



**AGENDA**  
**CITY OF NORCO**  
PLANNING COMMISSION  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
REGULAR MEETING  
FEBRUARY 27, 2013

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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 January 9, 2013
  - Recommended Action: Approval** (Deputy City Clerk)
4. **CONTINUED PUBLIC HEARINGS:**
  - A. **Zone Code Amendment 2012-07 (City of Norco):** A City-initiated proposal to amend Chapter 18.23 "C-4 - Commercial Zone" of the Norco Municipal Code, to revise the permitted and conditionally permitted uses in this zone.  
**Recommended Action: Continue to the March 13, 2013 regular meeting.**  
*(Planning Director)*
5. **PUBLIC HEARINGS:**
  - A. **Conditional Use Permit 2013-01 (Bogdan):** A request for approval to allow an accessory building consisting of a 2,400 square-foot garage/storage/workshop at 2460 Crazy Horse lane located within the A-1-20 zone. **Recommended Action: Approval** *(Senior Planner)*

B. Zone Code Amendment 2013-01 and Code Amendment 2013-01 (City of Norco): Amending Chapter 18.32 "Home Occupations" and Chapter 10.16 "Commercial Vehicles/Trucks" of the Norco Municipal Code, regarding the use and parking of commercial vehicles in residential zones.

**Recommended Action: Approval** (*Planning Director*)

C. Zone Code Amendment 2013-02; Specific Plan 85-1, Amendment 8; Specific Plan 90-01, Amendment 12; and, Specific Plan 91-02, Amendment 6 regarding the allowance of massage businesses as ancillary uses in commercial zones. **Recommended Action: Approval** (*Senior Planner*)

6. BUSINESS ITEMS:

A. Site Plan 2013-02 (Covarrubias): A request for approval to allow an accessory building consisting of a 780 square-foot horse stall structure at 3728 Sierra Avenue located within the A-1-20 (Agricultural Low-Density) Zone. **Recommended Action: Approval** (*Senior Planner*)

B. Site Plan 2013-03 (Norco Retail Group, Inc.): Remodel of an existing 18,140 square-foot building with a 3,000 square-foot addition for a new retail outlet at 2185 Hamner Avenue in the Auto Mall Specific Plan. **Recommended Action: Approval** (*Planning Director*)

7. CITY COUNCIL:

- City Council Meeting Minutes of December 5, 2012
- City Council Meeting Minutes of January 16, 2013
- City Council Meeting Minutes of February 6, 2013

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)



**MINUTES**  
**CITY OF NORCO**  
PLANNING COMMISSION  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
REGULAR MEETING  
JANUARY 9, 2013

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CALL TO ORDER:           **7:00 PM**

ROLL CALL: **Chair Wright, Vice Chair Henderson, Commission Members Hedges, Jaffarian and Leonard**

STAFF PRESENT: **Planning Director King, Senior Planner Robles, Senior Engineer/Deputy Public Works Director Askew and Deputy City Clerk Germain**

PLEDGE OF ALLEGIANCE: **Commission Member Leonard**

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

2.     **PUBLIC COMMENTS: NONE**

3.     **APPROVAL OF MINUTES:**

    ❖ **Minutes of December 12, 2012**

**Recommended Action: Approval (Deputy City Clerk)**

**M/S Henderson/Hedges** to approve the minutes of Planning Commission regular meeting of December 12, 2012 as written

**AYES:         Wright, Henderson, Hedges, Leonard**

**Motion Carried**

**ABSTAIN:    Jaffarian**

4.     **CONTINUED ITEM: NONE**

5.     **PUBLIC HEARINGS:**

A. **Zone Code Amendment 2012-06 (City of Norco):** A City-initiated proposal to amend Chapter 18.28 "P-E – Pedestrian-Equestrian Trails" of the Norco Municipal Code, to revise regulations and approval process regarding allowed encroachments for certain driveway materials. **Recommended Action: Approval (Planning Director)**

Planning Director King presented the staff report on file in the Planning Division. He noted that City Council had requested a review of the current Municipal Code regarding the pedestrian/equestrian trails and materials allowed. Streets, Trails and Utilities Commission has reviewed and made its recommendations.

Deputy Public Works Director/Senior Engineer Askew reviewed some of the points discussed during the Streets, Trails and Utilities Commission meeting, noting a few revisions such as requiring maintenance of pavers in front of properties, requiring a tumbled texture, and the setting of pavers at the perimeters to lock pavers in place. She added that some of these items will be included in the 700 Trails Standard.

In response to Commission Member Hedges, Deputy Public Works Director/Senior Engineer Askew explained the encroachment permit process through the Engineering Department, which includes the requirement of a license, contacting dig-alert and have a working knowledge of public right-of-ways. She also noted that through the permit process information is requested regarding the type, size and color of pavers that will be used, and instructions are given to the applicant on what setting widths are allowed.

Vice Chair Henderson reviewed the notes that he had forwarded to staff earlier in the day with Deputy Public Works Director/Senior Engineer Askew.

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

**Vernon Showalter:** Mr. Showalter stated that he is in favor of pavers noting that they are safer than asphalt or concrete, and that at times "dg" can be like walking on marbles, especially after a rain.

**Kathy Kay:** Ms. Kay stated her objection to pavers, and wants them all to be removed. She added that horse trails are public property and should have "dg" only.

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

Vice Chair Henderson noted his concerns with verbiage in Section 18.28.08, pertaining to a public nuisance being declared when it exists in the public right-of-way and the individual being prosecuted, as opposed to first notifying the property owner to remove the nuisance or the City will remove it at the offender's expense. He also asked if procedures can be altered for processing changes within the City's Code, specifically on items such as this when updates occur frequently, noting that the current process takes a long time.

Planning Director King confirmed that all the specific plans in which this change would affect will also be updated, including the Norco Ridge Ranch and Norco Hills Specific Plans.

Commission Member Jaffarian questioned if language is needed to "grandfather" the existing permitted locations with pavers. In response, Deputy Public Works Director /Senior Engineer Askew stated that this can be done.

Commission Member Leonard stated that he is in favor of allowing pavers in front of businesses only. He is against any type of material in the horse trails other than dg, with the exception of locations with a 4% + grade.

Discussions continued.

Chair Wright stated that incorporating many of the requirements within the 700 Trails Standard should not require an additional encroachment policy.

Commission Members were in agreement that the policy be noted within the Code as well as the Standard, which would provide simpler understanding and allowing some determinations to be made at the discretion of the Director of Public Works.

**M/S Jaffarian/Hedges** to adopt Resolution 2013-04, recommending that the City Council approve Zone Code Amendment 2012-06 amending Chapter 18.38 "P-E Zone, Pedestrian-Equestrian Trails" regarding the materials permitted in the trails and to clarify where alternative materials are approved.

**AYES: Unanimous**

**Motion Carried**

- B. Zone Code Amendment 2012-07 (City of Norco): A City-initiated proposal to amend Chapter 18.23 "C-4 – Commercial Zone" of the Norco Municipal Code, to revise the permitted and conditionally permitted uses in this zone.  
**Recommended Action: Continue to next regular scheduled meeting**  
(*Planning Director*)

Planning Director King stated this item is being continued to the next scheduled regular meeting as this issue is still being reviewed by the City Council/Planning Commission Working Group. No action needed.

- C. Zone Code Amendment 2012-08 (City of Norco): A City-initiated proposal to amend Chapter 18.51 "Special Events" of the Norco Municipal Code, to revise and update certain provisions and requirements of special events in the City of Norco. **Recommended Action: Approval** (*Senior Planner*)

Senior Planner Robles presented the staff report on file in the Planning Division. She stated that the amendment would allow existing businesses to display merchandise for sale, including seasonal items, outdoors within the footprint of its building without requiring a special event permit. Staff recommends approval of recommendations.

Commission Member Jaffarian asked that item .027 (model homes or other sales offices) be removed as it no longer applies.

**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.**

Further discussions ensued.

**M/S Henderson/Hedges** to adopt Resolution 2013-02, recommending to the City council that Zone Code Amendment 2012-08 be approved amending Section 18.51.020 "Special Events – Definitions" and Section 18.51.030 "Requirements for Permit" of Chapter 18.51 "Special Events" to revise and update certain of the provisions and requirements of special events in the City of Norco, including the following changes: *removing reference to "model homes or other sales offices"; removing reference to temporary commercial/truck parking areas; removing reference to "caretakers quarters".*

**AYES: Unanimous**

**Motion Carried**

- D. Zone Code Amendment 2012-09 (City of Norco): A city-initiated proposal to amend Chapter 18 of the Norco Municipal Code, to make provision for "cash for gold" establishments in the City of Norco **Recommended Action: Approval** (*Senior Planner*)

Senior Planner Robles presented the staff report on file in the Planning Division. She noted that there are no provisions for this type of business. Staff recommends that the cash for gold businesses be allowed only in the C-G (Commercial General) Zone, requiring a Conditional Use Permit. She also provided the Commission with a copy of the legal requirements for gold buyers in the State, California Business and Professions Code, provided by the Sheriff's Department.

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

**Karen Leonard:** Mrs. Leonard stated that she has had problems with a cash for gold establishment in town which involved the Sheriff's Department. She added that she supports strong regulations for this type of business.

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

Commission Member Hedges stated that she would like that the foot print of this type of business be lowered to 25% of a viable business.

Commission Member Leonard agreed with the lower foot-print allowance, adding that a time factor needs to be added to allow current businesses to come into compliance should the code be approved by the City Council. He suggested that these businesses be required to be tied-in into a jewelry store.

The Commission agreed to require a cash for gold business be within a jewelry store or other related retail business, take only 20% footage of the viable business and be required to follow the legal requirements of the California Business and Professional Code for gold buyers.

**M/S Hedges/Jaffarian** to adopt Resolution 2013-03, recommending to the City council that Zone Code Amendment 2012-09 be approved amending Section 18.29 "C-G (Commercial General)" Zone, Section 18.29.20 "Permitted Uses" of the Norco Municipal Code to permit cash for gold businesses as conditionally-permitted ancillary uses, with the following revisions: *not to exceed 20% foot print of a viable business; add condition No. 6 to note "follow legal requirements by California Business and Professional Code; only allowed in the C-G Zone; require a Conditional Use Permit as an ancillary use; and provide periodic financial reports to the City Finance Department.*

**AYES: Unanimous**

**Motion Carried**

6. BUSINESS ITEMS:

- A. Special Sign Permit 2013-01 (Freeway Sign): Second Freeway-Oriented sign in the Chaparral Center. **Recommended Action: Provide Direction** (Planning Director)

Planning Director King presented the staff report on file in the Planning Division. He noted that the original permit allowed for a second sign. A request has been received to ask to allow a redesign of the second sign to an electronic reader board. Staff recommends a slight verbiage change to Condition No. 6; as well as adding a new condition pertaining to the advertising due to its location along a CalTrans landscaped freeway. Staff recommends approval with suggested changes.

Commission Member Jaffarian asked about the requirement of a reader board to be operational continuously, if not, this should be required by a condition. He recommended a minimal down time of 2days/48hours for repairs.

In response to Commission Member Hedges regarding the illumination of the board and how it may affect the neighborhood across the freeway from the sign, Sherry Stahlberg of Quiel Brothers Sign Company of San Bernardino explained that the dimming or brightness of the sign is easily adjusted at any time.

**M/S Hedges/Jaffarian** to adopt Resolution 2013-01, approving Special Sign Permit 2013-01, to allow a re-design to include an electronic reader board of an approved freeway-oriented sign on property located on the East side of Hamner Avenue on the West side of the I-15 Freeway, North of Fifth Street; with the following revisions: Condition No. 6 to partially read "*Prior to issuance of a building permit the developer/operator of the sign shall have entered into a written agreement with the City to providing a determine minimum amount of signage time on the electronic reader board to the City for advertising community events and interests. The agreement may include a determined percentage of electronic reader board revenue to the City....*" and the addition of a condition stating "*The operation of the sign shall be in compliance with all the State and Federal laws regarding advertising along a CalTrans designated landscaped freeway*".

**AYES: Unanimous**

**Motion Carried**

- B. Oral report on the status of the building under construction at 3951 Temescal Avenue. **Recommended Action: Receive and File** (Planning Director)

Planning Director King provided an update on the construction as requested by the Planning Commission. He stated that permits have expired, the City has been waiting for the applicant to finish the project but there has been no word from them. Staff is currently at a standstill and is unable to do anything at this time. He stated that he will follow up with the Building Inspector.

Commission Member Hedges asked that staff continue to follow up; adding that there is equipment sitting on property.

7. CITY COUNCIL: **NONE**
8. PLANNING COMMISSION:
  - a. Oral Reports from Various Committees: **NONE**
  - b. Request for Items on Future Agenda (within the purview of the Commission):  
**NONE**
9. ADJOURNMENT: Chair Wright adjourned the meeting at **8:37 PM**

Respectfully submitted,

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Steve King  
Secretary  
Planning Commission

**CITY OF NORCO  
STAFF REPORT**

**TO:** Honorable Chair and Members of the Planning Commission

**FROM:** Alma Robles, Senior Planner

**DATE:** February 27, 2013

**SUBJECT:** Zone Code Amendment 2012-07 (City of Norco): A City-initiated proposal to amend Chapter 18.23 "C-4 - Commercial Zone" of the Norco Municipal Code, to revise the permitted and conditionally permitted uses in this zone.

**RECOMMENDATION:** Staff recommends that the Planning Commission continue Zone Code Amendment 2012-07 to the meeting of March 13, 2013.

Zone Code Amendment 2012-07 is a City-initiated proposal to amend Chapter 18.23 "C-4 - Commercial Zone" of the Norco Municipal Code, to revise the permitted and conditionally permitted uses in this zone. Staff is recommending that the Planning Commission continue Zone Code Amendment 2012-07 to the meeting of March 13, 2013.

**CITY OF NORCO  
STAFF REPORT**

**TO:** Honorable Chair and Members of the Planning Commission

**FROM:** Alma Robles, Senior Planner

**DATE:** February 27, 2013

**SUBJECT:** Conditional Use Permit 2013-01 (Bogdan): A request for approval to allow an accessory building consisting of a 2,400 square-foot garage/storage/workshop at 2460 Crazy Horse Lane located within the A-1-20 zone.

**RECOMMENDATION:** Staff recommends that the Planning Commission adopt Resolution 2013-05, approving Conditional Use Permit 2013-01.

Conditional Use Permit 2013-01 is a request for approval to allow an accessory building consisting of a 2,400 square-foot garage/storage/workshop at 2460 Crazy Horse Lane located within the A-1-20 zone (ref. Exhibit "A" – Location Map). The property consists of about .54 acres/23,439 square feet (ref. Exhibit "B" – APN Map and Exhibit "E" – Aerial and Site Photo).

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 is a typical metal structure and is proposed for multi-use, being that it will be used for the storage of recreational vehicles, livestock tack and feed, and will also be used for a workshop (ref. Exhibit "F" – Intended Use Summary).

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 about 17 feet as measured to the top of the ridge vent.**
- 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 23,439 square feet with a pad of about 21,321 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 five animal units would be allowed which would require an open area of at least 2,880 square feet. There is an open area of over 2,880 square feet in between the proposed structure and existing back yard grass area noted on the site plan.**



## **RESOLUTION NO. 2013-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN ACCESSORY BUILDING CONSISTING OF A 2,400 SQUARE-FOOT GARAGE/STORAGE/WORKSHOP AT 2460 CRAZY HORSE LANE LOCATED WITHIN THE A-1-20 ZONE. (CONDITIONAL USE PERMIT 2013-01)**

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 THOMAS J. BOGDAN for property located at 2460 Crazy Horse Lane (APN 130-411-007); 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 February 27, 2013 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 February 27, 2013 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 January 30, 2013 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 complement the existing house in color.
10. This approval is for an accessory garage/storage/workshop building. 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 building is for the storage of personal recreational vehicles. Storage of vehicles for a commercial use or business operation is not allowed.

Resolution No. 2013-05  
Page 4  
February 27, 2013

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on February 27, 2013.

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

ATTEST:

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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 February 27, 2013 by the following roll call vote:

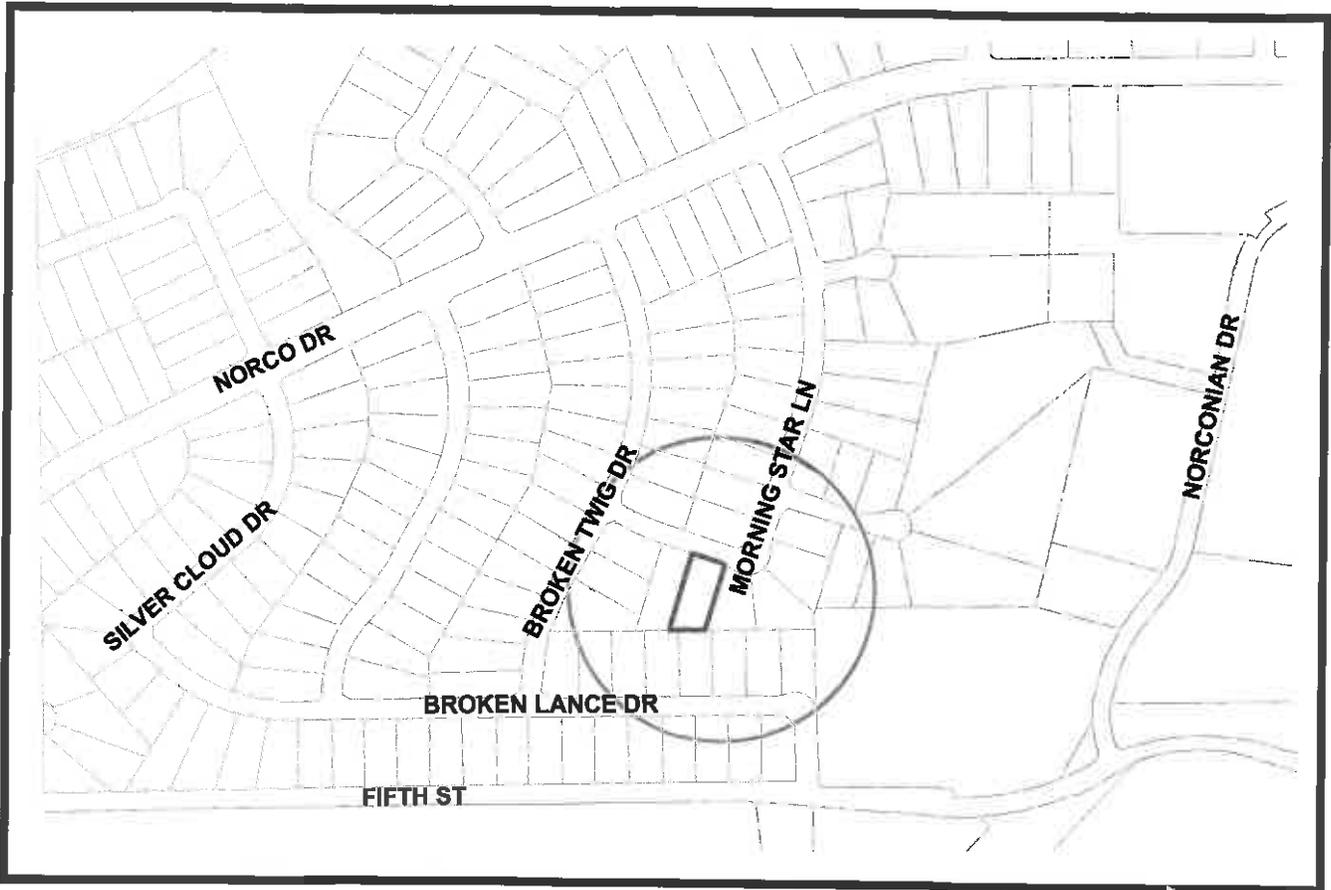
AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Steve King, Secretary  
Planning Commission  
City of Norco, California

/adr

# LOCATION MAP



Not to Scale



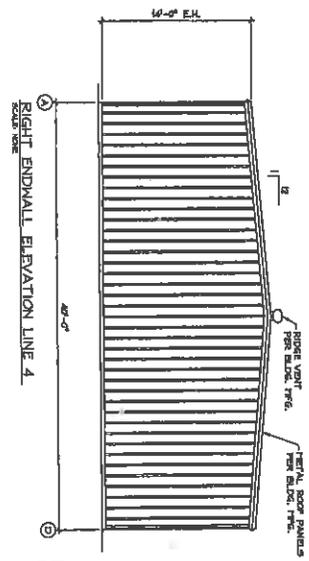
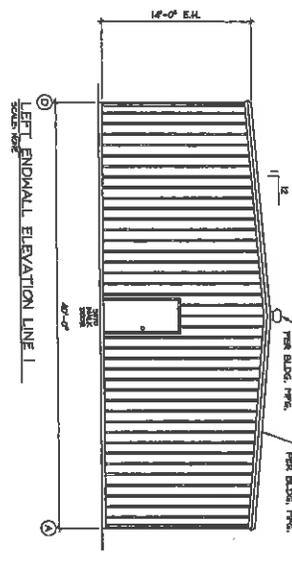
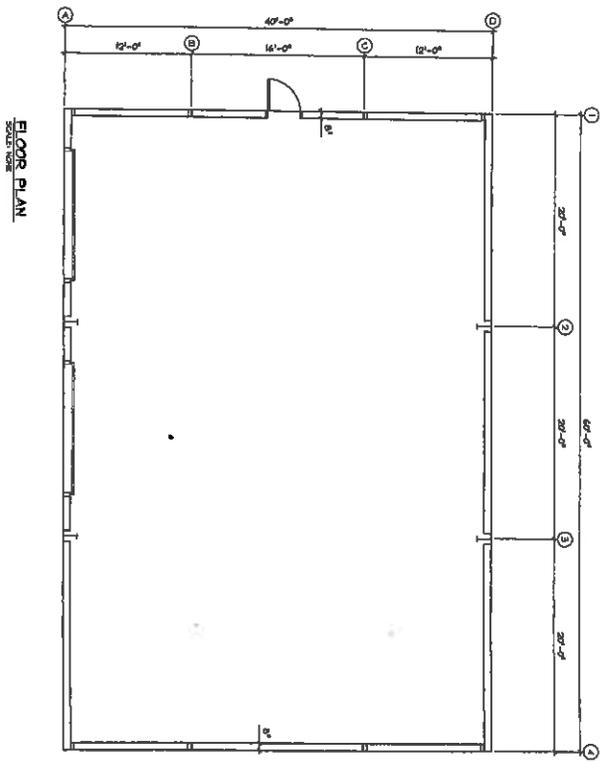
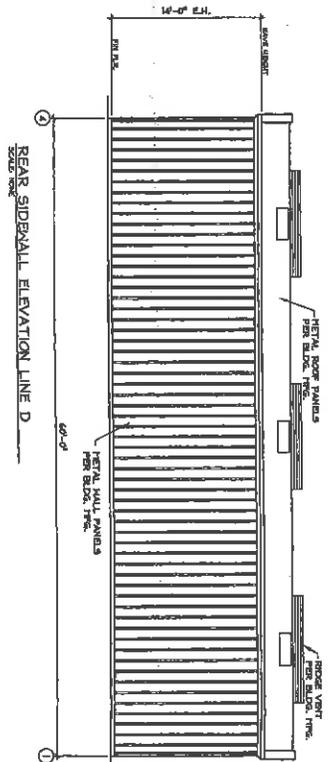
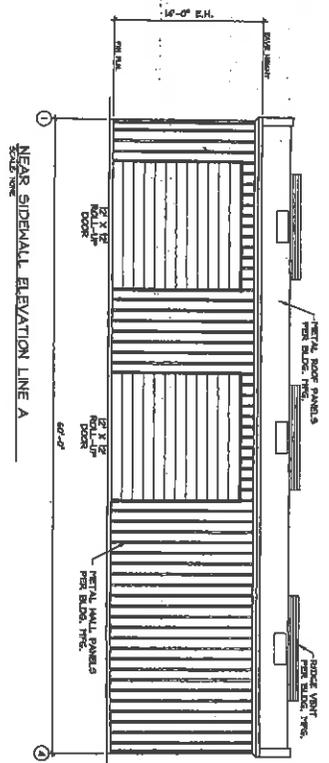
**PROJECT:** Conditional Use Permit 2013-01

**APPLICANT:** Thomas J. Bogdan

**LOCATION:** 2460 Crazy Horse Ln.

**Exhibit "A"**





PROJECT: THOMAS BOGDAN 2480 CRAZY HORSE LN LOCATION: NORCO, CA TITLE: ARCHITECTURAL ELEVATIONS	<b>JJS Engineering Services Inc.</b> 14180 FOOTBALL BLVD, SUITE 101 FRESNO, CA 93727 PHONE: (509) 822-1180 FAX: (509) 822-4182	THOMAS BOGDAN © (Copyright) 2012 CONFIDENTIAL - THIS DOCUMENT AND THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF THE ABOVE MENTIONED COMPANY AND CAN BE USED ONLY BY THE CUSTOMER AND ACCORDING TO THE TERMS OF THE PLAN OR THE SPEC.

EXHIBIT D 1.30.13

**Alma Robles - 2460 Crazy Horse Lane.....Steel building usage**

**From:** Tom Bogdan <tbogdan@pacbell.net>  
**To:** <arobles@ci.norco.ca.us>  
**Date:** 02/14/2013 11:35 AM  
**Subject:** 2460 Crazy Horse Lane.....Steel building usage

This email is to provide the usage, and the reasons for the size of the proposed steel building.

As we have talked about in person, I have several large and expensive recreational vehicles that I need to have protected from the elements. Here are some of the vehicles that I will be storing inside, and the reasons for them:

2007 39' Weekend Warrior 5th wheel toy hauler trailer. This trailer was purchased new and was almost \$60K. Since it's purchase, and due to being stored outside, the roof was damaged. This damage caused a water leak which resulted in the entire roof being replaced last year at a cost of almost \$10,000. Also, from being stored outside, the exterior of the trailer (the fiberglass exterior) was burned from the sun, and the exterior seals had dried out. The trailer had to be detailed at a RV dealership and took a week to complete. This was a \$2000 repair.

Wicked Sand Toys Sandrail. This is a \$90,000.00 sand car / sandrail and is currently stored inside of the trailer. This vehicle needs to be stored in more of a climate controlled environment in order to be mechanically sound and to preserve the vehicle. The extreme heat during the summer, the extreme cold during the winter, as well as the high and low humidity wreak havoc on the leather seats, and the engine and suspension seals and the electronics of this vehicle.

Two Yamaha Waveventure "Sea-Doo" type watercraft and trailer. Currently, I have had to store the sea-doods at a friend's house as I cannot have them stored outdoors. In the summer, there is a big problem with ground squirrels in the area, and several of the neighbors own "outdoor" cats which wander freely. These animals have caused thousands of dollars in damage to my vehicles in the past. The interior of my 27 foot deck boat was destroyed 3 years ago when a neighbors cat tore through the boat cover and then used every piece of upholstery inside of the boat as a "scratching post" to sharpen it's claws. This caused several thousand dollars of damage to the boat. The trailer to the sea-doods is currently sitting outside exposed to the elements which is not good for the tires and the paint / metal.

2002 Chevy Silverado K2500HD truck. This is my tow vehicle for the trailer that I have owned since new. It currently sits outside on the front driveway, and I am unable to put it inside of the garage due to it's length and height. I would like to store it indoors when I am not using it. It has incurred damage in the past from some type of rodent which not only chewed up the plastic engine fan shroud, but also chewed through wires which had to be repaired and/or replaced.

As I mentioned in-person, I enjoy wood working and metal working as a hobby. Currently my garage is packed with my tools, and equipment which I cannot even use due to the lack of space. When my grandfather passed away a few years ago, my father and I inherited my grandfather's wood working equipment which my father is having to store without being able to use. I would like to have a section of the steel building to be able to move all my tools and have the space to use them in my free time. This will also allow me to finally use my garage to park cars inside and get them off the driveway. The paint on my Honda Accord has been damaged from the sun (the clear coat has fractured) to the point that it needs to be re-painted.

The proposed steel building will allow me to store my recreational vehicles inside of the building as well as moving my tools out of my garage. The benefits of this will not only be a more secure place, but also a more environmentally friendly area to store the vehicles to preserve their value, and road worthiness. One other benefit will be the ability of getting recreational vehicles out of sight for the neighbors.

If you have any other questions, or concerns, please feel free to contact me.

Sincerely,

Tom Bogdan 

# CITY OF NORCO STAFF REPORT

TO: Honorable Chairman and Members of the Planning Commission

FROM: Steve King, Planning Director

DATE: February 27, 2013

SUBJECT: Zone Code Amendment 2013-01 and Code Amendment 2013-01 (City of Norco): Amending Chapter 18.32 "Home Occupations" and Chapter 10.16 "Commercial Vehicles/Trucks" of the Norco Municipal Code, regarding the use and parking of commercial vehicles in residential zones.

RECOMMENDATION: Recommend approval to the City Council:

MOTION: Adopt Resolution 2013-06 recommending that the City Council approve Zone Code Amendment 2013-01 and Code Amendment 2013-01.

SUMMARY: Proposed are two changes to the Norco Municipal Code (Code). One change is in the "Home Occupations" section of the Zoning Code (Chapter 18) while the other change is in Chapter 10 (Vehicles and Traffic). Both changes are proposed to clarify how and when a Residential Exemption Permit for the purpose of parking a commercial vehicle in a residential zone (otherwise prohibited) can be used when a home occupation business exists in the same location.

BACKGROUND: Chapter 18.32 under conditions for a home occupation use states that no motor vehicle in excess of 11,000 pounds gross weight (commercial vehicle) shall be used in the conduct of the home occupation:

**18.32 HOME OCCUPATIONS**

**18.32.06 Conditions.**

*No person shall conduct a home occupation use, in any zone where such use is permitted, unless said home occupation use is conducted in conformity with all of the following criteria:*

*(7) No motor vehicles in excess of 11,000 pounds gross weight shall be used in the conduct of a home occupation.*

Chapter 10.16 states that commercial vehicles are prohibited from traveling in residential zones with some exceptions:

**10.16 COMMERCIAL VEHICLES/TRUCKS**

**10.16.040 Prohibition on commercial vehicles traveling off truck routes.**

*When truck routes are established pursuant to this chapter and designated by appropriate signs, the operator of any vehicle exceeding a maximum gross weight limit of eleven thousand pounds (five and one-half tons) shall drive said vehicle only on such routes and none other except for the following (summarized):*

- (1) For pick-up or delivery of goods or equipment to a restricted street;*
- (2) Vehicles owned by a public utility for the purpose of making repairs to facilities;*
- (3) For the purpose of transporting farm provisions, or trailers or boats for recreational use;*
- (4) An owner/operator that resides in the City and has a **Resident Exemption Permit** including payment of the fee.*

The allowance for a Resident Exemption Permit is explained in Chapter 10.16 along with a waiver from having to pay the application fee if the owner already has a home occupation permit or City business license:

**10.16 COMMERCIAL VEHICLES/TRUCKS**

**10.16.050 Resident exemption permit.**

*In addition to the vehicles excepted in Section 10.16.040, the city code enforcement officer may issue a maximum of 90 exemption permits per year, on a first-serve basis, to commercial vehicle owner/operators residing within the city for the purpose of traveling on restricted streets to and from their residence, if the following conditions are met:*

- (9) A permit fee as established by City Council resolution is paid. If the owner/operator has a current business license and home occupation permit (excluding PUC certificate) the fee shall be waived. The renewal of an exemption permit required by the provisions of this chapter shall occur on a year-to-year basis, due on the first day of July each year.*

ANALYSIS: The intent of the Code is that a commercial vehicle cannot be used in the operation of a home occupation. It is also the intent that a limited number commercial vehicles can be parked in residential zones, at the home of a resident that owns the vehicle. But the fee schedule for a Resident Exemption Permit waives the fee if a home occupation permit or business license already exists seemingly to “marry” the two together when actually they have nothing to do with each other. This Zone Code Amendment (and related Code Amendment) is proposed to clarify what can and cannot be done in a residential zone with a Resident Exemption Permit and eliminates the waiver of the fee based on the existence of a home occupation permit.

A Zone Code Amendment is needed because it deals with the Zoning Code (Chapter 18 of the Norco Municipal Code). The Code Amendment is needed because it affects a different chapter in the Norco Municipal Code (Chapter 10) and is catalogued and recorded separately from zoning issues since the Planning Commission typically is not required to provide recommendations on non-zoning related issues. Upon a positive recommendation from the Planning Commission two resolutions for each title would be presented to the City Council. One resolution will address the changes to Chapter 18 (Zone Code Amendment) and one will address the changes to Chapter 10 (Code Amendment).

The proposed changes to Chapters 18.32 and 10.16 would add the following clarifying conditions for residences with a Residential Exemption Permit, respectively:

**18.32 HOME OCCUPATIONS**

**18.32.06 Conditions.**

No person shall conduct a home occupation use, in any zone where such use is permitted, unless said home occupation use is conducted in conformity with all of the following criteria:

*(7) No motor vehicles in excess of 11,000 pounds gross weight shall be used in the conduct of a home occupation. For residences where a Residence Exemption Permit has been issued, said vehicle shall not be used in the conduct of a home occupation. Said vehicle shall also not be loaded, or off-loaded for purposes of storing or transferring materials at the residence for which the Permit was issued.*

**10.16 COMMERCIAL VEHICLES/TRUCKS**

**10.16.050 Resident exemption permit.**

In addition to the vehicles excepted in Section 10.16.040, the city code enforcement officer may issue a maximum of 90 exemption permits per year, on a first-serve basis, to commercial vehicle owner/operators residing within the city for the purpose of traveling on restricted streets to and from their residence, if the following conditions are met:

*(9) A permit fee as established by city council resolution is paid. ~~If the owner/operator has a current business license and home occupation permit (excluding PUC certificate) the fee shall be waived.~~ The renewal of an exemption permit required by the provisions of this chapter shall occur on a year-to-year basis, due on the first day of July each year.*

*(10) Vehicles in excess of 11,000 pounds gross weight, for which a Permit has been issued, shall not be loaded, or off-loaded for purposes of storing or transferring materials at the residence to which the Permit is issued.*

The attached Resolution includes the draft changes described above, highlighted, and in context of each existing Code Section respectively.

Attached: Resolution 2013-06

## **RESOLUTION 2013-06**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CODE AMENDMENT 2013-01 AMENDING CHAPTER 18.32 "GENERAL PROVISIONS: HOME OCCUPATIONS" AND CODE AMENDMENT 2013-01 "COMMERCIAL VEHICLES/TRUCKS" REGARDING THE USE AND PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL ZONES. ZONE CODE AMENDMENT 2013-01 (CODE AMENDMENT 2013-01).**

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2013-01 and Code Amendment 2013-01, an amendment to Norco Municipal Code Title 18 (Zoning Code) and Title 10 (Commercial Vehicles/Trucks) , to amend and update regulations as they pertain to the use and parking of commercial vehicles in residential zones; and

WHEREAS, the Zone Code Amendment (Code 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 Zone Code Amendment (Code Amendment) was scheduled for public hearing on February 27, 2013 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 Zone Code Amendment (Code Amendment); 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 as a Ministerial Project.

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

I. FINDINGS:

- A. The proposed Zone Code Amendment (Code Amendment) will not be inconsistent with, or contrary to, the General Plan or the Zoning Code since the project clarifies and updates existing regulations regarding the use and parking of commercial vehicles in residential zones..
- B. The project (proposed amendment) has been determined to be exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines as a Ministerial Project.

- II. DETERMINATION: NOW THEREFORE, the Planning Commission for the City of Norco assembled February 27, 2013 does hereby recommend to the City Council of the City of Norco that Zone Code Amendment 2013-01 and Code Amendment 2013-01 be adopted, thereby amending the Norco Municipal Code as follows:

*Chapter 18.32*  
**HOME OCCUPATIONS**

**Section 18.32.06 Conditions:**

*No person shall conduct a home occupation use, in any zone where such use is permitted, unless said home occupation use is conducted in conformity with all of the following criteria:*

*(7) No motor vehicles in excess of 11,000 pounds gross weight shall be used in the conduct of a home occupation. For residences where a Residence Exemption Permit has been issued, said vehicle shall not be used in the conduct of a home occupation. Said vehicle shall also not be loaded, or off-loaded for purposes of storing or transferring materials at the residence for which the Permit was issued.*

*Chapter 10.16*  
**COMMERCIAL VEHICLES/TRUCKS**

**10.16.050 Resident exemption permit.**

*In addition to the vehicles excepted in Section 10.16.040 , the city code enforcement officer may issue a maximum of 90 exemption permits per year, on a first-serve basis, to commercial vehicle owner/operators residing within the city for the purpose of traveling on restricted streets to and from their residence, if the following conditions are met:*

*(9) A permit fee as established by City Council resolution is paid. The renewal of an exemption permit required by the provisions of this chapter shall occur on a year-to-year basis, due on the first day of July each year.*

*(10) Vehicles in excess of 11,000 pounds gross weight, for which a Permit has been issued, shall not be loaded, or off-loaded for purposes of storing or transferring materials at the residence to which the Permit is issued.*

February 27, 2013

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held February 27, 2013.

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Robert Wright, Chairman  
Planning Commission  
City of Norco, California

ATTEST:

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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 February 27, 2013 by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Steve King, Secretary  
Planning Commission

## **CITY OF NORCO STAFF REPORT**

**TO:** Honorable Chairman and Members of the Planning Commission

**FROM:** Alma Robles, Senior Planner

**DATE:** February 27, 2013

**SUBJECT:** Zone Code Amendment 2013-02; Specific Plan 85-1, Amendment 8; Specific Plan 90-01, Amendment 12; and, Specific Plan 91-02, Amendment 6: regarding the allowance of massage businesses as ancillary uses in commercial zones.

**RECOMMENDATION:** Adopt Resolution 2013-10 recommending that the City Council approves Zone Code Amendment 2013-02; Specific Plan 85-1, Amendment 8; Specific Plan 90-01, Amendment 12; and, Specific Plan 91-02, Amendment 6.

**SUMMARY:** This item is a City-initiated proposal to allow massage businesses as ancillary use in the C-G (Commercial General) Zone, in the Norco Auto Mall Specific Plan, in the Commercial District of the Gateway Specific Plan (GWSP), and in the Commercial District of the Norco Hills Specific Plan (NHSP).

**BACKGROUND/ANALYSIS:** Currently, the only zone in the City that allows massage services is the C-G zone with the approval of a conditional use permit (CUP). Staff has received requests for massage services to operate within a beauty salon as opposed to a "stand alone operation". Beauty salons are permitted uses by right (a CUP is not required) in the C-G zone. It is not unusual for some beauty salons to offer massages as an ancillary service, but the cost of a CUP is prohibitive to that. Furthermore, massage services are not listed as permitted uses in the Norco Auto Mall, in the GWSP or in the NHSP; however, beauty salons are, which presents the same dilemma.

Before a City of Norco business license is issued to a massage technician, they have to be either State certified or they have to comply with the requirements of Chapter 5.48 "Massage Business" of the Norco Municipal Code (NMC), which requires a background check, finger printing, proof of schooling etc., as well as compliance of the location where the massage service will be provided. This will not change with the Zone Code Amendment so the requirement for a CUP for such a small portion of a business is overkill (ref. exhibit "A" – Chapter 5.48 "Massage Business" of the NMC).

It is being recommended therefore, that massage services be allowed, without a CUP, as an ancillary use to a hair/nail salon or a spa. In addition, it is recommended that a maximum floor area for massage services be limited to no more than 20% of the floor area of such beauty salon.

Chapter 18.29 – “C-G” (Commercial General), Section 18.29.20 – “Permitted Uses”, Table 1 – Permitted Uses, under the category entitled “**Personal Services**”, and the foot note section located at the bottom row of Table 1 of Section 18.29.20 is proposed to be amended as follows (proposed verbiage is indicated in bold and underlined, and verbiage proposed to be eliminated is struck through):

<b>Personal Services</b>	
Dry Cleaning, Tailoring, and Laundromats	p
Hair/Nail Salon <u>with ancillary massage services</u>	<del>p</del> <sup>Z</sup>
Spa/Massage <u>with ancillary massage services</u>	<del>e p</del> <sup>Z</sup>
<u>Massage</u>	<del>c</del>

1. To encourage more convenient access and visibility for entertainment, retail, and service commercial uses, noted uses are not encouraged on urban arterial street frontages unless located on the second floor of a mixed use retail/commercial development.
2. Conditionally permitted as an ancillary use only.
3. Plant Nursery's shall be permitted to have Outdoor Displays and Sales as an ancillary use.
4. Cannot be located on urban arterial street frontages unless the use is ancillary to a restaurant.
5. 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.
6. Required to be within a viable business such as a jewelry store or other related retail business operation and must not exceed 20% of the floor area of such viable business. In addition, required to comply with all the legal requirements of gold buyers of the California Business and Professional Code and must submit periodic financial reports to the City Finance Department. All existing and new cash for gold businesses shall require approval of a conditional use permit, and can only be approved as an ancillary use subject to compliance with all the requirements of this item 6, upon the effective date of Ordinance 958.
- 7. Massage services shall not exceed 20% of the floor area of such business.**

As noted above, it is recommended that the “Spa/Massage” use which is conditionally permitted, be amended to read “Spa” with ancillary massage services” and that this use be permitted without a CUP. It is staff’s understanding that this use was conditionally permitted because the massage provision could actually occupy an entire facility, but this would no longer be allowed with the proposed amendment.

Zone Code Amendment 2013-02; Specific Plan 85-1, Amendment 8; Specific Plan 90-01, Amendment 12; and, Specific Plan 91-02, Amendment 6:  
Page 3  
February 20, 2013

The permitted uses in the Norco Auto Mall, the Commercial District of the Gateway Specific Plan and the Neighborhood Commercial District of the Norco Hills Specific Plan are also proposed to be amended to reflect the same provision for massage as an ancillary service as in the C-G zone as indicated above. The attached draft resolution reflects the verbiage proposed to be added to each commercial zone/district, to basically allow massage services as an ancillary use to a type of beauty salon, without the need for a conditional use permit. A massage business would continue to be allowed a primary use upon approval of CUP, but only in the C-G Zone.

**CONCLUSION:** Based on the existing regulations in Chapter 5.48 of the NMC and the proposed provision to allow massage services only as ancillary use, staff believes massage services can be operated in a matter that is compatible with existing business in the subject commercial zones.

/adr

Attachments:           Resolution 2013-10  
                              Exhibit "A" - Chapter 5.48 "Massage Business" of the NMC

## **RESOLUTION NO. 2013-10**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO RECOMMENDING TO THE CITY COUNCIL THAT ZONE CODE AMENDMENT 2013-02; SPECIFIC PLAN 85-1, AMENDMENT 8; SPECIFIC PLAN 90-01, AMENDMENT 12; AND SPECIFIC PLAN 91-02, AMENDMENT 6 BE APPROVED TO ALLOW MASSAGE SERVICES AS A PERMITTED ANCILLARY USE IN THE C-G (COMMERCIAL GENERAL) ZONE, THE NORCO AUTO MALL, THE GATWAY SPECIFIC PLAN AND THE NORCO HILLS SPECIFIC PLAN. ZONE CODE AMENDMENT 2013-02; SPECIFIC PLAN 85-1, AMENDMENT 8; SPECIFIC PLAN 90-01, AMENDMENT 12; AND SPECIFIC PLAN 91-02, AMENDMENT 6.**

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2013-02 (C-G Zone); Specific Plan 85-1 (Norco Auto Mall Specific Plan), Amendment 8; Specific Plan 90-01 (Gateway Specific Plan), Amendment 12; and Specific Plan 91-02 (Norco Hills Specific Plan), Amendment 6, a proposed amendment to the corresponding commercial zones/districts to allow massage services as a permitted ancillary use; and

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

WHEREAS, said amendments were scheduled for public hearing on February 27, 2013 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 said amendments; and

WHEREAS, the City of Norco, acting as the Lead Agency has determined that said amendments are exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines per Class 5.

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

I. FINDINGS:

- A. The proposed amendments are necessary to allow massage services as a permitted ancillary use in the City.

- B. The proposed amendments will clarify/establish regulation on the location of massage services, and will define its ancillary use, being 20% of a type of beauty salon.
- C. The proposed Zone Code Amendment does not hinder the General Plan goals and policies of preserving the City's small plot agricultural/animal-keeping/equestrian lifestyle.
- D. The proposed Zone Code Amendment is categorically exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines pursuant to Class 5 (Minor Alterations in Land Use Limitations).

II. DETERMINATION: NOW THEREFORE, the Planning Commission for the City of Norco assembled February 27, 2013 does hereby recommend to the City Council of the City of Norco that said amendments be adopted as follows (proposed verbiage is indicated in bold and underlined, and verbiage proposed to be eliminated is struck through):

Zone Code Amendment 2013-02: Chapter 18.29 – "C-G" (Commercial General), Section 18.29.20 – "Permitted Uses", Table 1 – Permitted Uses, under the Category entitled "Personal Services", and the foot note section located at the bottom row of Table 1 of Section 18.29.20 is hereby amended to read as follows:

<b>Personal Services</b>	
Dry Cleaning, Tailoring, and Laundromats	p
Hair/Nail Salon <b><u>with ancillary massage services</u></b>	<del>p</del> <sup>7</sup>
Spa/Massage <b><u>with ancillary massage services</u></b>	<del>e p</del> <sup>7</sup>
<b><u>Massage</u></b>	<del>c</del>

1. To encourage more convenient access and visibility for entertainment, retail, and service commercial uses, noted uses are not encouraged on urban arterial street frontages unless located on the second floor of a mixed use retail/commercial development.
2. Conditionally permitted as an ancillary use only.
3. Plant Nursery's shall be permitted to have Outdoor Displays and Sales as an ancillary use.
4. Cannot be located on urban arterial street frontages unless the use is ancillary to a restaurant.
5. 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.
6. Required to be within a viable business such as a jewelry store or other related retail business operation and must not exceed 20% of the floor area of such viable business. In addition, required to comply with all the legal requirements of gold buyers of the California Business and Professional Code and must submit periodic financial reports to the City Finance Department. All existing and new cash for gold businesses shall require approval of a conditional use permit, and can only be approved as an ancillary use subject to compliance with all the requirements of this item 6, upon the effective date of Ordinance 958.
- 7. Massage services shall not exceed 20% of the floor area of such business.**

Specific Plan 85-1 (Norco Auto Mall Specific Plan), Amendment 8: Section 70- "Permitted Uses", Subsection (3) – Area "C", item (b) , and Subsection (4) – Area "D" under the category entitled "Personal Services", and the foot note section located at the bottom row of the table are hereby amended to read as follows:

Section 70 - "Permitted Uses"

(3) Area C

(b) Service Related: financial institutions. Barbershops and beauty shops (to include massage services as an ancillary use not to exceed 20% of the Barber or Beauty Shop business), clothes cleaners and other services related to employee or customers within the auto mall.

(4) Area D

<b>Personal Services</b>	
Dry Cleaning, Tailoring, and Laundromats	p

Hair/Nail Salon <u>with ancillary massage services</u>	p <sup>6</sup>
Spa/Massage <u>with ancillary massage services</u>	e p <sup>6</sup>

"p"	<i>Permitted Use</i>
"c"	<i>Requires Approval of a Conditional Use Permit</i>
"a"	<i>Permitted as an Accessory Use</i>
-- <sup>1</sup>	<i>To encourage more convenient access and visibility for entertainment, retail, restaurant, and service commercial uses, noted uses are not encouraged on urban arterial street frontages unless located on the second floor of mixed-use retail/commercial development.</i>
-- <sup>2</sup>	<i>Conditionally permitted as an ancillary use only.</i>
-- <sup>3</sup>	<i>Plant nurseries shall be permitted to have outdoor displays and sales as ancillary uses.</i>
-- <sup>4</sup>	<i>Cannot be located on urban arterial street frontages unless the use is ancillary to a restaurant.</i>
-- <sup>5</sup>	<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>
-- <sup>6</sup>	<b><u>Massage services shall not exceed 20% of the floor area of such business.</u></b>

Specific Plan 90-01 (Gateway Specific Plan), Amendment 12: Appendix "C" of the Gateway Specific Plan, under the Category entitled "Barber and Beauty Shops" is hereby amended as follows:

**APPENDIX C**

**SUMMARY OF PERMITTED (X) AND CONDITIONALLY PERMITTED (O) USES**

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	COMMERCIAL	OFFICE	INDUSTRIAL
<hr/>			
<b>Barber and Beauty Shops</b>			
a) <u>Massage Services (as an ancillary use being no more than 20% of a barber or beauty shop)</u>			X

Specific Plan 91-02 (Norco Hills Specific Plan), Amendment 6: Chapter III – “Development Regulations”, Section C – “Regulations”, Subsection 2 – “Neighborhood Commercial District”, Item b. (Permitted Uses) 2. (Service Businesses) (b), is hereby amended as follows:

2) Service Business

- (b) Barber or Beauty shop (to include massage services as an ancillary use not to exceed 20% of the Barber or Beauty shop business).

Resolution 2012-13  
Page 6  
February 27, 2013

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held February 27, 2013.

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

ATTEST:

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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 February 27, 2013 by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Steve King, Secretary  
Planning Commission

/adr

**Chapter 5.48  
MESSAGE BUSINESSES**

Sections:

5.48.100 Definitions.

**5.48.200 MESSAGE BUSINESS**

- 5.48.210 Massage Business--Permit Required.
- 5.48.215 Massage Business Exemptions.
- 5.48.220 Massage Business Application.
- 5.48.225 Massage Business--Operating Requirements.
- 5.48.230 Massage Business--Facilities.
- 5.48.235 Massage Business Inspection.
- 5.48.240 Massage Business--Licenses Not Transferable.
- 5.48.245 Massage Business--Change of Location or Name.
- 5.48.250 Massage Business--Notification of Change.
- 5.48.255 Massage Business--Renewal of Permit.
- 5.48.260 Massage Business--Applicability of Regulations to Existing Businesses.

**5.48.300 MESSAGE TECHNICIANS**

- 5.48.310 Massage Technicians--Permit Required.
- 5.48.320 Massage Technician--Application.
- 5.48.330 Massage Technician Examining Panel.
- 5.48.340 Massage Technicians--Renewal.
- 5.48.350 Massage Technicians Permit--Posting.
- 5.48.360 Massage Technicians--Apparel Requirements.

**5.48.400 OUT CALL MESSAGE SERVICE**

- 5.48.410 Out Call Massage Services--Special Endorsement Required.
- 5.48.420 Out Call Massage Services Application.
- 5.48.430 Business Out Call Massage Services--Records.

**5.48.500 PROHIBITED CONDUCT, PROCEDURES, AND PENALTIES**

- 5.48.510 Prohibited Conduct.
- 5.48.520 Suspension Pending Revocation.
- 5.48.530 Revocation--Massage Business Permit.
- 5.48.540 Revocation--Massage Technician Permit.
- 5.48.550 Permit Denial/Revocation Appeal Procedure.
- 5.48.560 Burden of Proof at Hearing.

**5.48.100 Definitions.**

Whenever, in this Ordinance, the following terms are used, they shall have the meaning ascribed to them in this Section unless it is apparent from the context thereof that some other meaning is intended.

(1) "Applicant(s)" shall mean the individual applicant and/or the designated officer or managing partner acting on behalf of a corporation or partnership.

EXHIBIT "A"

- (2) "Code Enforcement Officer" means the Code Enforcement Officer of the City of Norco or his or her designated representative.
- (3) "Massage" means any method of treating the external parts of the human body for remedial, health, or hygienic purposes by means of pressure on or friction against; or stroking, kneading, rubbing, tapping, pounding; or stimulating the external parts of the human body with the hands or other parts of the human body, with or without the aid of any mechanical or electrical apparatus or appliances; or with or without supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations.
- (4) "Massage business" means any establishment having a fixed place of business where any person, firm, association, partnership, corporation engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any business of giving massages, baths, administration of fomentation, electric or magnetic treatments, alcohol rubs, or any other type of system for treatment or manipulation of the human body with or without any character of bath, such as Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, fomentation, or any other type of bath.
- (5) "Massage technician" shall include a "Massage Technician", "Massage Trainee", "Masseur", "Masseuse" and means any person who administers to another persons, for any form of consideration, "massage" as defined, or bathes, manipulates the body, or uses electric massage procedures, or similar procedures.
- (6) "Out Call Massage Service" means any business where the primary function of such business is to engage in or carry on massage, not always at a fixed location, but also at locations designated by the customers or clients.
- (7) "Panel" means the massage examining panel of the city.
- (8) "Person" means any individual, firm, partnership, joint venture, corporation, association, club or organization.
- (9) "Practice of massage" means the performance of massage for compensation, either as the owner of or as an employee of a massage business, either at or away from the place of business.
- (10) "Recognized School of Massage" means any school or institution of learning which teaches the theory, ethics, practice, profession, or work of massage. (Ord. 783, 2001; Ord. 723, 1997)

#### **5.48.200 MASSAGE BUSINESS**

##### **5.48.210 Massage Business--Permit Required.**

- (1) It shall be unlawful for any person, firm, partnership or cooperation to engage in, conduct or carry on, or to permit to be engaged in, conducted or carried on, in or upon any premises within the City of Norco, the operation of a massage business as herein described, without first having obtained a permit issued by the City of Norco pursuant to the provisions herein set forth. Said permit shall immediately be surrendered to the City upon suspension, revocation, or expiration of said permit;
- (2) No person shall engage in or hold himself or herself out as engaged in the practice of massage in the city without a valid massage technician license. The possession of a valid

massage business license does not allow the holder thereof to engage in the practice of massage;

(3) No person who is the owner, operator, responsible managing employee or manager of a massage business, shall employ or permit any individual to engage in the practice of massage unless such individual possesses a valid technician license.

(4) A permit under this Chapter shall be valid for twelve (12) months from the date of issuance unless revoked or suspended. The permit required shall be in addition to any business license required by City ordinance or any other permit required for such use including, but not limited to, any conditional use permit or other similar entitlement for use.

#### **5.48.215 Massage Business Exemptions.**

The provisions of this Chapter shall not apply to:

- (1) Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in the State of California;
- (2) Nurses registered under the laws of the State of California;
- (3) Barbers and beauticians who are duly licensed under the laws of the State of California while engaging in practice within the scope of their licenses, except that this provision shall apply solely to the massaging of the neck, face, and/or scalp of the customer or client;
- (4) Hospitals, nursing homes, sanitariums, or other health care facilities duly licensed by the State of California;
- (5) Accredited high schools, junior colleges, and colleges or universities whose coaches and trainers are acting within the scope of their employment;
- (6) Trainers of amateur, semiprofessional or professional athletes or athletic teams.
- (7) Acupuncture and the practice of puncturing the body (as with needles) of specific points to relieve pain or cure disease as regulated in Chapter 12 of the Business and Professions Code. (Ord. 723, 1997)

#### **5.48.220 Massage Business Application.**

- (1) Any person, firm, corporation, or partnership desiring to obtain a permit to operate a massage business shall make application to the Business License Department under penalty of perjury of the laws of the State of California, to the City. Prior to submitting such application, a non-refundable fee in an amount established by the City Council shall be paid to the City to defray, in part, the cost of the investigation and reports required by this Chapter. A copy of the receipt showing payment of the required fee shall accompany the application. These fees are non-refundable and shall defray the cost of processing each application.
- (2) The applicant, if a corporation or partnership, shall designate one of its officers or general partners to act as its responsible managing employee. Such person shall complete and sign all application forms required of an individual applicant under this Chapter.
- (3) The application and fee required under this Section shall be established by Resolution and presented together with an application, signed and dated by the applicant, under penalty of perjury, stating that all information contained in the application is true and correct. (Ord. 808, 2003)

- (4) The application for permit does not authorize conducting a massage business. No business shall be conducted until such permit has been granted. (Ord. 887, Sec. 2, 2008)
- (5) Each applicant for a massage business permit shall submit the following information:
- (A) The full true name under which the business will be conducted. If the name is a fictitious name, all individual owners, stockholders, partners, etc. shall be identified;
  - (B) The present or proposed address where the business is to be conducted;
  - (C) The applicant's full, true name, any other names used, date of birth, California Driver's License number or California identification number, Social Security number, present residence address and telephone number, the sex, height, weight, color of hair, and color of **eyes**.
  - (D) Previous two (2) residences of the applicant and the inclusive dates at each address;
  - (E) The applicant's business, occupation, and employment history for five (5) years preceding the date of application, and the inclusive dates of same;
  - (F) The permit history of the applicant, including whether such person has ever had any permit or license issued by any agency, board, city, county, parish, territory, or state, the date of issuance of such a permit or license, whether the permit or license was revoked or suspended, or if a vocational or professional license or permit was issued, revoked, or suspended, and the reason(s) therefore;
  - (G) All convictions for any crime involving conduct which requires registration under any state, federal or territorial law similar to and including California Penal Code § 290, or of conduct which is a violation of the provisions of any state, federal or territorial law similar to and including California Penal Code § 266h, 266I, 314, 315, 316, 318, 647, any other crime involving the elements of the foregoing code Chapters, by way of plea bargain, or any crime involving dishonesty, fraud, deceit, or moral turpitude. For the purposes of this Chapter, "conviction" shall include a conviction pursuant to a plea of guilty or nolo contendere;
  - (H) A complete explanation of all services to be provided;
  - (I) The name, address, and date of birth of each massage technician, trainee, or employee who is or will be employed in said business;
  - (J) The name and address of any massage business or other like business owned or operated by any person whose name is required to be given pursuant to this Section wherein the business or profession of massage is carried on;
  - (K) Acceptable written proof that the applicant is at least eighteen (18) years of age;
  - (L) If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its Articles of Incorporation or Charter together with the State and date of incorporation or Charter together with the State and date of incorporation and the names and residence addresses of each of its current officers and directors, and of each stockholder holding five percent (5%) or more of the stock of that corporation;

(M) If the applicant is a partnership, the application shall set forth the name and residence addresses of each of the partners, including limited partners. If the applicant is a limited partnership, it shall furnish a copy of its certificate of limited partnership as filed with the County Clerk;

(N) The City may require the applicant to furnish fingerprints when needed for the purpose of establishing identification. Any required fingerprinting fee will be the responsibility of the applicant;

(O) Two (2) current, full-face portrait photographs of the applicant, two (2) inches by two (2) inches in size shall be provided by the applicant;

(P) A description of any other business to be operated on the same premises, or on adjoining premises, owned or controlled by the applicant shall be set forth;

(Q) The name and address of the owner and lessor of the real property upon or in which the business is to be conducted shall be identified. In the event the applicant is not the legal owner of the property, the application must be accompanied by a copy of the lease and a notarized acknowledgment from the owner of the property that a massage business will be located on his/her property; and

(R) Authorization for the City of Norco, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application shall be required. (Ord. 723, 1997)

#### **5.48.225 Massage Business--Operating Requirements.**

A massage business shall meet the following minimum requirements:

(1) Each person employed or acting as a massage technician shall have a valid permit issued by the City, which permit shall be displayed in a conspicuous area open to the public at all times. It shall be unlawful for any owner, manager, operator, responsible managing employee, or permittee in charge of or in control of a massage business to employ or permit a person to act as a massage technician who is not in possession of a valid, unrevoked massage technician permit issued pursuant to this Chapter and which is worn clearly visible during working hours.

(2) The possession of a valid Massage Business Permit does not authorize the possessor to perform work for which a Massage Technician Permit is required.

(3) Massage operations shall be carried on or conducted, and the premises shall be open, only between the hours of 7:00 a.m. and 10:00 p.m.

(4) A list of services available as approved pursuant to the application and the cost of such services shall be posted in an open public place within the premises, and shall be described in readily understandable language. No owner, manager, operator, responsible managing employee, or permittee shall permit, and no massage technician shall offer or perform, any service other than those posted.

(5) The Massage Business Permit and a copy of the permit of each and every massage technician employed in the business shall be displayed in an open and conspicuous place on the premises.

(6) Every massage business shall keep a written record of the date and hour of each treatment, the name and address of each patron, the name of the massage technician

administering the treatment, and the type of treatment administered. Such records shall be open to inspection only by officials charged with enforcement of this Chapter, shall be available during all business hours, and shall be used for no other purpose. Any unauthorized disclosure or use of such information by any officer or employee of the City or the owner or employee of the massage business, shall constitute a misdemeanor and such persons shall be subject to the penalty of the provisions of this Chapter in addition to any other penalties provided by law. Such records shall be maintained on the premises of the massage business for a period of two (2) years.

(7) Massage businesses shall at all times be equipped with an adequate supply of clean, sanitary towels, coverings, and linens. Clean towels, coverings and linens shall be stored in enclosed cabinets. Towels and linens shall not be used on more than one (1) patron, unless such towel or linen has first been laundered and disinfected. Disposable towels and coverings shall not be used on more than one (1) patron. Soiled linens and towels shall be deposited in separate, Health Department approved receptacles.

(8) If male and female patrons are to be treated simultaneously at the same massage business, separate massage rooms, separate dressing facilities and separate toilet facilities shall be provided for male and female patrons.

(9) Wet and dry heat rooms, steam or vapor rooms or cabinets, toilet rooms, shower and bath rooms, tanning booths, whirlpool baths and pools shall be thoroughly cleaned and disinfected as needed, and at least once each day the premises are open, with a disinfectant approved by the County Health Department. Bathtubs shall be thoroughly cleaned with a disinfectant, approved by the Health Department, after each use. All walls, ceilings, floors, and other physical facilities of the business must be in good repair and maintained in a clean and sanitary condition.

(10) Instruments utilized in performing massage shall not be used on more than one (1) patron unless such instruments have been sterilized, using approved sterilizing methods.

(11) All employees, including massage technicians, shall be clean, and wear clean, nontransparent outer garments. Said garments shall not expose their genitals, pubic area, buttocks, or chest. Massage technicians shall maintain the massage technician permit visibly on their person during business hours.

(12) No person shall enter, be or remain in any part of a massage business while in the possession of, consuming, under the influence of or using any alcoholic beverages or drugs except pursuant to a prescription for such drugs. The owner, operator, responsible managing employee, manager, or permittee shall not permit any such person to enter or remain upon such premises.

(13) No massage business shall operate as a school of massage, or use the same facilities as that of a school of massage.

(14) No service may be carried on within any cubicle, room, booth, or any area within a massage business which is fitted with a door capable of being locked. All exterior doors shall remain unlocked from the interior side during business hours.

(15) A massage shall not be given and no patron shall be in the presence of a massage technician or other employee unless the patron's genitals are fully covered by a non-transparent covering. In addition, a female patron's breasts shall be fully covered by a non-transparent covering.

(16) No massage business shall be open for business without at least one massage technician on the premises at all times who is in possession of a current, valid permit.

(17) Each massage business granted a permit under this Chapter shall have a manager on the premises at all times the massage business is open. The operator of each massage business shall file a statement with the City designating the person or persons who shall act as manager. The operator, or manager in the operator's absence, shall be responsible for ensuring compliance with this Chapter. (Ord. 723, 1997)

**5.48.230 Massage Business--Facilities.**

Every massage business shall maintain facilities meeting all of the following requirements:

- (1) Signs shall be in conformance with the current ordinances of the City of Norco;
- (2) Minimum lighting shall be provided in accordance with § 1201 of the Uniform Building Code or successor provision or provisions. In addition, at least one artificial light of not less than sixty (60) watts shall be provided in each room or enclosure where massage services are performed on patrons;
- (3) Minimum ventilation shall be provided in accordance with § 1201 of the Uniform Building Code or successor provision or provisions.
- (4) Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided at all times;
- (5) Hot and cold running water shall be provided at all times;
- (6) Closed cabinets shall be provided for storage of clean linens;
- (7) A minimum of one (1) separate wash basin for employees shall be provided at all times. The basin shall be located within or as close as practicable to the area devoted to performing of massage services. Sanitary towels shall also be provided at each basin;
- (8) Pads used on massage tables shall be covered with a durable, washable plastic or other waterproof material acceptable to the Riverside County Health Department. (Ord. 723, 1997)

**5.48.235 Massage Business Inspection.**

All applicants for a license shall be subject to a waiting period not to exceed one hundred-twenty (120) days commencing from the date the application is received. During such time, as a condition precedent to such applicant's right to receive a business license, an inspection shall be conducted to support or reject the permit to carry on the business.

All information contained in the application shall be reviewed, and inspection shall be made of the premises within which the business is to be conducted. If all evidence is satisfactory and all criteria is met, a business license shall be issued.

The Code Enforcement Officer shall, from time to time, and at least once a year, cause an inspection to be made of the premises and facilities of each massage business located within the city. (Ord. 723, 1997)

**5.48.240 Massage Business--Licenses Not Transferable.**

No license issued hereunder shall be transferable from one person to another. A massage business license shall be issued for a specific location, and shall in no event be transferable from location to another. (Ord. 723, 1997)

**5.48.245 Massage Business--Change of Location or Name.**

- (1) A change of location may be approved by the City provided the massage business complies with all ordinances and regulations of the City of Norco.
- (2) No permittee shall operate under any name or conduct any business under any designation not specified in the permit.
- (3) Any application for an expansion of a building or other place of business shall require compliance with this Chapter. (Ord. 723, 1997)

**5.48.250 Massage Business--Notification of Change.**

The holder of the permit to operate or conduct a massage business shall notify the City, in writing, of the name and address of each person employed, including massage technicians, at such business within five (5) days of said person being employed.

If, during the term of a permit, the applicant has any change in information provided on or concerning the original application or permit renewal application, notification shall be made to the City in writing, within ten (10) business days of the change. (Ord. 723, 1997)

**5.48.255 Massage Business--Renewal of Permit.**

A massage business licensed under this Chapter shall submit an application for renewal thirty (30) days prior to the expiration thereof. The renewal application shall be submitted together with the requisite fee of one one hundred dollars (\$100.00) as established by the City Council. Approval of the renewal application shall be contingent upon satisfactory compliance with all pertinent provisions of this Chapter. (Ord. 723, 1997)

**5.48.260 Massage Business--Applicability of Regulations to Existing Businesses.**

The provisions of this Chapter shall be applicable to all persons and businesses described herein whether the described activities were established before or after the effective date of the Chapter, except that massage businesses legally in business prior to the effective date hereof shall have six (6) months or until the expiration of their current business license, whichever is greater, to comply with the terms hereof. (Ord. 723, 1997)

**5.48.300 MESSAGE TECHNICIANS****5.48.310 Massage Technicians--Permit Required.**

- (1) It shall be unlawful for any person to engage in the business of acting or to act as a massage technician unless such person holds a valid massage technician permit issued by the City. Each massage technician permit holder shall be issued a photo identification badge which will also serve as a massage technician permit. The permit holder shall maintain the massage technician permit visibly on his or her person during business hours.
- (2) Each permit holder shall immediately surrender to the City any massage technician permit issued by the City upon the suspension, revocation, or expiration of such permit.
- (3) A permit under this Chapter shall be valid for twelve (12) months from the date of issuance unless revoked or suspended. (Ord. 723, 1997)

**5.48.320 Massage Technician--Application.**

- (1) Each applicant for a massage technician permit shall make application under penalty of perjury of the laws of the State of California to the Director. Prior to submitting an application, a non-refundable fee of \$125 as established by the City Council shall be paid to defray, in part, the costs of investigation and report required by this Chapter. A copy of the receipt shall accompany the application.

- (2) Permit fees required under this Chapter shall be in addition to any license, permit or fee required under any other provision of this Code.
- (3) The application for permit does not authorize the applicant to practice massage. No work is authorized until such permit has been granted.
- (4) Each applicant for a massage technician permit shall submit the following information:
  - (a) Truthful and honest answers to each and every inquiry, of Section 5.48.220(5) hereof;
  - (b) Acceptable written proof that the applicant is at least eighteen (18) years of age.
- (5) The applicant must furnish proof of passage of the independently prepared and administered national examination through the National Certification Board for Therapeutic Massage and Bodywork (NCTMB), together with current recertifications in accordance with NCTMB requirements, a diploma or certificate of graduation from either a 300-hour resident course of instruction or 300 hours of cumulative education consisting of no less than 200-hour resident course, and 100 additional hours of resident instruction from a recognized school of massage as defined in Section 5.48.100(10) hereof, or from an existing school or institution of learning outside the State of California, together with a certified transcript of the applicant's school records showing date of enrollment, hours of instruction and graduation from a course having at least the minimum requirements prescribed by Article 3 of SubChapter 3 of Chapter 212 of 1 of Title 5 of the California Code of Regulations, wherein the theory, method, profession and work of massage is taught, and a copy of the school's approval by the State Board of Education.

Alternatively, three provisions of this Subchapter may be satisfied by the applicant receiving 200 hours of resident instruction and having membership, or the ability to obtain membership, in a qualified massage association,
- (6) The massage business's full name, address and telephone number where the massage technician will be employed at a fixed place of business. In the event the applicant seeks to conduct out call massage services not listed in the original application, an additional application and fee must be submitted.
- (7) Such other identification and relevant information as the City may require in order to discover the truth of the matters herein specified as required to be set forth in the application.
- (8) Two (2) current full face, portrait photographs of the applicant, two (2) inches by two (2) inches in size.
- (9) The City may require the applicant to furnish fingerprints when needed for the purpose of establishing identification. Any required fingerprinting fees will be the responsibility of the applicant.
- (10) A certificate from a medical doctor licensed to practice in the State of California stating that the applicant has, within thirty (30) days immediately preceding the date of application, been examined and found to be free of any contagious or communicable disease.
- (11) Authorization for the City of Norco, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application shall be required.

(12) Authorization to the City for 120 days in which to investigate the application and background of the applicant. Upon termination of the investigation, the City shall approve or deny said application in writing.

(13) The City, upon completion of the investigation, shall grant the permit if it is found in accordance with all established criteria and requirements. A card will be issued by the Riverside County Sheriff's Department indicating approval, and

(a) The applicant has furnished an acceptable diploma or certificate of graduation from a recognized school, or

(b) The applicant has furnished written proof from a recognized school that the minimum number of hours of instruction have been completed.

(14) If the City, following investigation of the application, determines that the applicant does not fulfill the requirements as set forth in this Chapter, the City shall deny said application by dated, written notice forwarded to the applicant's address set forth in the application by U.S. mail, with a proof of service attached. A new application may not be filed for at least 60 days after such denial. Any applicant for a permit who is refused a permit by the City may appeal the denial. (Ord. 723, 1997)

#### **5.48.330 Massage Technician Examining Panel.**

The Massage Examining Panel is established and shall consist of three (3) members, appointed by the City Manager or designee, who are qualified by reason of education and experience concerning the methods and procedure used in the practices of massage. The City Manager in consultation with the Panel members shall develop and establish standards and procedures for the Panel governing the administration or examination for applicants for a massage technician license in order to determine whether such applicants are competent to engage in the practice of massage, and the City Manager shall exercise such supervision as may be necessary to assure compliance therewith. (Ord. 723, 1997)

#### **5.48.340 Massage Technicians--Renewal.**

A massage technician licensed under this Chapter shall file an application to renew the permit thirty (30) days prior to the date of expiration thereof. Approval shall be contingent upon satisfactory compliance with all pertinent Chapters, including a current medical clearance. A renewal fee of \$50.00 as established by the City Council shall be charged to defray, in part, the cost of the renewal investigation. (Ord. 723, 1997)

#### **5.48.350 Massage Technicians Permit--Posting.**

Every person to whom or for which a permit has been granted under this Chapter shall display said permit in a conspicuous place in a massage parlor so that the same may be readily seen by persons entering the premises where the massage, bath or treatment is given. (Ord. 723, 1997)

#### **5.48.360 Massage Technicians--Apparel Requirements.**

Massage technicians shall be fully clothed in hygienically clean apparel while engaged in the practice of massage. As used herein, "fully clothed" shall mean the wearing of clothing which is comparable to the clothing commonly worn by nurses and physical therapists while performing their respective professional duties. (Ord. 723, 1997)

### **5.48.400 OUT CALL MESSAGE SERVICE**

**5.48.410 Out Call Massage Services--Special Endorsement Required.**

It shall be unlawful for any massage business or massage technician to provide, or to offer to provide, massage at any location except at the place of business approved for a massage business hereunder; provided, however, that a massage business or massage technician may obtain a special endorsement to the permit issued thereto specifically authorizing out call massage services.

**5.48.420 Out Call Massage Services Application.**

Any massage business or massage technician desiring to provide out call massage services shall submit to the City, together with the required non-refundable fee therefore as established by the City Council, an application to provide out call massage services within the City of Norco. In addition to the requirements set forth herein pertaining to massage business permit or massage technician permit application, as the case may be, the applicant shall submit detailed information setting forth the manner and means of transporting, to and from the premises where out call massage services are to be performed, the clean, sanitary towels, coverings, and linens, sterilized instruments to be utilized, as well as any supplementary aids, equipment or devices to be utilized and the method(s) of disposal thereof. (Ord. 723, 1997)

**5.48.430 Business Out Call Massage Services--Records.**

All massage technicians authorized to perform out call massage services hereunder shall keep a written record, at the massage technician's principal place of business, of out call massage services performed as required by Section 5.48.225(6) and shall include therein the location, by street address including suite or apartment number, where such services have been performed. (Ord. 723, 1997)

**5.48.500 PROHIBITED CONDUCT, PROCEDURES, AND PENALTIES****5.48.510 Prohibited Conduct.**

- (1) It shall be unlawful for any massage technician to touch or massage the genital area of any patron or the breasts of any female patron or for any massage business to allow or permit such massage.
- (2) It shall be unlawful for a massage technician to perform any massage services at any location other than that location specified on the massage technician permit or pursuant to a valid out call endorsement. (Ord. 723, 1997)

**5.48.520 Suspension Pending Revocation.**

When the grounds for revocation under this Chapter are that the permittee is suspected of immoral, improper, or otherwise objectionable conduct, the permit may be suspended until the revocation hearing procedure has been completed. (Ord. 723)

**5.48.530 Revocation--Massage Business Permit.**

The City may revoke the massage business permit of any person, firm, partnership or corporation holding the same upon receipt of satisfactory evidence that the permittee has made a material misrepresentation on the permit application, or if the permittee, or any managing responsible employee has been convicted of or entered a plea of guilty or nolo contendere to any charge of a violation of any of the provisions of this Chapter.

The City may revoke, after notice and hearing, a massage business permit if, on the basis of satisfactory evidence, it is shown the permittee, any managing responsible employee, representative, or agent of the permittee or any massage technician employed by the permittee, has engaged in conduct constituting a violation of this Chapter. The City shall provide the permittee with written notice of the revocation or proposed revocation by U.S. mail,

with a proof of service attached, addressed to the street address of the massage business as shown on the application. (Ord. 723, 1997)

**5.48.540 Revocation--Massage Technician Permit.**

The City may revoke the massage technician permit of any person holding the same upon receiving satisfactory evidence that the permittee has made a material misrepresentation on the permit application or if the permittee has been convicted of or entered a plea of guilty or nolo contendere to any charge of a violation of any of the provisions of this Chapter.

The City may, after notice and hearing, revoke the massage technician permit of any permittee if, on the basis of satisfactory evidence it shows that the permittee has engaged in conduct constituting a violation of this Chapter. The City shall provide the permittee with written notice of the revocation by map, with a proof of service attached, addressed to the permittee at the address of record shown on the massage technician permit application. (Ord. 723, 1997)

**5.48.550 Permit Denial/Revocation Appeal Procedure.**

(1) The applicant or permittee, as the case may be, within ten(10) business days after receipt of denial of an application for a permit, or notice or revocation, may file an appeal with the City Clerk to be taken to the City Council. In the event an appeal is filed within the ten (10) day time frame, a suspension of the permit shall be in effect until the final decision has been rendered by the City Council.

(2) If the applicant or permittee fails to file an appeal within the ten (10) day filing period provided herein, denial/revocation shall take effect immediately upon expiration of such filing period. No permit shall be revoked until after a hearing shall have been held before the City Council to determine good cause for such revocation, or the appeal filing period has lapsed. It is unlawful for any person to conduct a massage business or carry on the business of massage until the revoked permit has been reinstated by the City Council.

(3) Notice of such hearing shall be given in writing and mailed at least ten (10) days prior to the date of the hearing, by U.S. mail, with a proof of service attached, addressed to the address listed on the massage business application, or massage technician application, as the case may be. The notice shall state the grounds of the complaint and shall state the time and place where such hearing will be held.

(4) After said hearing, the City Council shall render a written decision within 10 business days from the date the matter is submitted for decision. The action of the City Council shall be final and conclusive. (Ord. 723, 1997)

**5.48.560 Burden of Proof at Hearing.**

Unless otherwise specifically provided by law, the burden is on the City in any hearing under this chapter to prove that the determination of the City which is being appealed is unreasonable, and not an abuse of discretion. (Ord. 723, 1997)

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**The Norco Municipal Code is current through Ordinance 955, passed January 16, 2013.**

Disclaimer: The City Clerk's Office has the official version of the Norco Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.norco.ca.us/>  
(<http://www.ci.norco.ca.us/>)

City Telephone: (951) 270-5620

Code Publishing Company

(<http://www.codepublishing.com/>)

eLibrary

(<http://www.codepublishing.com/elibrary.html>)

**CITY OF NORCO  
STAFF REPORT**

**TO:** Honorable Chair and Members of the Planning Commission

**FROM:** Alma Robles, Senior Planner

**DATE:** February 27, 2013

**SUBJECT:** Site Plan 2013-02 (Covarrubias) A request for approval to allow an accessory building consisting of a 780 square-foot horse stall structure at 3728 Sierra Avenue located within the A-1-20 (Agricultural Low-Density) zone.

**RECOMMENDATION:** Staff recommends that the Planning Commission adopt Resolution 2013-08 approving Site Plan 2013-02.

Site Plan 2013-02 is a request for approval to allow an accessory building consisting of a 780 square-foot horse stall structure at 3728 Sierra Avenue located within the A-1-20 (Agricultural Low-Density) zone (ref. Exhibit "A" – Location Map). The property consists of .54 acres/23,522 square feet (ref. Exhibit "B" – APN Map).

Accessory buildings 864 square-feet or less require site plan approval by the Planning Commission. The site plan and building elevation for the proposed horse stall structure are attached (ref. Exhibit "C" – Site Plan and Exhibit "D" – Building Elevation). The horse stall structure is wood framed and constructed out of wood and steel. The structure will be brown in color. The homeowner has had possession of this property for approximately eight months. It is her goal to improve the property by removing most of the shade structures that currently house the animals. Most of the shade structures will be replaced by the proposed horse stall structure (ref. Exhibit "E" – Aerial and Site Photos).

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 proposed structure will have a height of about 10 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 23,522 square feet and the entire property has an average grade of 4% or less. The lot/pad coverage for the property is about 19%, which takes into account the existing and proposed structures (not including structures to be removed).**
- 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 5 animal units would be allowed which would require**

Site Plan 2013-02 (Covarrubias)

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February 27, 2013

**an open area of at least 2,880 square feet. There is an open area on the property of over 2,880 square feet noted on the site plan to be behind the proposed structure.**

As proposed, the project meets the minimum requirements for an accessory building of 864 or less. Staff is recommending that the Commission adopt Resolution 2013-08, approving Site Plan 2013-02.

/cmm

Attachments:

Resolution 2013-08

Exhibit "A" – Location Map

Exhibit "B" – APN MAP

Exhibit "C" – Site Plan

Exhibit "D" – Building Elevations

Exhibit "E" – Aerial Photo and Site Photos

## **RESOLUTION 2013-08**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS, SITE PLAN APPROVAL TO ALLOW AN ACCESSORY BUILDING CONSISTING OF A 780 SQUARE-FOOT HORSE STALL STRUCTURE AT 3728 SIERRA AVENUE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW-DENSITY) ZONE. SITE PLAN 2013-02.**

WHEREAS, MARIA COVARRUBIAS 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 3728 Sierra Avenue (APN 131-230-004).

WHEREAS, at the time set; at 7 p.m. on February 27, 2013 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 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.

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 February 27, 2013 that the application for Site Plan 2013-02 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, and Exhibit "D" – Building Elevation dated February 19, 2013 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 for the subject building.
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 February 27, 2013.

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

ATTEST:

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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 February, 27, 2013 by the following roll call vote:

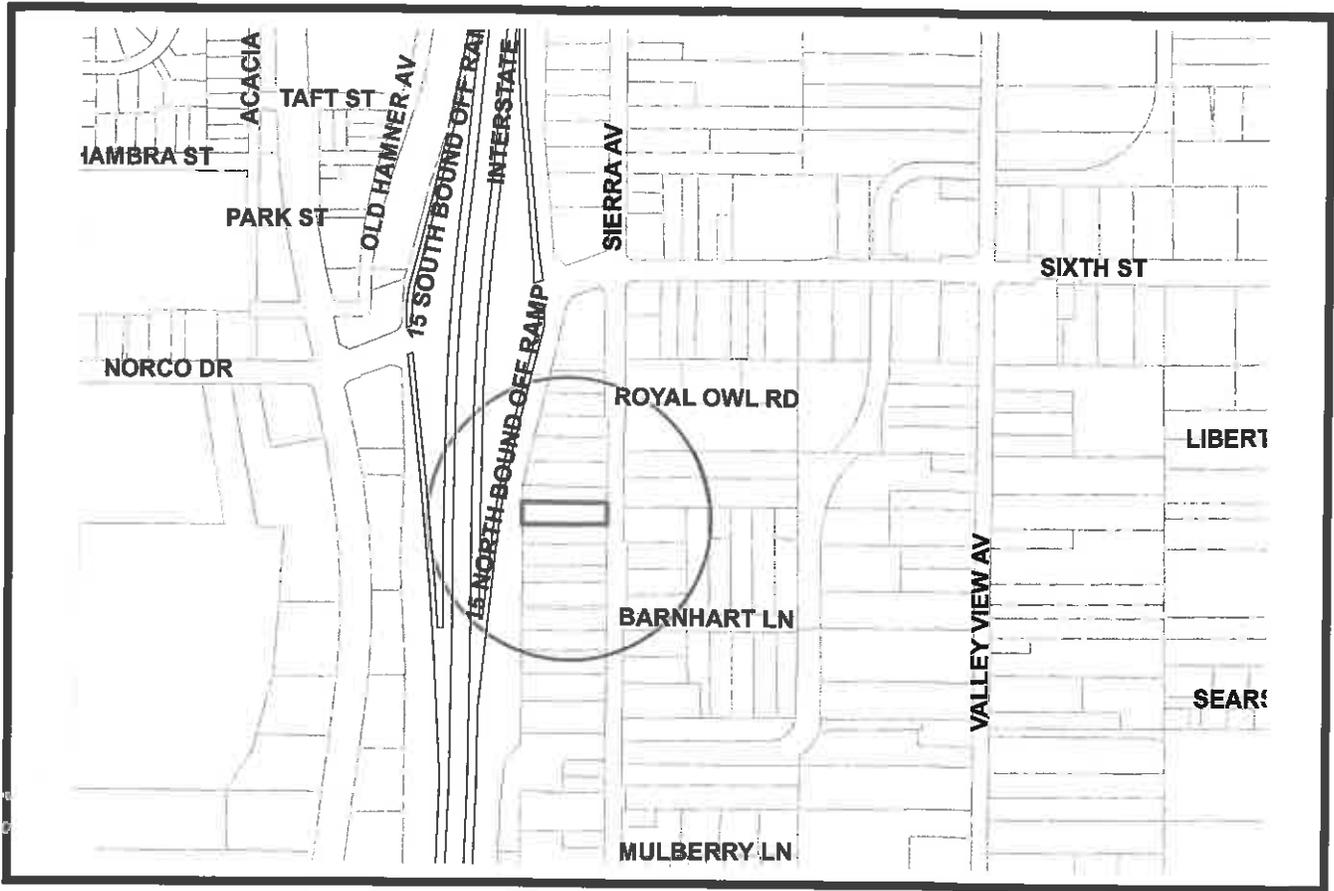
AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Steve King, Secretary  
Planning Commission  
City of Norco, California

/cmm

# LOCATION MAP



Not to Scale



**PROJECT:** Site Plan 2013-02  
**APPLICANT:** Maria Covarrubias  
**LOCATION:** 3278 Sierra Avenue

**Exhibit "A"**

# ASSESSOR'S PARCEL MAP

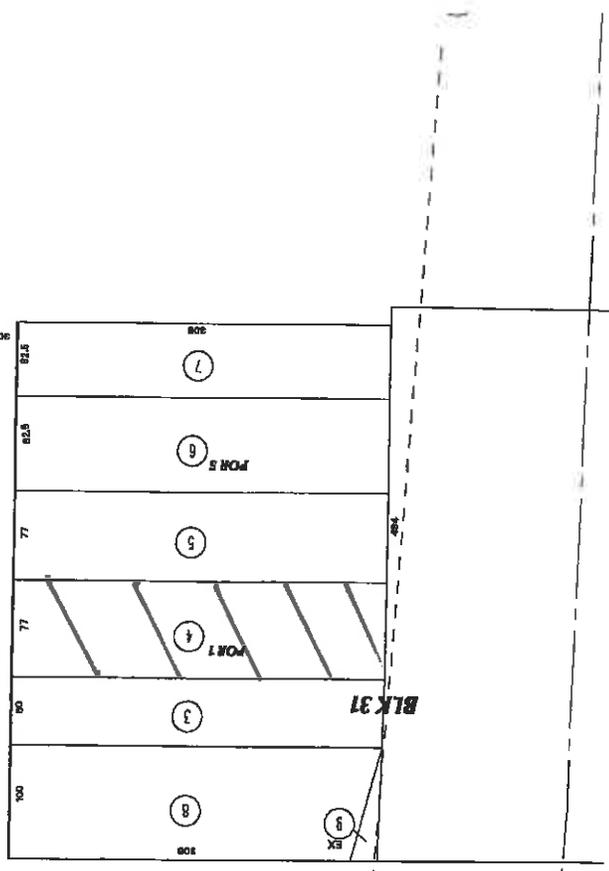
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSURED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAPS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

JUL 12 2007

20 SIERRA AVE. CITY OF NORCO  
 24 POR. PSEC 6 T. 3S. R. 6W

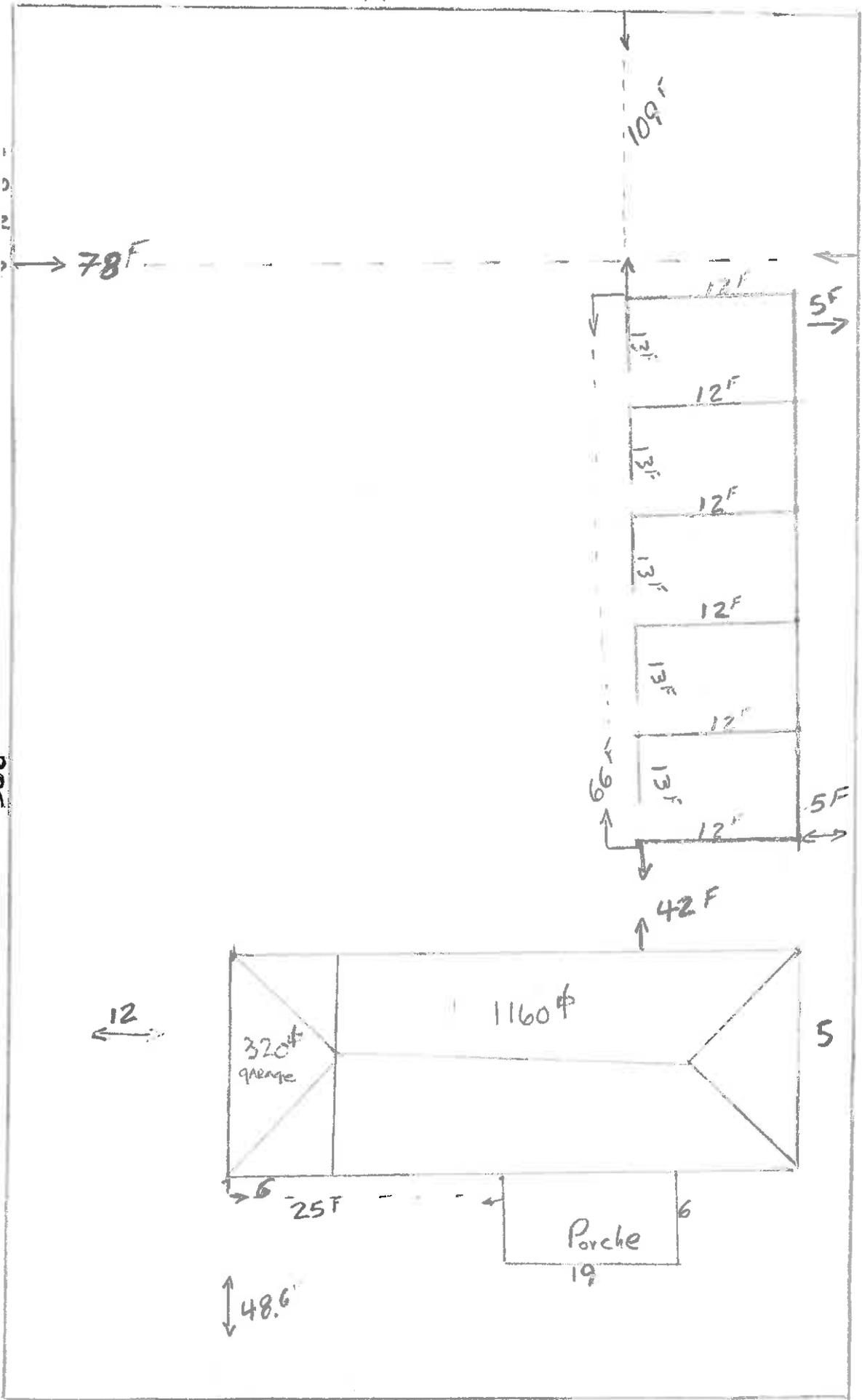
131-23  
 9-4

T.R.A. 015-007





Property Owner: Maria Covarrubias  
 Location: 3278 Sierra Avenue  
 Property Size: 23,522 square feet/.54 acres  
 Proposed Structure: 780 square-foot Covered Horse Stall Structure  
 308"



Sierra Avenue

EXHIBIT "C"

2-19-13



# CITY OF NORCO STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

PREPARED BY: Steve King, Planning Director

DATE: February 27, 2013

SUBJECT: Site Plan 2013-03 (Norco Retail Group, Inc.): Remodel of an existing 18,140 square-foot building with a 3,000 square-foot addition for a new retail outlet at 2185 Hamner Avenue in the Auto Mall Specific Plan.

RECOMMENDATION: Adopt Resolution 2013-09 approving Site Plan 2013-03

SUMMARY: This is a request for approval of a modification to an existing developed site to accommodate a new retail use in an existing building along with proposed revisions to parking and landscaping.

#### PROJECT REPRESENTATIVES:

Property Owner:

Frahm Living Trust  
2185 Hamner Avenue  
Norco, CA 92860

Applicant:

Norco Retail Group, LLC  
P.O. Box 5349  
Santa Rosa, CA 95402

Architect:

HC&D Architects  
1801 Lampton Lane  
Norco, CA 92860

BACKGROUND/PROJECT DESCRIPTION: The project is a proposal to convert an existing vehicle repair building to accommodate a new retail outlet. The building was originally constructed as a repair center for a car dealership that was anticipated to sell delivery vans and heavy-duty trucks from the Dodge line. A 2,490 square-foot modular sales office was also constructed on site. The dealership ultimately did not get established and the site has since been occupied by RV rental and auto repair businesses. All of the current businesses will vacate the site once construction for the store begins.

To accommodate the retail operation, which will be a Tractor Supply Co. store, a 3,000 square-foot expansion on the existing building is proposed. The store will also include a 15,424 square-foot outdoor display area. The store and related parking area will only cover approximately half of the site which is 4.52 acres total. The remainder portion will be a future development that is not a part of this project and will have to be approved by the Planning Commission under a separate application. The existing modular unit will either have to be demolished, or will need to be moved to possibly accommodate another use on the remainder portion. The modular unit is not being proposed for use by the store.

**ANALYSIS:** The retail use is a permitted use in the recently adopted "Area D" of the Auto Mall Specific Plan that introduced more permitted retail uses in the northern part of the specific plan area (ref. Exhibit "A" – Location Map, Exhibit "B" – APN Map). The site is already improved with parking and landscaping for the auto dealership that was to be there. The site plan shows a parking requirement for the proposed store at 85 spaces based on the Code requirement of one space for every 250 square feet. Phase 2 is anticipated to have a demand of approximately 51 parking spaces but that is not known at this time. In addition to the parking requirements for gross floor area (1 per 250 sq. ft.) there is also a parking requirement for outdoor retail display that is one space per 1,000 square feet of gross land area up to 10,000 square feet. If the outdoor space exceeds 10,000 square feet the parking requirement goes to one space per every 5,000 square feet. In this case the outdoor display area is 15,000 square feet so the parking requirement is 11 spaces. The site is already improved with 165 spaces which easily exceeds the parking requirements of both Tractor Supply Co. and Phase 2.

The layout of the parking lot, access aisles, and landscaped areas is going to be re-designed (ref. Exhibit "C" – Developed Site Plan). When the project was originally constructed for a car dealership it met the landscaping requirements of the Auto Mall Specific Plan. Since that time, as already mentioned, the northern portion of the specific plan has been amended to include more retail uses, but that amendment also incorporated the site development standards of the C-G zone for the non-automobile dealership uses.

The landscaping requirement of the C-G zone is 15% of the site. The project site as proposed has 10.6% of the site in landscaping. From its review staff is satisfied that there is enough landscaping in the front of the site where it has the most visibility which is the intent. If the project was conditioned to provide an additional 5% landscaping it would likely go at the back so as not to take up parking in front of the new entry, and as such would likely not have any net positive visual impact (ref. Exhibit "D" – Proposed Site Plan). Since the project is an existing developed site it has been conditioned that the proposed 18,376 square feet of landscaping be maintained, and that would accommodate landscaping requirements for the future phase 2 also (ref. Exhibit "E" – Conceptual Landscape Plan). If the Planning Commission determines that there needs to be 15% that condition would need to be amended.

The current architecture of the building consists of block wall on all sides that is a combination of painted split-face concrete and corrugated face block. There is a hipped barrel-type tile roof on the southwest corner where the current building entrance is located. This project will remove the tile roof and that corner entry. The west face of the building (facing Hamner Avenue) will become the main entry (ref. Exhibit "F" – Proposed Elevations).

The new entry is a gabled feature with corrugated metal siding (natural white with red trim) in the middle that breaks the plane of the main roofline and incorporates western-

themed lighting fixtures. This rests on two cylinders wrapped in silver corrugated metal as an additional western feature (simulating agricultural water pipes). The gable roof and the lighting fixtures are the same red color as the siding trim. A hipped standing seam metal roof will run the entire western face of the building on both sides of the gable feature and will incorporate the same white with red trim color scheme (ref. Exhibit "G" – Colored Elevation Prototype). The outdoor display area to be located on the south side of the building will be enclosed with chain-link fencing consisting of 24" colored precision block pilasters and black-vinyl coated chain-link.

The site plan shows a future monument sign on Hamner Avenue and a future freeway-oriented sign adjacent to the freeway. This project does not include the approval of any signage which will need approvals under separate applications. The project site is eligible for a freeway-oriented sign with the recent adoption of the updated sign code since it is adjacent to the freeway and within ½ mile of a freeway off-ramp.

**PROJECT REVIEW BOARD (PRB):** The project was sent to members of the PRB as opposed to a meeting since the site is already developed. There were minor changes and recommendations for conditions that have been incorporated into the conditions of approval.

**PLANNING COMMISSION ARCHITECTURAL REVIEW SUBCOMMITTEE (ARC):** The proposed architecture was not submitted to the ARC for pre-recommendation since the building exists and the improvements are fairly straight-forward. The proposed improvements would enhance the design of the building with western themed features which already match the corporate architecture of the company.

**STREETS, TRAILS, AND UTILITIES COMMISSION (STUC):** The project did not require review by the STUC since all street improvements already exist.

**ENVIRONMENTAL REVIEW:** The project is categorically exempt from CEQA as a Class 1 Project (existing facilities).

Attachments: Resolution 2013-09  
Exhibit "A" – Location Map  
Exhibit "B" – APN Map  
Exhibit "C" – Developed Site Plan  
Exhibit "D" – Proposed Site Plan  
Exhibit "E" – Conceptual Landscape Plan  
Exhibit "F" – Proposed Elevations  
Exhibit "G" – Colored Elevation Prototype

## **RESOLUTION NO. 2013-09**

### **A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF NORCO, APPROVING A SITE PLAN TO REVISE AN EXISTING SITE LAYOUT AND REMODEL AN EXISTING AUTO REPAIR BUILDING TO ACCOMMODATE A NEW RETAIL OUTLET AT 2185 HAMNER AVENUE IN THE NORCO AUTO MALL SPECIFIC PLAN (AREA D). SITE PLAN 2013-03**

WHEREAS, HC&D Architects submitted an application to the City of Norco, California, for a Site Plan under the provisions of Chapter 18.40, Title 18 of the Norco Municipal Code, on property generally described as:

A portion of Lots 2 and 6 of Block 6 of the Riverside Orange Heights Tract, in the City of Norco, County of Riverside, and State of California as shown on map recorded in Book 6, page 74 of Maps, in the Office of the County Recorder of said County,

More generally described as an irregular-shaped area of about 3.09 acres, having a frontage of about 336 feet on the east side of Hamner Avenue, and an average depth of about 586 feet, and being further described as 2195 Hamner Avenue; and

WHEREAS, at the time set at 7 p.m. on February 24, 2013 within the Council Chambers at 2820 Clark Avenue, Norco, California, said petition for Site Plan review was considered 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 and the City of Norco Environmental Guidelines pursuant to Class 1 (Existing Facilities).

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

I. FINDINGS:

- A. The requested use will not adversely affect the General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof, by reason that the site is designated "Specific Plan" in the Norco General Plan and the Auto Mall Specific Plan is consistent with that. The

nature of the proposed retail land use is consistent with Area D of the Specific Plan where it is located.

- B. The requested use will not adversely affect the adjoining land uses, and the growth and development of the area in which it is located by reason that the adjoining land uses are fully developed with vehicle-related and/or Auto Mall Specific Plan approved land uses. The proposed use, when operated in compliance with the conditions of approval, will be compatible with surrounding properties and therefore will not have an adverse effect on adjoining properties.
- C. The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area, as the proposed development meets all applicable development standards.
- D. The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area.
- E. The overall site design and architectural quality is consistent with the intent and purpose of the Norco Municipal Zoning Ordinance, Auto Mall Specific Plan and the General Plan and to the general nature of the area in which the development is to be located.
- F. 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 pursuant to Class 1 (Existing Facilities).

## II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled February 27, 2013, that the aforesaid application for Site Plan 2013-03 is granted, subject to the following conditions:

1. Approval is based on Exhibits "D," "E," "F", and "G" dated February 27, 2013, and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. Approval of Site Plan 2013-03 replaces Site Plan 2004-18 and Resolution 2013-09 supersedes Planning Commission Resolution 2005-03.
3. 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.
4. 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 not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.

5. This approval shall become null and void unless building permits for all construction 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, provided that after consulting with the City Engineer and Fire Marshal, 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.
6. 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 therefore. Phase 2 is not approved with this application and needs separate approval under a separate application.
7. The applicant shall obtain all necessary building and grading permits for development, and pay all applicable development fees prior to issuance of said permits.
8. All structures shall maintain conformance to all Municipal Code requirements, including access requirements.
9. No sign is authorized by approval of this site plan. Plans for any sign(s) proposed to be placed upon this site shall first be submitted to the Planning Division for approval of a sign permit, and to the Building Division for issuance of a building permit.
10. The project site including Phases 1 and 2 shall maintain a minimum of 18,376 square feet of landscaping. All landscaped areas shall be in a healthy and thriving condition free of weeds, trash, and debris prior to commencement of the business operation.
11. All landscaped areas shall be provided with a water-conserving automatic irrigation system. A detailed landscaping and underground irrigation plan, which utilizes drought resistant plants, shall be submitted to the Planning Division for approval consistent with the approved Conceptual Landscape Plan. Such plans shall indicate plant and tree types and sizes, and the location and dimension of all landscaped areas and irrigation lines. Trees to be installed shall be the maximum of 15-gallon container or 24-inch planter box trees that can successfully be transplanted for survival. Shrubs to be installed shall be minimum 5-gallon containers.

12. The trash enclosure shall be placed on a concrete pad and screened on three sides with a six-foot high masonry wall, and shall be equipped with a six-foot high sight-obscuring gate, subject to the approval of the Planning Division. The existing trash enclosure shall be relocated and replaced with a double-bin enclosure with a man entrance per City standards.
13. The project shall be maintained with the minimum required parking per the Norco Municipal Code as indicated on the approved Site Plan. The number of handicapped stalls shall be determined by the Uniform Building Code.
14. There shall be no sound amplification system provided which projects sound outside the confines of the building except as may be specifically approved by the Planning Director upon application for such system. In the event of approval of any such system, technical details of the system (i.e., loud speaker, paging, etc.) shall be subject to review and approval by the Planning Director prior to installation. Provided further, that sound levels shall be controlled so as to not exceed 65 PndbA (CNEL) at property line.
15. A detailed on-site lighting plan, including a photometric plan, shall be submitted to the Planning Division for review and approval of any new outdoor lighting prior to issuance of building permits. Such plan shall indicate style, illumination, location, height, and method of shielding, so as to not adversely affect adjacent properties or streets.
16. This development shall only be served by underground utilities. All utility locates shall be incorporated into the public improvements plans and shall be prepared on standard size sheets by a registered civil engineer for approval by the City Engineer including payment of any fees.
17. An on-site precise grading, paving, and drainage plan shall be prepared by a registered civil engineer for approval by the City Engineer. Plans shall be 24"x36", ink on Mylar, with elevations to the nearest 0.01 foot, scale 1"=30'.
18. Prior to issuance of a grading permit, a complete hydrology and hydraulic study shall be prepared by a registered civil engineer for approval by the City Engineer. Those recommendations of the report, as approved by the City Engineer shall be incorporated into the public improvement plans and site development plans prior to their approval.
19. The applicant shall participate in the Master Drainage Plan improvement facility identified for this site and shall be responsible for its construction and shall dedicate those drainage easements to the City as are determined necessary by the City Engineer.

20. The applicant shall pay connection fees to the City of Norco for all sewerage service required prior to building permit issuance.
21. The applicant shall pay connection fees to the City of Norco for all water system service required prior to building permit issuance.
22. All on-site driveways and parking areas shall be constructed in accordance with City standards as approved by the City Engineer.
23. The project shall conform to all policies, requirements and standards of the National Pollution Discharge Elimination System (NPDES) as stipulated by the City of Norco and County of Riverside.
24. When a building is proposed for Phase 2 the applicant or property owner will be required to submit a water quality management plan for the site.
25. If the project is subject to the payment of Transportation Uniform Mitigation Fee (TUMF) or the Multi-Species Habitat Conservation Plan (MSHCP) fees, the applicant shall pay the fees prior to the issuance of building permits unless exempted by ordinance. The fees shall be subject to the provisions of the enabling ordinance and based upon the fee schedule in effect at the time of building permit issuance.
26. The applicant shall meet all standards and conditions of the Planning, Fire, Engineering, Building and Safety Divisions, and all other applicable departments and agencies. Furthermore, all required permits from these departments, including payment of fees, shall be obtained prior to the issuance of building permits or occupancy permits whichever is applicable.
27. All areas on the site that involve gasoline dispensing or the use of other oil-based chemicals shall have an approved containment systems approved by the City and/or agency associated with their use.
28. The existing modular building (former sales office) may be maintained on the property for a period of one year from the effective date of this approval for possible use in Phase 2. If the building is maintained on-site it shall be moved adjacent to (but not on) the existing sewer easement on the south property line in the Phase 2 area without any utility connections. The building shall be maintained in useable and visually pleasing condition.
29. Any demolition shall first require the issuance of a Demolition Permit by the Building Division including the abandonment of any utilities to the modular structure.

30. The outdoor display area shall be improved with minimum two 3' wide out-swinging gates with panic hardware per approval from the Building Division. The drive aisle shall be designated "No Display."
31. The retail area of the building shall be improved with three exits per approval of the Building Division.

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held on February 27, 2013.

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Robert Wright, Chairman  
Planning Commission  
City of Norco, California

ATTEST:

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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 on February 27, 2013 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Steve King, Secretary  
Planning Commission