workers compensation claims low.

5. CITY COUNCIL COMMUNICATIONS:

- A. Reports on Regional Boards and Commissions: **None**
- B. City Council Announcements: **None**

6. CITY MANAGER REPORTS:

City Manager Groves:

- Commented on the reception that will be held at the Norco College Art Gallery on September 13th, noting that the Lake Norconian Club Foundation will be a co-sponsor of the event.
- Stated that the City is looking forward to the partnership with the Norco Area Chamber of Commerce and Visitor's Center, noting the Council's approval of the Lease Agreement.
- Invited everyone to attend the dedication celebration of the Rose M. Eldridge Senior Center on Friday, September 28th.

7. ADJOURNMENT: There being no further business to come before the City Council, Mayor Bash adjourned the meeting in honor of Master Gunnery Sergeant D. Robert Reid at 7:48 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK

/bj-81775



MINUTES
CITY OF NORCO
CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
SEPTEMBER 19, 2012

CALL TO ORDER: Mayor Bash called the meeting to order at 6:00 p.m.

ROLL CALL: Mayor Kevin Bash, **Present**
Mayor Pro Tem Kathy Azevedo, **Present**
Council Member Berwin Hanna, **Present**
Council Member Herb Higgins, **Present**
Council Member Harvey C. Sullivan, **Present**

PLEDGE OF ALLEGIANCE: Council Member Hanna

INVOCATION: Calvary Chapel – Norco
Pastor Louie Monteith

PROCLAMATION: 225TH Anniversary of the Signing of the Constitution
of the United States of America
Diane Stephens

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

M/S Hanna/Higgins to approve the items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- A. City Council Minutes:
Regular Meeting of September 5, 2012
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Recap of Actions Taken at the Planning Commission Regular Meeting of September 12, 2012. **Recommended Action: Receive and File** (Planning Director)
- C. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
- D. Resolution Accepting a Grant in the Amount of \$59,999 from the California Office of Traffic Safety and Increasing Revenue, Appropriation and Expenditure.
Recommended Action: Adopt Resolution No. 2012-66. (Lt. Hedge)

- E. Resolution Accepting a Grant in the Amount of \$79,000 from the California Office of Traffic Safety and Increasing Revenue, Appropriation and Expenditure. **Recommended Action: Adopt Resolution No. 2012-67.** (Lt. Hedge)
- 2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR: **None**
- 3. CITY COUNCIL PUBLIC HEARING ITEMS:
 - A. Zone Code Amendment 2012-04 (City of Norco): A City-Initiated Proposal to Amend the Norco Municipal Code, Chapter 18.37 "Signs" to Revise and Update the Provision of Signage in the City of Norco and to Amend Chapter 18.02 "Definitions" to Add Definitions Pertaining to Signage.

Zone Code Amendment (ZCA) 2012-04 is a City-initiated proposal to amend the Norco Municipal Code, Chapter 18.37 "Signs" to revise and update the provision of signage in the City of Norco and to amend Chapter 18.02 "Definitions" to add definitions pertaining to signage. ZCA 2012-04 is a result of recommendations for revisions on the existing sign ordinance provided by the Ad Hoc Sign Code Working Group (the "Working Group"), which was then followed by Planning Commission review of the amendments necessary to address the recommendations of the Working Group.

Recommended Action: Adopt Ordinance No. 953 for first reading.
(Planning Director)

Planning Director King presented information regarding the public hearing item, as stated in the staff report and recommended ordinance.

Council Member Hanna commented on his concerns regarding how public art would be defined. In response, Director King stated that public art signage would be addressed individually.

Council Member Sullivan commented on what is considered as public art. In response, Director King stated that the working group did not want people to abuse a provision of art as an excuse to get more advertising. City Manager Groves noted that public art is not included in the sign code and will be addressed later. City Attorney Burns commented on the need to review the difference between public art and a sign.

Council Member Higgins commented on home occupation signs. Director King stated that a home occupation cannot display offsite signage. Council Member Higgins asked how a legally non-conforming sign nuisance would be addressed. Director King stated that this Code is based upon state law and is uniform from city to city. City Attorney Burns added that it is illegal if it is altered in any way.

City Attorney Burns recommended modifications to **Section 18.37.16 -- Illegal and Non-conforming Signs, Subsection C.**

Mayor Pro Tem Azevedo commented on temporary signs not being allowed in the right-of-way. Director King clarified that when a business leaves, is it the tenant or landlords responsibility to remove the sign. Mayor Pro Tem Azevedo stated that she wants criteria written for public art brought forward in the future.

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

Ben Louk. Mr. Louk commented on the aesthetics of the building when a sign is removed and the stucco is bare.

Vern Showalter. Mr. Showalter commented on what triggers a structural change.

Greg Newton. Mr. Newton commented on the Planning Commission's discussions regarding public art.

Mayor Bash CLOSED the public hearing.

M/S Higgins/Hanna to adopt Ordinance No. 953 for first reading with the following recommended modifications to Section 18.37.16 -- Illegal and Non-conforming Signs, Subsection C:

Abatement of Legally Non-conforming Signs that Subsequently Become Unlawful. If the City Council determines by resolution that legally non-conforming signs are a public nuisance by virtue of their unlawfulness as described in B. above, and provided and it is in the best interest of the public health, safety, and general welfare to abate such signs, the City abatement procedures shall be as follows:.....

The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- B. Appeal Hearing: Planning Commission Denial of a Site Plan Addition for an Exterior Vacuum Control System for Approved Conditional Use Permit 2011-15.

At its meeting held on August 8, 2012, the Planning Commission denied the applicant's request for a minor site plan addition to add an exterior vacuum control system to the approved site plan for Conditional Use Permit (CUP) 2011-15, a car wash that has recently been constructed within the former Mitsubishi dealership parts building. The applicant has appealed that decision to the City Council.

Recommended Action: Hear the applicant's appeal and make the determination to either uphold the Planning Commission denial or approve the applicant's request for a minor site plan addition to add an exterior vacuum control system to the approved site plan for Conditional Use Permit 2011-15. (Planning Director)

Planning Director King presented information regarding the appeal hearing item, as stated in the staff report.

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

Ben Louk. Mr. Louk stated that he is the property owner of the site and commented on the difficulty attracting a tenant to the site. He further commented on the design of the car wash, noting where the vacuum is located, and the need for this business to be successful.

City Attorney Burns asked that all City Council Members identify any subject site visits made at this time. Mayor Pro Tem Azevedo and Mayor Bash stated that they visited the site.

Garett Bruinsma. Mr. Bruinsma stated that he owns the business next to the subject business. He commented on the vacuum and what was approved on the site plan. He asked that the Council uphold the Planning Commission decision.

Ben Louk. Mr. Louk commented on the site plan and where the vacuum system would be, noting the inspection that was completed. He further commented on the noise of a vacuum system in comparison to a large truck.

Vinod Kardani. Mr. Kardani, the applicant, commented on the location of the vacuum that was not pinpointed at the time the plans were submitted, noting that the electric plan showed the location. He asked for City Council approval to operate his business in full.

Mayor Bash CLOSED the public hearing.

Council Member Azevedo commented on her visit to the site and further commented on the noise generated from the car wash businesses and the traffic on Hamner Avenue. She concluded that she sees no problem with the vacuum being allowed, adding that she is an advocate for small businesses.

Council Member Hanna commented on the noise coming from the applicant's business, adding that he concurs with the Planning Commission decision.

Council Member Higgins commented on the industry levels for noise, noting that he agreed with Mayor Pro Tem Azevedo.

Council Member Sullivan stated that he wished the Planning Commission would have approved this. He further stated that any concerns regarding overconcentration of businesses in the City should be addressed by the Council.

Mayor Bash commented on his confusion regarding the Planning Commission denial. In response, Director King stated that the site plan showed the vacuum, but did not show the engine.

M/S Azevedo/Higgins to approve the applicant's request for a minor site plan addition to add an exterior vacuum control system to the approved site plan for Conditional Use Permit 2011-15. The motion was carried by the following roll call vote:

AYES: AZEVEDO, HIGGINS, SULLIVAN
NOES: BASH , HANNA
ABSENT: NONE
ABSTAIN: NONE

4. PUBLIC COMMENTS OR QUESTIONS:

Ted Hoffman: Mr. Hoffman commented on staff's efforts to require the pavers that had been installed in the horse trail at a residence in Norco be removed.

Jonathan Kahan. Mr. Kahan commented on his efforts to become an Eagle Scout. He stated that for his project, he will be building 15 new picnic tables to locate at George Ingalls Equestrian Event Center. He further stated that he will be hosting a pancake breakfast to help pay for the project.

Vern Showalter. Mr. Showalter commented on business owners interested in displaying a Horsetown USA sticker in their windows.

Julie Waltz. Ms. Waltz stated that her street is in dire need of repair. She further commented on a tree that needs to be addressed on that same street.

5. CITY COUNCIL COMMUNICATIONS:

A. Reports on Regional Boards and Commission

Mayor Pro Tem Azevedo:

- Stated that Red Ribbon Week is coming up and noted that UNLOAD works with the Corona-Norco Unified School District on this event.
- Attended the WRCOG Executive Committee meeting and stated that there are 45 homes in Norco participating in the HERO Program.
- Commented on the annual Parade of Lights, noting her support in beginning the event earlier in the day.

Council Member Hanna:

- Provide an update on the RCTC 91 Freeway Expansion Project, noting that there will be a display at the Corona Library.

B. City Council Announcements

Mayor Bash:

- The City Council unanimously agreed to place an item on a future agenda to discuss a moratorium on car washes.
- Commented on the need to bring back the Norco queen competition.
- Stated that Norco College approved the Trading Post.
- Encouraged everyone to attend the Norco College Art Gallery.

Council Member Hanna:

- Commented on the League of California Cities Conference he attended, noting the sessions he attended.

Council Member Sullivan:

- Commented on the League of California Cities Conference he attended, noting the sessions he attended.

6. CITY MANAGER REPORTS:

City Manager Groves:

- Congratulated Mayor Pro Tem Azevedo on her receipt of the Celebration of Life Award at the 2012 Give Cancer the Boot event.

7. ADJOURNMENT: There being no further business to come before the City Council, Mayor Bash adjourned the meeting at 8:49 p.m. in honor of the Americans lost in the Middle East.

/bj-81840