



**AGENDA**  
**CITY OF NORCO**  
PLANNING COMMISSION  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
REGULAR MEETING  
MARCH 13, 2013

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CALL TO ORDER: 7:00 p.m.

ROLL CALL:

STAFF PRESENT:

PLEDGE OF ALLEGIANCE: Vice Chair Henderson

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 February 27, 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: Cancel, will be re-advertised when ready** (Planning Director)
  - 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)
5. **PUBLIC HEARINGS: NONE**
6. **BUSINESS ITEMS: NONE**

7. CITY COUNCIL:

- City Council Meeting Minutes of February 20, 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)

/di



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

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CALL TO ORDER:           **7:02 PM**

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

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

PLEDGE OF ALLEGIANCE: **Chair Wright**

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

2.     **PUBLIC COMMENTS: NONE**

3.     **APPROVAL OF MINUTES:**

      ❖ **Minutes of January 9, 2013**

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

**M/S Henderson/Leonard** to approve the minutes of Planning Commission regular meeting of January 9, 2013 as written

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

**Motion Passed**

**ABSENT:    Jaffarian**

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)*

Planning Director King stated this item is being continued to the March 13, 2013 regular meeting as this issue is still being reviewed by the Working Group.

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)**

Senior Planner Robles presented the staff report on file in the Planning Division. She noted that although staff is concerned with the size of the structure, the project meets the minimum requirements. Staff recommends approval.

**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.

Commission Member Hedges stated that her only concern is with the location of the structure, recommending that it be moved to provide an unobstructed access away from the PAKA.

In response to the Commission, Mr. Bogdan (applicant) stated that he designed the placement of the structure so that it would not be visible from the street.

**M/S Henderson/Wright** to adopt Resolution 2013-05, approving Conditional Use Permit 2013-01, to allow an accessory building consisting of a 2,400 square-foot garage/storage/workshop at 2460 Crazy Horse Lane.

**Under discussion:**

Commission Member Leonard would like to see the structure moved based on the concern brought up regarding potential travel over the PAKA.

**AYES: Wright, Henderson, Leonard**

**Motion Passed**

**NOES: Hedges**

**ABSENT: Jaffarian**

- 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*)

Planning Director King presented the staff report on file in the Planning Division. He stated that the amendments are to clarify what is allowed under home occupation and commercial vehicles/trucks in residential zones, which are separate issues and should not be combined for permit issuance and/or fees.

Vice Chair Henderson asked that since Code Enforcement is part of the Planning Division that the text within Section 10.16.050 "Resident Exemption Permit" should refer to the Planning Division for the issuance of the exemption permits.

Commission Member Leonard noted his concern with heavy trucks (11,000 pounds) that travel on unauthorized roads within the City and what that does to the asphalt. He asked if the fees are high enough to help pay for repairing the roads that are destroyed by these heavy trucks. In response, Planning Director King stated that the Engineer would need to provide input regarding the damage to the streets.

**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.**

Vice Chair Henderson made a comparison between a heavy truck (11,000 lbs) and a truck pulling a horse trailer, noting that the weight could easily be the same. He asked if this would potentially require charging these individuals that travel with their stock to go to shows, etc. the same fees. In response, Senior Planner Robles stated that Chapter 10 has a description as to what a commercial vehicle is.

Vice Chair Henderson asked that this issue be continued for further discussions.

Planning Director King noted that this report was prepared to strictly clean up the language within the code. He offered to continue this issue to review additional details within the code.

Chair Wright explained how he understood what is being presented, that both issues are to be handled separately. He added that a home occupation should not be allowed a commercial vehicle, unless two separate permits (fees) are approved and paid for.

**M/S Wright/Hedges** to continue discussions on this item, noting that the public hearing is closed.

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

**Motion Passed**

**ABSENT: Jaffarian**

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)*

Senior Planner Robles presented the staff report on file in the Planning Division. She explained that these amendments would allow for massage services to be within a beauty parlor in all commercial areas, and a stand-alone business will still require a CUP and only be allowed in the C-G Zone.

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

**Blanca Pegg:** Ms. Pegg stated her support on this issue based on recent experience with moving her business from one location to another.

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

**M/S Hedges/Henderson** to adopt Resolution 2013-10, 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 Gateway Specific Plan and the Norco Hills Specific Plan.

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

**Motion Passed**

**ABSENT: Jaffarian**

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*)

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

In response to Commission Member Hedges, Senior Planner Robles stated that many of the current small structures shown in the aerial photo (Exhibit "E") will be removed.

**M/S Henderson/Leonard** to adopt Resolution 2013-08, to approve Site Plan 2013-02, to allow an accessory building consisting of a 780 square-foot horse stall structure at 3728 Sierra Avenue.

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

**Motion Passed**

**ABSENT: Jaffarian**

- 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*)

Planning Director King presented the staff report on file in the Planning Division. He stated that the new retail outlet will be a tractor sales/supply company. He added that this retail business is now a permitted use in Area "D" in the Auto Mall Specific Plan. Staff recommends approval.

Chair Wright stated that a tractor sales/supply company is perfect for the Auto Mall area and for Norco.

In response to Vice Chair Henderson, Planning Director King provided clarification on the "developed" and "proposed" site plans; adding that signage will come before the Planning Commission as a separate request.

A representative for the applicant responded to questions from the Commission; he stated that the existing modular building will not be used by the retail business but held for a one year period as a potential rental; if not rented within a year it will be destroyed.

**M/S Hedges/Leonard** to adopt Resolution 2013-09, to approve Site Plan 2013-03 to revise an existing site layout and remodel an existing auto repair building to accommodate a new retail outlet (tractor sales/supply company) at 2185 Hamner Avenue in the Norco Auto Mall Specific Plan (Area D).

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

**Motion Passed**

**ABSENT: Jaffarian**

7. CITY COUNCIL:

**Received and Filed**

- 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:

Planning Director King gave an overview of the City Council Study Session held earlier in the day, at which time the Gateway Specific Plan Industrial Zone was discussed. The City Council asked for further discussions at a future joint session with the Planning Commission.

b. Request for Items on Future Agenda (within the purview of the Commission):  
**NONE**

9. ADJOURNMENT: Chair Wright adjourned the meeting at **8:05 PM**

Respectfully submitted,

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Steve King  
Secretary  
Planning Commission

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**CITY OF NORCO  
STAFF REPORT**

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

**FROM:** Alma Robles, Senior Planner

**DATE:** March 13, 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 cancel the public hearing for Zone Code Amendment 2012-07.

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 cancel the public hearing for Zone Code Amendment 2012-07. Once this item is ready to be agendized, a new public hearing will be scheduled and advertised.

## CITY OF NORCO STAFF REPORT

TO: Honorable Chairman and Members of the Planning Commission

FROM: Steve King, Planning Director

DATE: March 13, 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.

FOLLOW-UP BACKGROUND: This item was continued from February 27, 2013 to make sure that restrictions on commercial vehicles would not be applicable to horse trailers. Chapter 10.16 "Commercial Vehicles/Trucks" (ref. Exhibit "A") already contains the following exceptions:

***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:*

*(3) Vehicles as may be reasonably necessary:*

*(A) For the purpose of transporting farm or ranch supplies, produce, or animals to and from ranches or farms situated along a street otherwise forbidden to be used by such vehicles, and*

*(B) For the purpose of transporting a trailer used for recreation or noncommercial purposes and/or boat to and from locations along a street otherwise forbidden to be used by such vehicles;*

BACKGROUND: Chapter 18.32 (ref. Exhibit "B") 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.*

Changed to Planning Director in  
Zone Code Amendment 2013-01

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~~ *Planning Director or assignee* may issue a maximum of 90 exemption permits per year, on a first-come 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. As explained in the Background Summary, the changes being proposed will not affect horse trailers and recreational trailers as they are already exempted from the prohibition of driving Commercial Vehicles on restricted streets.

Attached:     Resolution 2013-06  
                  Exhibit "A" – NMC Chapter 10.16 (Commercial Vehicles/Trucks)  
                  Exhibit "B" – NMC Chapter 18.32 (General Provisions-Home Occupations)

## **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 Planning Commission closed the public hearing and continued Zone Code Amendment 2013-01 and Code Amendment 2013-01 to March 13, 2013; 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.*

March 13, 2013

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held March 13, 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 March 13, 2013 by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Steve King, Secretary  
Planning Commission

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

Sections:

- 10.16.010 Enactment.
- 10.16.020 Definitions.
- 10.16.030 Truck routes--Designated.
- 10.16.040 Prohibition on commercial vehicles traveling off truck routes.
- 10.16.050 Resident exemption permit.
- 10.16.060 Commercial vehicle parking prohibition.
- 10.16.070 Unattached trailer and semi-trailer parking prohibition.
- 10.16.080 Violation--Penalty.

\* Prior ordinance history: Ords. 97, 179 and 425.

**10.16.010 Enactment.**

This chapter is enacted pursuant to the California Vehicle Code, Division 11, Chapters 9 and 10, commencing with Section 22500 and Division 15, Chapter 5, Article 4 commencing with Section 35700. (Ord. 547 Sec. 1 (part), 1985)

**10.16.020 Definitions.**

The following definitions are based on the state of California Vehicle Code and are to be used in administering this chapter. All other definitions as contained in the state of California Vehicle Code are included by reference:

- (1) "Commercial vehicle" means a vehicle of a type required to be registered under the California Vehicle Code and used or maintained for the transportation of persons for hire, compensation or profit, or designed, used, or maintained primarily for the transportation of property.
- (2) "Semi-trailer" means a vehicle designed for carrying persons or property used in conjunction with a motor vehicle and so constructed that some part of its weight and that of its load rests upon, or is carried by another vehicle.
- (3) "Trailer" means a vehicle designed for carrying persons or property on its own structure and being drawn by a motor vehicle and so constructed that no part of its weight rests upon any other vehicle.
- (4) "Truck tractor" means a motor vehicle designed and used primarily for drawing another vehicle and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.
- (5) "Vehicle" means a device by which any person or property may be propelled, moved, or drawn upon a highway.

Trailers, semi-trailers and truck tractors are considered vehicles. (Ord. 547 Sec. 1 (part), 1985)

**10.16.030 Truck routes--Designated.**

- (a) The following streets and portions of streets are designated and established as commercial vehicle truck routes:
  - (1) Hamner Avenue (designated as State Highway 31 and temporary Interstate 15) in its entirety through the city;
  - (2) Sixth Street from Hamner Avenue to California Avenue;
  - (3) California Avenue from Sixth Street to North Drive;
  - (4) North Drive in its entirety.
  - (5) River Road in its entirety.

(b) Appropriate signs shall be erected indicating the streets that have been designated by ordinance as an official truck route. Such signs shall meet the requirements of the California Vehicle Code and shall read "TRUCK ROUTE" in letters not less than four inches in height. Signs shall be posted at all intersections of designated truck routes with the boundary of the City, at off-ramps from the Interstate 15 freeway, and at any intersection where a turning movement is necessary on a designated truck route.(Ord. 800, 2002: Ord. 556 Sec. 1, 1986: Ord. 547 Sec. 1 (part), 1985)

**EXHIBIT "A"**

#### **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:

- (1) Commercial vehicles coming from a truck route having ingress and egress by direct route to and from a restricted street when necessary for the purpose of providing a direct service requiring the utilization of such vehicles or making pickups and deliveries of goods, wares and merchandise from or to any building or structure located on the restricted street or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained;
- (2) Any vehicle owned by a public utility or a licensed contractor while necessarily in use in the construction, installation or repair of any public utility;
- (3) Vehicles as may be reasonably necessary:
  - (A) For the purpose of transporting farm or ranch supplies, produce, or animals to and from ranches or farms situated along a street otherwise forbidden to be used by such vehicles, and
  - (B) For the purpose of transporting a trailer used for recreation or noncommercial purposes and/or boat to and from locations along a street otherwise forbidden to be used by such vehicles;
- (4) Owner/operator residing in the city and having a resident exemption permit as detailed in Section 10.16.050. (Ord. 547 Sec. 1 (part), 1985)

#### **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-come 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:

- (1) The granting of such permit will not result in damage to city streets or cause a pedestrian or traffic hazard or adversely affect adjacent properties.
- (2) The permit shall be limited to one commercial vehicle truck and trailer or tractor and trailer combination per legal lot.
- (3) Such vehicle shall be parked on private property adjacent to the residence of the applicant. Said vehicle shall be parked to the side or rear of the residence in such a manner so as to minimize visibility from the street.
- (4) The parking area for such vehicle shall not be less than twenty-five feet from any residential structure on adjoining property; however, if not practical, this condition may be waived upon written consent from the occupant of the adjoining residence.
- (5) The applicant shall warrant that there will be no continuous operation of commercial vehicle engines or accessory generators or compressors prior to six a.m. or after nine p.m. "Continuous operation" shall be defined as operating in excess of five minutes. Violation of this section shall be grounds for revocation of this permit at the discretion of the City Code Enforcement Officer. (Ord. 836, Sec. 14, 2005)
- (6) Repair activity shall not commence before 6:30 a.m., except on Sunday and any national holiday when it shall not commence before 8:00 a.m., and after 10:00 p.m., unless repair work is done in an enclosed structure.
- (7) Vehicles used for the transportation of hazardous materials shall not be left unattended or parked overnight in a residential district (per Section 31303(d) of State of California Vehicle Code).
- (8) Applicant shall be the property owner or renter with written consent of property owner. The permit shall be issued to applicant, with the permit tied to subject property and vehicle. The permit is not transferable, with the exception of the vehicle itself.
- (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. (Ord. 659, Sec. 2, 1992; Ord. 550 Secs. 1--3, 1985; Ord. 547 Sec. 1 (part), 1985)

(836, Amended, 08/03/2005)

**10.16.060 Commercial vehicle parking prohibition.**

In order to maintain the rural residential neighborhood atmosphere within the community and in the interest of public safety and welfare, commercial vehicles having a manufacturer's gross vehicle weight, per California Vehicle Code, Section 390, rating of eleven thousand pounds (five and one-half tons) or more, are prohibited from parking on any street or portion thereof not designated as a truck route, except with respect to making pickups or deliveries from or to any building or structure, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure located off the designated truck route. In addition, commercial vehicles having a gross vehicle weight in excess of eleven thousand pounds are prohibited from parking on private property in residential or agricultural zones or in commercial and industrial zones where the site is within two hundred feet of a residential or agricultural zone unless a valid resident owner/operator permit is displayed in said vehicle in accordance with Section 10.16.050 of this code, unless otherwise permitted by use permit or site plan approval. This section shall not be effective with respect to any city street until appropriate signs have been erected by the city in accordance with the California Vehicle Code, at the entryways to the city along the truck routes indicating the vehicles weight limitations discussed herein. (Ord. 552 Sec. 1, 1985: Ord. 550 Sec. 4, 1985: Ord. 547 Sec. 1 (part), 1985)

**10.16.070 Unattached trailer and semi-trailer parking prohibition.**

A person shall not park any trailer or semitrailer upon any highway, street, alley, public way or public place unless the trailer or semi-trailer is, at all times while so parked, attached to a vehicle capable of moving the trailer or semi-trailer in a normal manner upon the highway, street, alley, public way or public place. This section shall not apply to trailers or semi-trailers in the process of being loaded or unloaded, nor shall it apply to any trailer or semi-trailer which is disabled in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving the disabled trailer or semi-trailer on that portion of the highway, street, alley, public way or public place ordinarily used for vehicular parking. A disabled trailer or semi-trailer shall not be temporarily parked along a public right-of-way for more than twenty-four hours. (Ord. 547 Sec. 1 (part), 1985)

**10.16.080 Violation--Penalty.**

(Repealed Ord. 634, 1991) (Ord. 547 Sec. 1 (part), 1985)

**Chapter 18.32**  
**GENERAL PROVISIONS--HOME OCCUPATIONS**

Sections:

18.32.02 Intent and Purpose.

18.32.04 Applicability.

18.32.06 Conditions.

**18.32.02 Intent and Purpose.**

The purpose of these regulations is to provide for the conduct of home occupations in the residential zones, in such a manner as to be compatible with and not disrupt residential neighborhoods.

**18.32.04 Applicability.**

(1) The provisions of this section shall not be applicable to persons selling agricultural products from a dwelling or private garage attached thereto, if such sale is being conducted in an A-1 zone or any zone wherein agricultural uses are permitted.

(2) None of the provisions of this section or any sections of the zoning regulations related to home occupations shall permit a home occupation to be conducted in association with a non-conforming residential use. A home occupation associated with a non-conforming residential use is expressly prohibited.

**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:

- (1) Said use must be conducted solely within the confines of one dwelling or a private garage on the same lot. When said use is conducted within a private garage on the same lot, the required parking spaces within the garage shall be preserved at all times for the parking of vehicles. When said use is conducted within a garage, the door thereof shall be continually and fully closed at all times. (Amended by Ord. 560 Sec. 1, 1986)
- (2) A home occupation shall not be conducted with the assistance of any persons, who are employed or retained for such by contract or otherwise; provided, however, members of the family residing in the dwelling may so assist.
- (3) Persons such as maids, janitors, and gardeners who provide domestic services in the form of maintenance and repair of the dwelling and private garage shall not be considered as engaged in a Home Occupation.
- (4) No signs associated with such a use shall be allowed, except one sign not greater than 16 square feet in area and subject to all the applicable provisions of Chapter 18.37 (Signs). (Amended by Ord. 491, Exhibit A Sec. 3, 1983)
- (5) There shall be no storage of materials, supplies, or equipment related directly or indirectly to a home occupation use outside the dwelling or garage, if the use is conducted in any Residential Zone of the City. If the use is conducted in any agricultural zone, there shall be no such storage outside the dwelling or garage, unless said materials, supplies and equipment are entirely screened from view by any occupant of property adjacent to any side of the property on which the home occupation use is being conducted, and from public view at any point.
- (6) In conducting said home occupation, no mechanical equipment shall be used if such equipment makes a noise so loud, unusual or penetrating as to cause discomfort or annoyance to a reasonable person of normal sensitivity and hearing.
- (7) No motor vehicles in excess of 11,000 pounds gross weight shall be used in the conduct of a home occupation. (Amended by Ord. 560 Sec. 1, 1986)
- (8) The home occupation use shall not be such as to require the dwelling or garage in which it is being conducted to be serviced by a greater amount of City of Norco Utility Services than is required to service said dwelling or its use as a residence by the family conducting said home occupation herein.
- (9) At the commencement of the home occupation use and during its continuance, there shall be no entrance or exit way specifically provided in the dwelling, garage, or on the premises, for the conduct of the home occupation thereon.
- (10) A home occupation use shall not cause greater pedestrian or vehicular traffic to the dwelling and garage in which it is conducted than is normal for the zone in which it is being conducted.

**EXHIBIT "B"**