



AGENDA
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
APRIL 24, 2013

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

STAFF PRESENT:

PLEDGE OF ALLEGIANCE: Commission Member Hedges

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 March 13, 2013
 - Recommended Action: Approval** (Deputy City Clerk)
4. **PUBLIC HEARINGS:**
 - A. Zone Code Amendment 2013-01 and Code Amendment 2013-01 (City of Norco): Chapters 18.32 and 10.16 of the Norco Municipal Code regarding the travel, use, and parking of commercial vehicles and trailers in residential zones, and along City streets. **Recommended Action: Approval** (*Planning Director*)
5. **BUSINESS ITEMS:**
 - A. Site Plan 2013-04 (Bentancourt): A request for approval to allow an accessory building consisting of a 384 square-foot detached patio cover at 129 Breeders Cup Place located within the Norco Ridge Ranch Specific Plan. **Recommended Action: Approval** (*Senior Planner*)

- B. Site Plan 2013-05 (Jarvis): A request for approval to allow an accessory building consisting of a 210 square-foot detached lattice patio cover at 245 Pompano Place located within the A-1-20 Zone (Agricultural Low-Density)
Recommended Action: Approval (Senior Planner)
 - C. Site Plan 2013-07 (Salley): A request for approval to allow an accessory building consisting of a 625 square-foot detached garage at 3023 Arapaho Street located within the A-1-20 (Agricultural Low-Density) Zone.
Recommended Action: Approval (Senior Planner)
 - D. Discussion: SP 90-01 (Gateway Specific Plan) Draft Amendment
Recommended Action: Provide Direction (Planning Director)
 - E. Consideration for revisions to Norco Municipal Code (NMC) for on-site vehicle parking requirements on property zoned for residential uses.
Recommendation Action: Provide Direction (Senior Planner)
6. CITY COUNCIL: Receive and File
- City Council Special Meeting Minutes of February 27, 2013
 - City Council Meeting Minutes of March 6, 2013
 - City Council Meeting Minutes of March 20, 2013
 - City Council Special Meeting Minutes of March 25, 2013
 - City Council Meeting Minutes of April 3, 2013
7. PLANNING COMMISSION:
- a. Oral Reports from Various Committees
 - b. Request for Items on Future Agenda (within the purview of the Commission)
8. 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
MARCH 13, 2013

CALL TO ORDER: 7:02 PM

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

STAFF PRESENT: **Planning Director King and Deputy City Clerk Germain**

PLEDGE OF ALLEGIANCE: **Vice Chair Henderson**

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

2. PUBLIC COMMENTS: **NONE**

3. APPROVAL OF MINUTES:
❖ Minutes of February 27, 2013

Recommended Action: Approval (Deputy City Clerk)

M/S Hedges/Henderson to approve the minutes of Planning Commission regular meeting of February 27, 2013 as written

AYES: Wright, Henderson, Hedges, Leonard

ABSTAIN: Jaffarian

Motion Passed

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)

Planning Director King stated that this item is being cancelled and will be re-advertised once the information is ready to go forth. No further action is needed.

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 noted that the public hearing was closed at the previous Planning Commission meeting. He stated the revisions made based on the Commission input at the February Planning Commission meeting.

Vice Chair Henderson asked that a reference be made within each Chapter of the other Chapter, Chapters 10.16 and 18.32.

M/S Henderson/Leonard to adopt Resolution 2013-06, recommending that the City Council approve Zone Code Amendment 2013-01 amending Chapter 18.32 "General Provisions: Home Occupations" and Code Amendment 2013-01 amending Chapter 10.16 "Commercial Vehicles/Trucks" regarding the use and parking of commercial vehicles in residential zones; adding a reference within each Chapter of the other Chapter.

AYES: Unanimous

Motion Passed

5. PUBLIC HEARINGS: **NONE**

6. BUSINESS ITEMS: **NONE**

7. CITY COUNCIL:

Received and Filed

➤ City Council Meeting Minutes of February 20, 2013

8. PLANNING COMMISSION: **NONE**

a. Oral Reports from Various Committees

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

King gave an overview on discussion with council regarding, move regular meeting to fourth Wednesday in April (April 24, 2013) as the second Wednesday will be used for a joint meeting.

9. ADJOURNMENT: Chair Wright adjourned the meeting at **7:08 PM**

Respectfully submitted,

Steve King
Secretary
Planning Commission

/di

CITY OF NORCO STAFF REPORT

TO: Honorable Chairman and Members of the Planning Commission

FROM: Steve King, Planning Director

DATE: April 24, 2013

SUBJECT: Zone Code Amendment 2013-01 and Code Amendment 2013-01 for Chapters 18.32 and 10.16 of the Norco Municipal Code regarding the travel, use, and parking of commercial vehicles and trailers in residential zones, and along City streets.

RECOMMENDATION: Recommend approval to the City Council:

MOTION: Adopt Resolution 2013-14, repealing Resolution 2013-06, and recommending that the City Council approve Zone Code Amendment 2013-01 and Code Amendment 2013-01 as amended.

SUMMARY: The Planning Commission adopted Resolution 2013-06 recommending to the City Council that Zone Code Amendment 2013-01 and Code Amendment 2013-01 be approved. The City Council recommended further review by the Planning Commission to include some additional discussion points.

The proposed changes to the Norco Municipal Code (NMC) were to Chapters 10 (Vehicles and Traffic) and to the "Home Occupations" section of the Zoning Code (Chapter 18). The purpose for the changes was to clarify how and when a Resident Exemption Permit issued 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.

The revisions to the NMC already recommended by the Planning Commission will not change. The additional discussion items from the City Council are addressed in "FOLLOW-UP ANALYSIS" with an additional change to the NMC that is described, and then included in Resolution 2013-14.

BACKGROUND: Chapter 18.32 (ref. Exhibit "A"), 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 (ref. Exhibit "B"):

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 (being changed to Planning Director or designee) 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 application 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. The proposed Zone Code Amendment and Code Amendment eliminates any confusion and will

eliminate the waiver of the Resident Exemption Permit fee based on the existence of a home occupation permit.

The proposed changes to Chapters 18.32 and 10.16 would add the following clarifying conditions for residences with a Residential Exemption Permit, respectively (deletions shown as ~~cross-outs~~ and additions shown as underlines):

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 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 amendments described above, and includes an additional amendment described in the "FOLLOW-UP ANALYSIS" below.

FOLLOW-UP ANALYSIS: On April 3, 2013 the City Council considered Zone Code Amendment 2013-01 and Code Amendment 2013-01 but received and filed the item with direction to the Planning Commission to reconsider the amendments taking into consideration the following questions/concerns:

- "There should be no parking of any commercial vehicles or trailers on any street."

The NMC currently prohibits street parking for commercial vehicles on all streets except on established truck routes. Resolution 2013-14 incorporates the following change to prohibit parking of commercial vehicles on all streets:

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.

This would include a prohibition on the parking of horse trailers along any street. If the Planning Commission determines to recommend differently, this would have to be removed from Resolution 2013-14.

- “The list of designated truck routes included Second Street and Hidden Valley Parkway from the freeway west to Mountain Avenue.”

On December 4, 2002 the City Council adopted Resolution No. 2002-83 (ref. Exhibit “C”) that eliminated both of those street segments from the list of established truck routes. An excerpt from the staff report for General Plan Amendment 2000-01B that amended the Circulation Element shows the change:

The established commercial vehicle truck routes in the City of Norco ~~are~~ shall be:

- *Hamner Avenue in its entirety through the City;*
- *Sixth Street from Hamner Avenue to California Avenue;*
- *California Avenue from Sixth Street to North Drive;*
- *North Drive in its entirety;*
- *River Road in its entirety;*
- *~~Hidden Valley Parkway east of the Hamner Avenue to Norco Hills Road;~~*
- *~~Mountain Avenue between Second Street and Hamner Avenue;~~*
- *~~Second Street east of Mountain Avenue to the I-15 Freeway.~~*

To add these street segments back to the list of established truck routes would require a general plan amendment. If the Planning Commission makes that determination then a recommendation for such will be taken to the City Council for direction.

- “Contractor supply vehicles, trailers, skip loaders, forklifts, and building supplies should be screened from view from the public right-of-way.”

When associated with a home occupation permit the storage of materials, supplies and equipment is already required to be either within a garage or screened so as not to be viewed by neighbors to either side, and also screened from public view.

18.32 HOME OCCUPATIONS

18.32.06 Conditions.

- (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.

To add additional regulations or amendments to the existing NMC regulations would require another code amendment process. If the Planning Commission makes that determination then a recommendation for such will be taken to the City Council for direction.

- "The selling of goods from a home occupation business should be limited to one delivery per day from a delivery service."

The NMC currently does not address how many deliveries can be allowed per day in association with a home occupation permit. There is a regulation that restricts greater pedestrian or vehicular traffic, but it does not define a threshold to make that determination. A threshold would be difficult to set and enforce as it would be hard to determine what the standard number of deliveries is per day for a residence without a home occupation permit.

18.32 HOME OCCUPATIONS

18.32.06 Conditions.

- (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.

Again, to add additional regulations or amendments to the existing NMC regulations would require another code amendment process. If the Planning Commission makes that determination then a recommendation for such will be taken to the City Council for direction.

RESOLUTION 2013-14

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 AMENDING CHAPTER 10.16 "COMMERCIAL VEHICLES/TRUCKS" REGARDING THE USE AND PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL ZONES. ZONE CODE AMENDMENT 2013-01; CODE AMENDMENT 2013-01 (REPEALS RESOLUTION 2013-06).

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 and Code Amendment were 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 and Code Amendment 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 the Zone Code Amendment and 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, at the time set, on March 13, 2013, on or about 7 p.m. the Planning Commission adopted Resolution 2013-06 recommending that the City Council approve Zone Code Amendment 2013-01 and Code Amendment 2013-01; and

WHEREAS, Zone Code Amendment 2013-01 and Code Amendment 2013-01 were duly submitted to the City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, the Zone Code Amendment and Code Amendment were scheduled for public hearing on April 3, 2013 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, the City Council received and filed said projects with direction that the Planning Commission reconsider its recommendation taking into account some additional considerations; and

WHEREAS, Zone Code Amendment 2013-01 and Code Amendment 2013-01 were duly re-submitted to the Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, Zone Code Amendment 2013-01 and Code Amendment 2013-01 were re-scheduled for public hearing on April 24, 2013 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California; and

WHEREAS, Resolution 2013-06, is hereby repealed in its entirety; 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 April 24, 2013 does hereby recommend to the City Council of the City of Norco that Zone Code Amendment 2013-01 and Code Amendment 2013-01, as amended, 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 planning director or designee, 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.

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, 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.

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held April 24, 2013.

Robert Wright, Chairman
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting held April 24, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

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. I (part), 1985) (836, Amended, 08/03/2005)

(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.

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) 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.
- (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.

RESOLUTION NO. 2002-83

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO,
CALIFORNIA APPROVING GENERAL PLAN AMENDMENT 2000-01B
(MODIFICATION 1) – AN AMENDMENT TO THE CIRCULATION
ELEMENT (CITY OF NORCO) UPDATING SECTION 3.1.2 “TRUCK
ROUTES,” TO MAKE THE GENERAL PLAN CONSISTENT WITH
REGIONAL TRUCK ROUTE PATTERNS**

WHEREAS, the City of Norco initiated a general plan amendment to update Section 3.1.2 “Truck Routes” of the Circulation Element of the City of Norco General Plan; and

WHEREAS, the final draft of General Plan Amendment - “Modification 1” to the Circulation Element has been duly submitted to said City’s Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, said General Plan Amendment was scheduled for public hearing on November 13, 2002 on or about 7 p.m., in the City Council Chambers, 2820 Clark Avenue, Norco, California; and

WHEREAS, based on findings of fact for approval, said Planning Commission did recommend to the City Council of the aforesaid City that proposed General Plan Amendment 2000-01B (Modification 1) be approved; and

WHEREAS, hearing of said amendment was duly noticed and scheduled for public hearing by the City Council at their meeting of December 4, 2002 on or about 7 p.m. in the Council Chambers of the Norco City Hall, 2820 Clark Avenue, Norco, California 92860.

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

I. FINDINGS:

- A. The proposed General Plan Amendment (Circulation Element, Modification 1) is consistent with the goals and policies of the City’s General Plan.
- B. The proposed changes will better define the City’s goals and policies with regards to the travel of commercial vehicles on designated routes.

December 4, 2002

- C. The proposed amendment is only for purposes of clarifying the current version of the Circulation Element with respect to the implementation of the City's established truck routes.
- D. The City of Norco acting as Lead Agency has determined the project to be categorically exempt from the City of Norco Environmental Guidelines, pursuant to Section 3.13, Category 21.

II. DETERMINATION:

NOW, THEREFORE, in light of the evidence and testimony presented at the hearing on this application, and in conformity with the findings set forth hereinbefore and with the requirements necessary for the approval of Modification 1 to the Updated Circulation Element of the Norco General Plan, the City Council of the City of Norco does hereby approve General Plan Amendment 2000-01B (Modification 1), thereby clarifying Section 3.1.2 "Truck Routes."

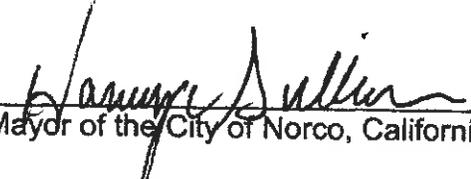
3.1.2 TRUCK ROUTES

The City of Norco has designated and established commercial vehicle truck routes throughout the City. These routes indicate arterial streets that should be used for truck movements that exceed the established weight limits of local streets. Local and state laws do not allow trucks to be on local streets where they exceed established weight limits except for the purpose of making deliveries. These deliveries are only allowed provided that the trucks use the most direct route between a particular delivery/pick-up location and the closest arterial (or freeway) that is designated as a truck route. The established commercial vehicle truck routes in the City of Norco shall be:

- *Hamner Avenue in its entirety through the City;*
- *Sixth Street from Hamner Avenue to California Avenue;*
- *California Avenue from Sixth Street to North Drive;*
- *Norco Drive/Corydon Avenue;*
- *River Road in its entirety*

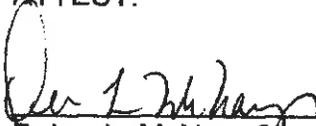
Appropriate signs shall be erected indicating the streets that have been designated by ordinance as an official truck route. Such signs shall meet the requirements of the California Vehicle Code and shall read "TRUCK ROUTE" in letters not less than four inches in height. Signs shall be posted at all 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.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on December 4, 2002.



Mayor of the City of Norco, California

ATTEST:

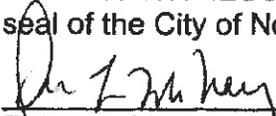


Debra L. McNay, City Clerk
City of Norco, California

I, DEBRA L. MCNAY, City Clerk of the City of Norco, California, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on December 4, 2002 by the following vote of the City Council:

AYES: CARMICHAEL, CLARK, HALL, HIGGINS, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California on December 4, 2002.



Debra L. McNay, City Clerk
City of Norco, California

/sk-43203

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: April 24, 2013

SUBJECT: Site Plan 2013-04 (Betancourt): A request for approval to allow an accessory building consisting of a 384 square-foot detached patio cover at 129 Breeders Cup Place located within the Norco Ridge Ranch Specific Plan (NRRSP).

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2013-11 approving Site Plan 2013-04

Site Plan 2013-04 is a request for approval to allow an accessory building consisting of a 384 square-foot detached patio cover at 129 Breeders Cup Place located within the Norco NRRSP (ref. Exhibit "A" – Location Map). The property consists of about .49 acres/21,393 square feet (Exhibit "B" – APN Map and Exhibit "E" – Aerial Photo and Site Photos).

Accessory buildings 864 square feet or less require site plan approval by the Planning Commission (Note: accessory buildings greater than 240 and up to 400 square feet, can be approved by the Architectural Review Sub-Committee provided it is the first accessory building on the lot and the maximum pad coverage of the property is 15% or less. The proposed building is not the first accessory building on the property and the pad coverage exceeds 15%). The site plan and building elevations for the proposed patio cover are attached (ref. Exhibit "C" – Site Plan and Exhibit "D" – Patio Elevations).

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 maximum height of 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 21,393 square feet, and consists of a pad of about 18,768 square feet. The pad coverage for the property is about 22%, which takes into account the existing and proposed structures.**

The accessory building ordinance for properties in the NRRSP does not require an open animal area, since all properties in the NRRSP include a Primary Animal Keeping Area (PAKA). The subject property includes a PAKA of 2,730 square feet. The proposed structure will not be located in the PAKA.

Site Plan 2013-04 (Betancourt)

Page 2

April 24, 2013

As proposed, the project meets the minimum requirements for an accessory building of 864 square feet or less. Staff is recommending that the Commission adopt Resolution 2013-11, approving Site Plan 2013-04.

/adr

Attachments:

Resolution 2013-11

Exhibit "A" – Location Map

Exhibit "B" – APN MAP

Exhibit "C" – Site Plan

Exhibit "D" – Patio Elevations

Exhibit "E" – Aerial Photo and Site Photos

RESOLUTION 2013-11

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 384 SQUARE-FOOT DETACHED PATIO COVER AT 129 BREEDERS CUP PLACE LOCATED WITHIN THE NORCO RIDGE RANCH SPECIFIC PLAN. SITE PLAN 2013-04.

WHEREAS, DAVID AND RACHEL BETANCOURT 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 129 Breeders Cup Place (APN 123-630-003)

WHEREAS, at the time set; at 7 p.m. on April 24, 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 April 24, 2013 that the application for Site Plan 2013-04 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" – Patio Elevations dated March 20, 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 of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.
6. The applicant shall obtain building permits and pay all applicable fees before beginning construction of the building on the subject property.

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

Resolution 2013-11
Page 4
April 24, 2013

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on April 24, 2013.

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

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

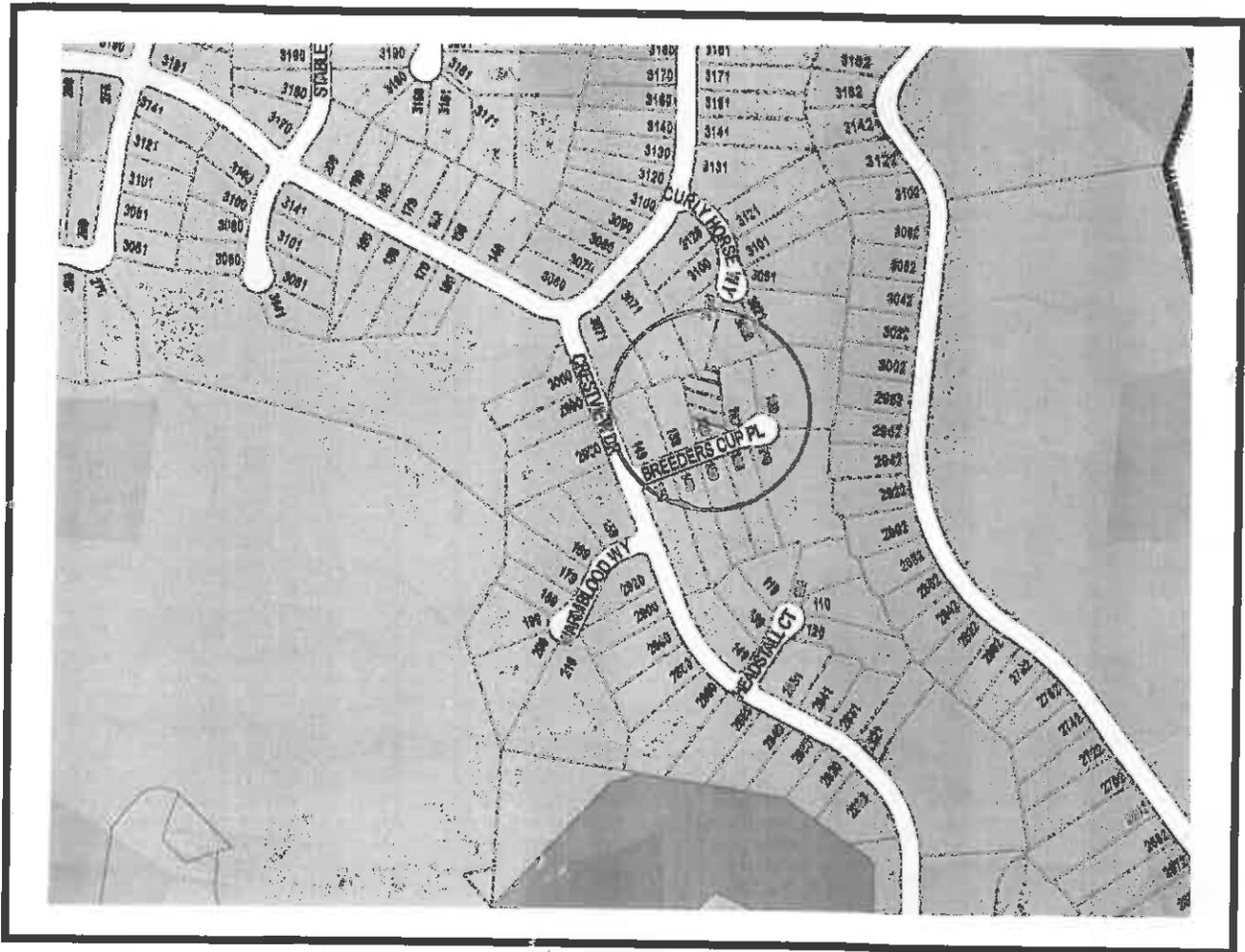
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on April 24, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale



PROJECT: Site Plan 2013-04
APPLICANT: David and Rachel Betancourt
LOCATION: 129 Breeders Cup Place

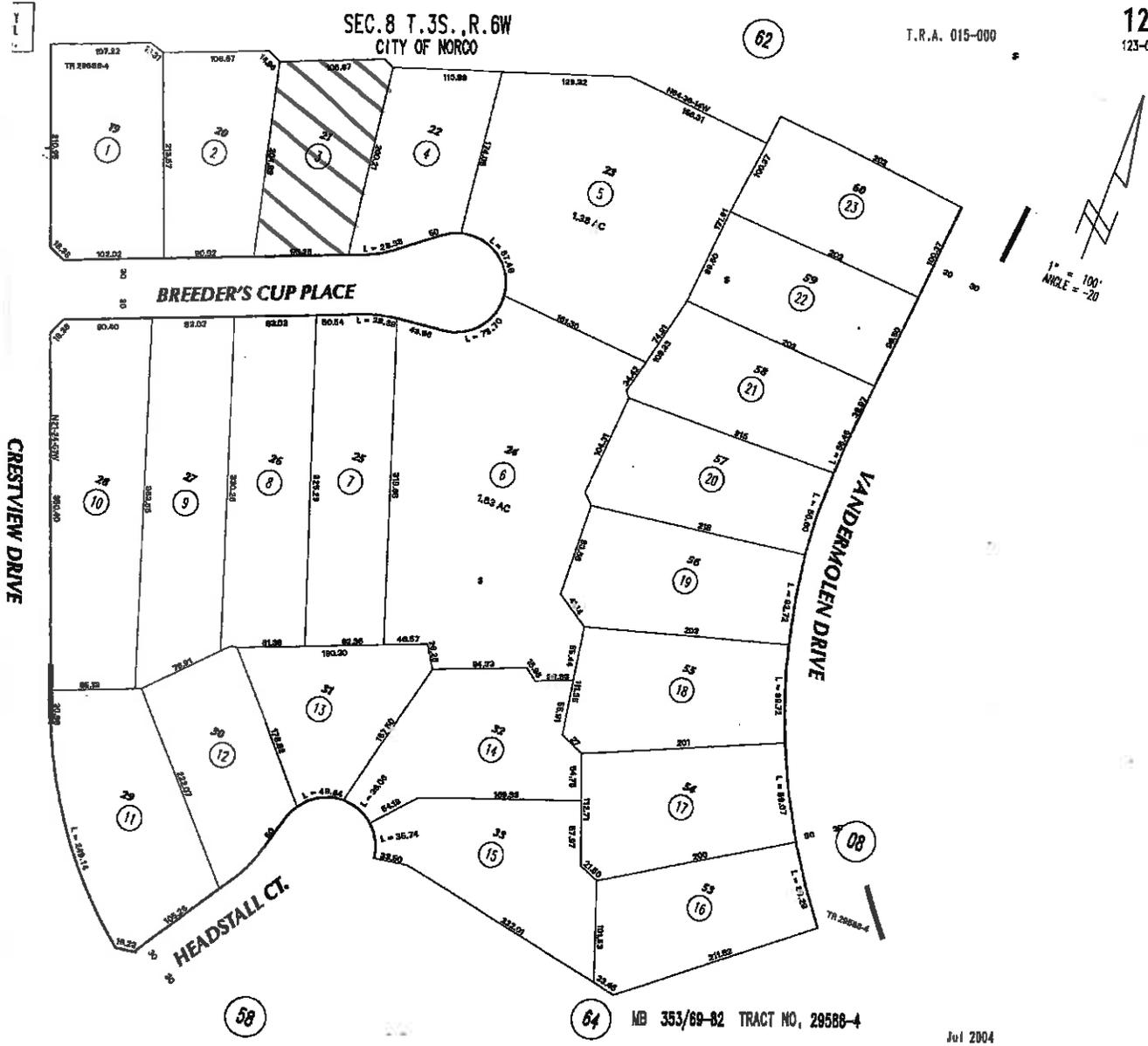
Exhibit "A"

APN MAP

SEC. 8 T. 3S., R. 6W
CITY OF NORCO

T.R.A. 015-000

123-
123-08



MB 353/69-82 TRACT NO. 29588-4

Jul 2004

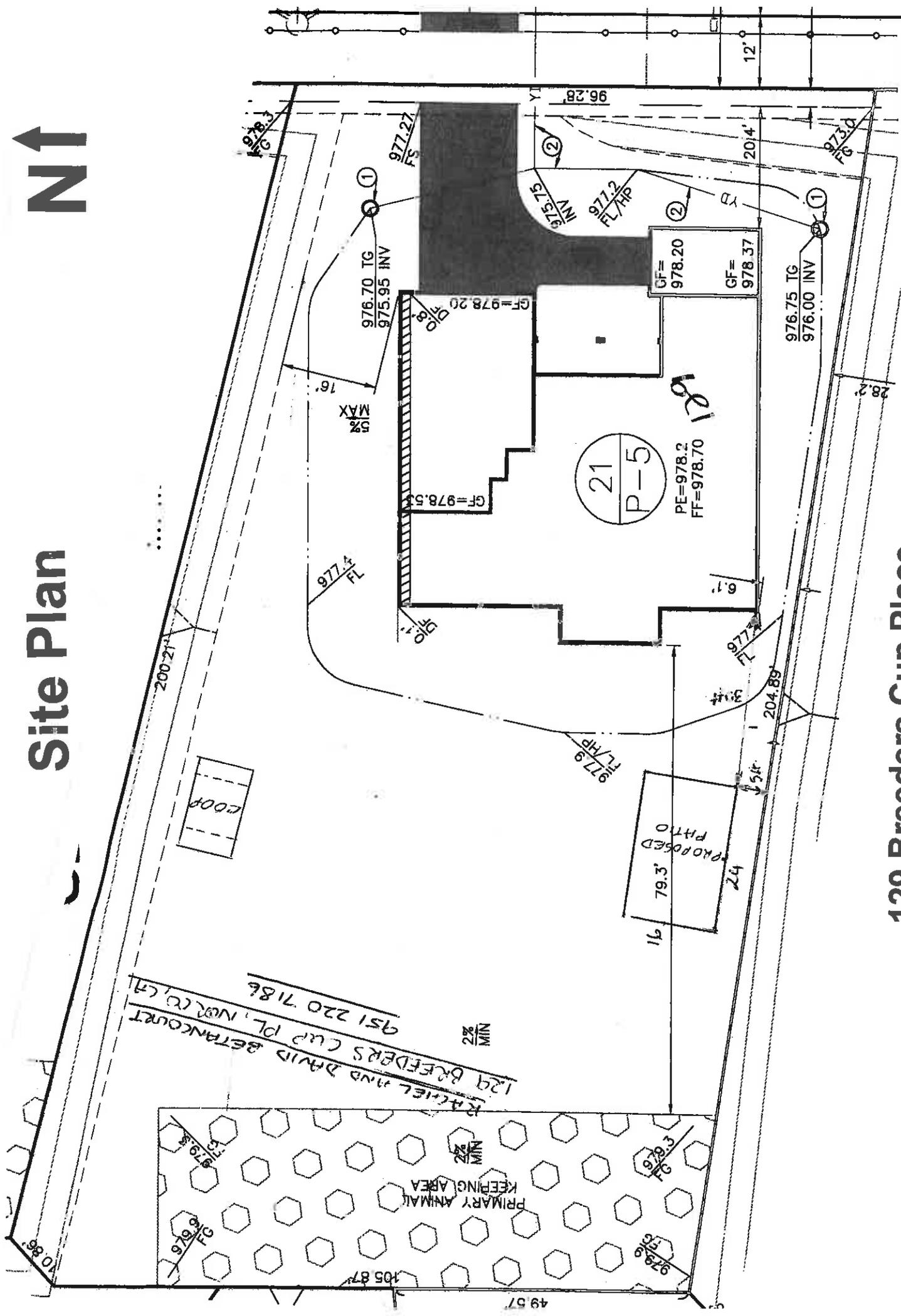
Exhibit "B"

N↑

Site Plan

129 Breeders Cup Place

Exhibit "C"



3.20.13

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: April 24, 2013

SUBJECT: Site Plan 2013-05 (Jarvis): A request for approval to allow an accessory building consisting of a 210 square-foot detached lattice patio cover at 245 Pompano Place located within the A-1-20 Zone (Agricultural Low-Density).

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2013-12 approving Site Plan 2013-05

Site Plan 2013-05 is a request for approval to allow an accessory building consisting of a 210 square-foot detached lattice patio cover at 245 Pompano Place located within A-1-20 Zone (ref. Exhibit "A" – Location Map). The property consists of about .72 acres/31,345 square-feet (Exhibit "B" – APN Map and Exhibit "E" – Aerial and Site Photos).

Accessory buildings 864 square feet or less require site plan approval by the Planning Commission (Note: accessory buildings 240 square feet or less can be approved by staff provided it is the first accessory building on the lot and the maximum pad coverage of the property is 15% or less. The proposed building is not the first accessory building on the property and the pad coverage exceeds 15%). The site plan and building elevation for the proposed patio cover are attached (ref. Exhibit "C" – Site Plan and Exhibit "D" – Patio Elevation).

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 maximum height of 12 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 31,345 square feet, and consists of a pad of about 23,158 square feet. The pad coverage for the property is about 22%, which takes into account the existing and proposed structures.**

An open animal keeping area is not required since the property already has a Primary Animal Keeping Area (PAKA). The subject property includes a PAKA of 5,266 square feet. The proposed structure will not be located in the PAKA.

Site Plan 2013-05 (Jarvis)
Page 2
April 24, 2013

As proposed, the project meets the minimum requirements for an accessory building of 864 square feet or less. Staff is recommending that the Commission adopt Resolution 2013-12, approving Site Plan 2013-05.

/cmm

Attachments: Resolution 2013-12
 Exhibit "A" – Location Map
 Exhibit "B" – APN MAP
 Exhibit "C" – Site Plan
 Exhibit "D" – Patio Elevation
 Exhibit "E" – Aerial Photo and Site Photos

RESOLUTION 2013-12

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 210 SQUARE-FOOT DETACHED PATIO COVER AT 245 POMPANO PLACE LOCATED WITHIN THE A-1-20 ZONE (AGRICULTURAL LOW-DENSITY). SITE PLAN 2013-05.

WHEREAS, ERNEST AND CHERYL JARVIS 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 245 Pompano Place (APN 123-530-016)

WHEREAS, at the time set; at 7 p.m. on April 24, 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 April 24, 2013 that the application for Site Plan 2013-05 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" – Patio Elevations dated April 3, 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 of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.

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

Resolution 2013-12
Page 4
April 24, 2013

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on April 24, 2013.

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

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

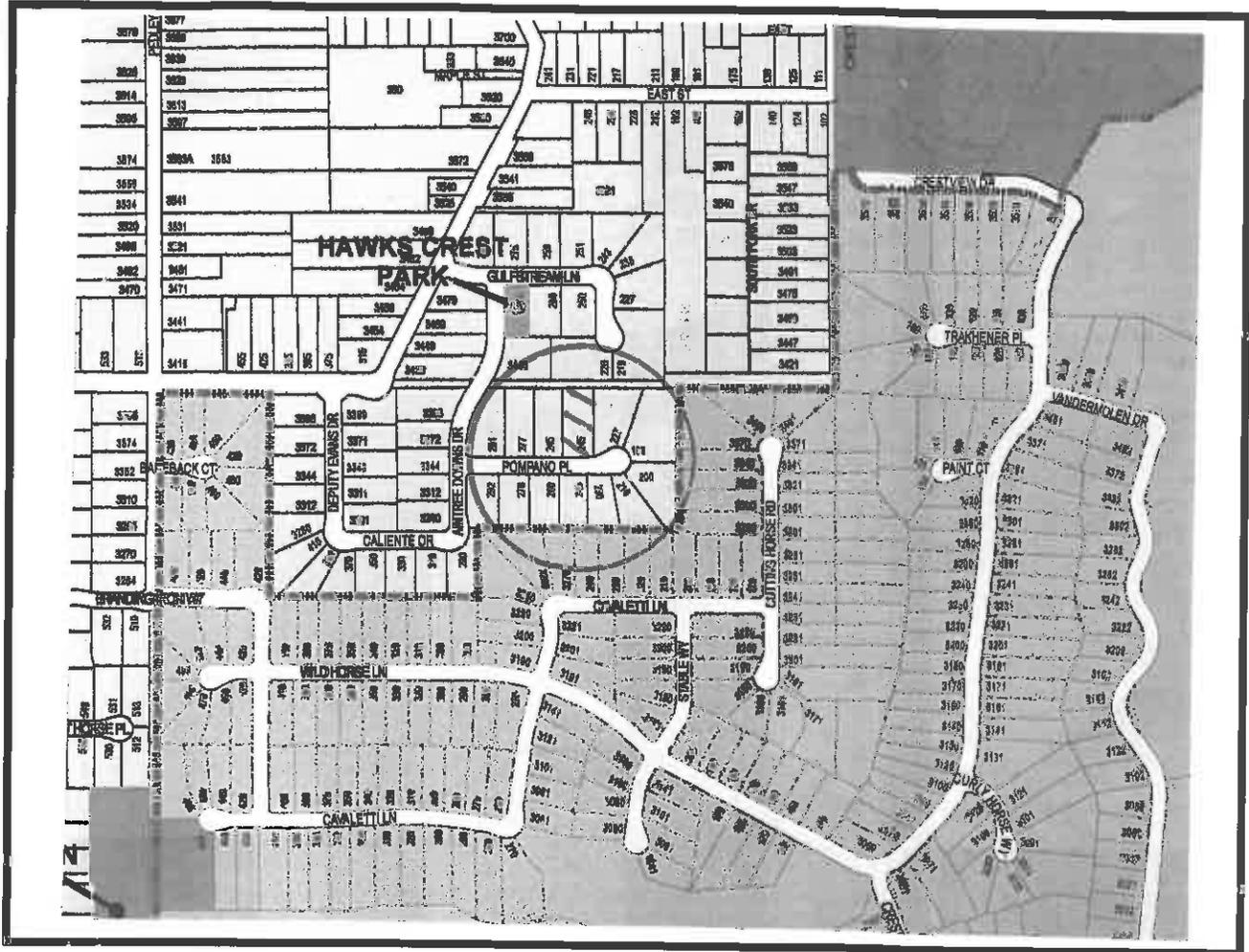
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on April 24, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale



PROJECT: Site Plan 2013-05
APPLICANT: Ernest and Cheryl Jarvis
LOCATION: 245 Pompano Place

Exhibit "A"

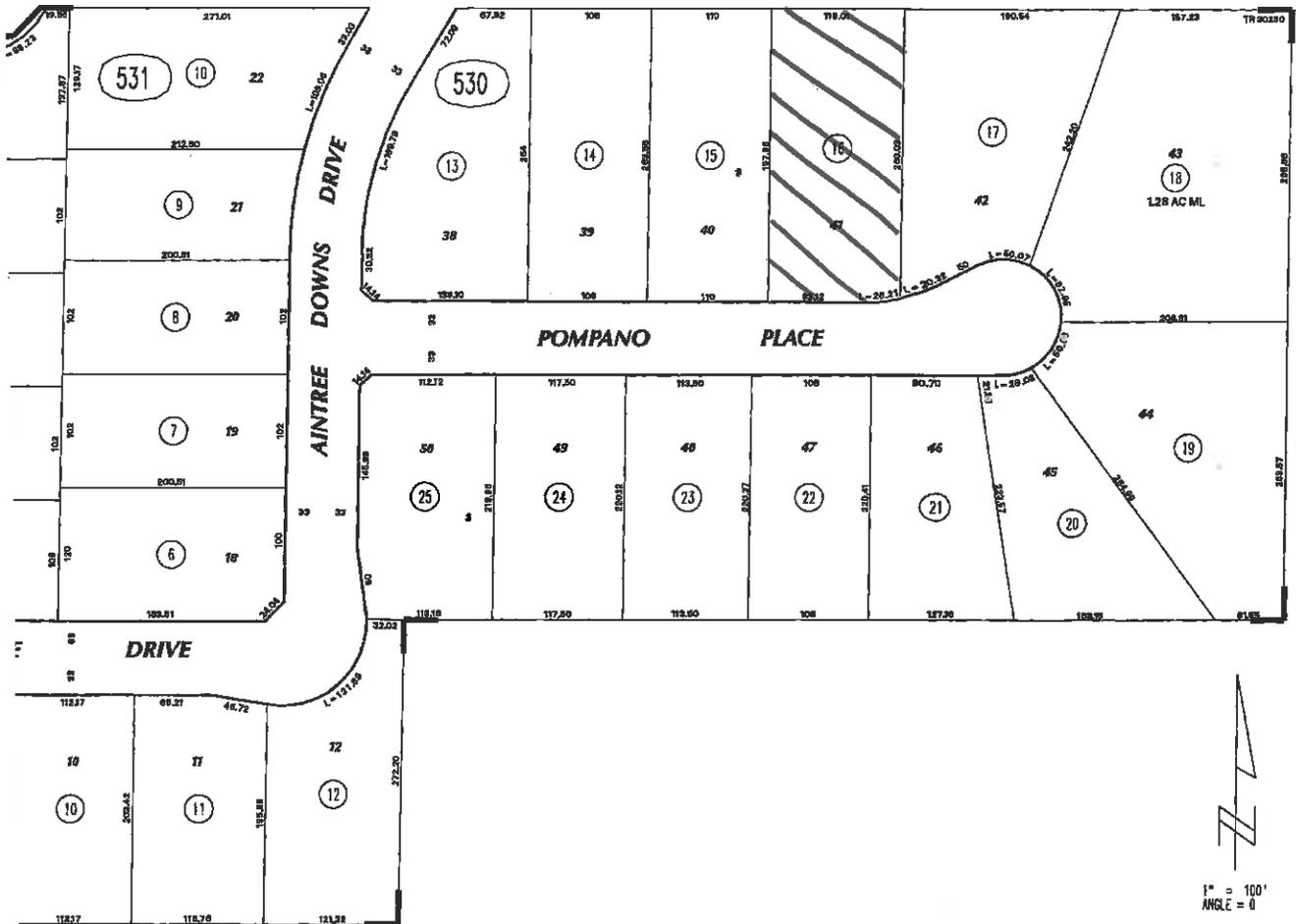
APN MAP

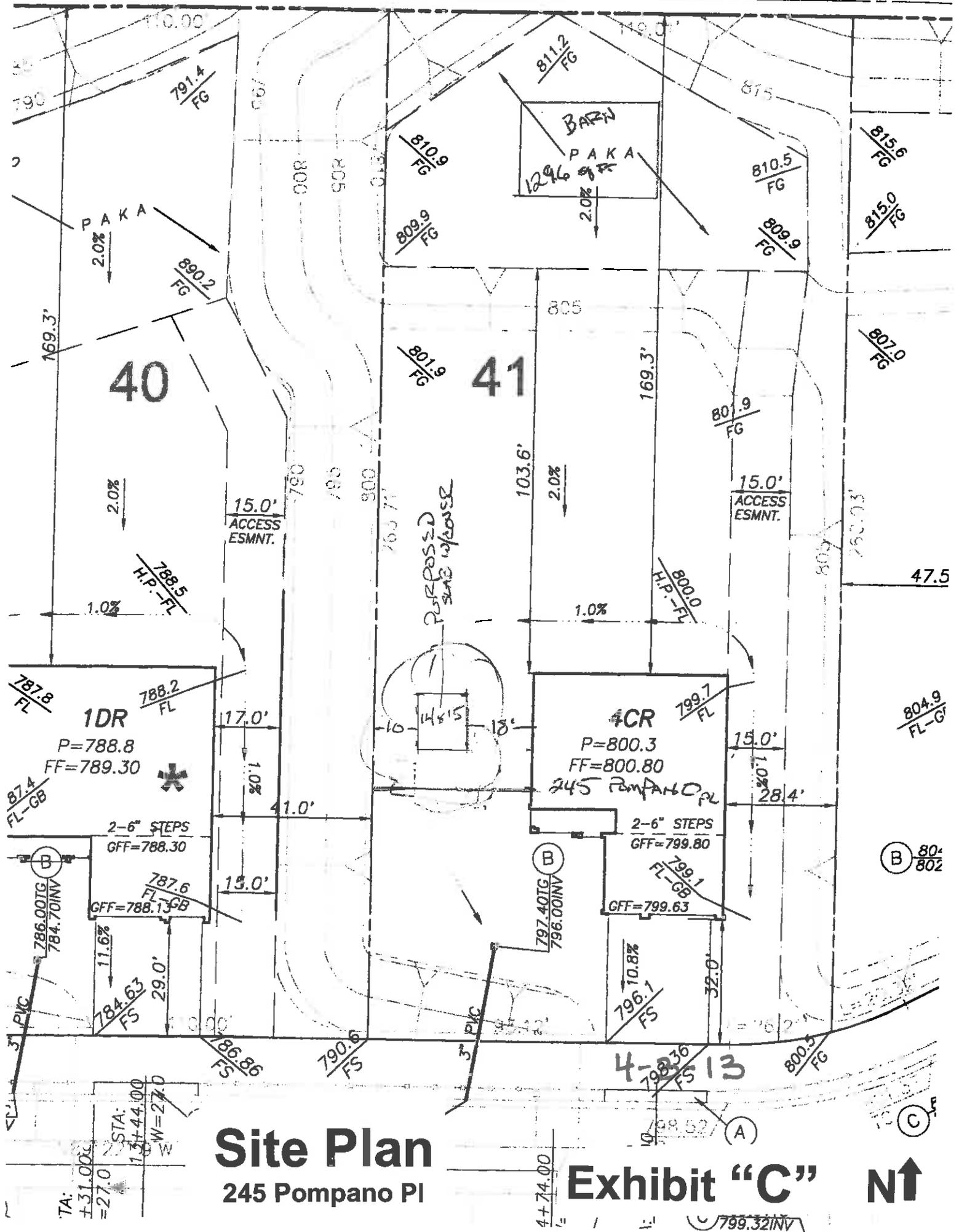
POR. NW 8 T. 3S., R. 6W
CITY OF NORCO

TRA 015-002

123-53
123-08

133
33





Site Plan
245 Pompano Pl

Exhibit "C"



4-236
FS

TA: ±31.00
=27.0
STA: 13+44.00
W=27.0

4+74.00

799.32/INV

(B) 80.802

(A)

(C)

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: April 24, 2013

SUBJECT: Site Plan 2013-07 (Salley) A request for approval to allow an accessory building consisting of a 625 square-foot detached garage at 3023 Arapaho Street located within the A-1-20 (Agricultural Low-Density) Zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2013-13 approving Site Plan 2013-07.

Site Plan 2013-07 is a request for approval to allow an accessory building consisting of a 625 square-foot detached garage at 3023 Arapaho Street located within the A-1-20 (Agricultural Low-Density) Zone (ref. Exhibit "A" – Location Map). The property consists of .46 acres/20,037 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 elevations for the proposed garage are attached (ref. Exhibit "C" – Site Plan and Exhibit "D" – Building Elevations). The proposed garage is wood framed construction with textured stucco exterior to match the existing house.

The following is required of accessory buildings:

- A minimum of 5 feet from property lines and pools 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 maximum height of 14 feet.**
- The maximum lot coverage of all structures shall be not more than 40% of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less). **The subject property is approximately 20,037 square feet and consists of a pad of at least 17,671 square feet. The lot/pad coverage for the property is about 23%, 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 5 animal units would be allowed which would require an open area of at least 2,880 square feet. An open area consisting of 1,850 square feet is being shown on the site plan in between the proposed structure and an existing pool noted on the site plan. The remaining required 1,030 square feet (to total 2,880 square feet) would have to be accounted for with other open areas on the property (i.e. the area behind the house and in front of the proposed structure and existing pool)**

The argument can be made that the 1,850 square-foot area being shown on the site plan may not be conducive to animal-keeping, but the same argument can be made of the site in it's current condition, with or without the location of the proposed structure. This is primarily because of the existing layout and improvements on the property (Exhibit "E" – Aerial Photo and Site Photos). One solution to obtaining more open area, would be to require that the proposed structure be moved towards the west property line a minimum of five feet away, and forward at least 22 feet. That would provide at least 1,110 square feet of open area.

The consideration is whether the proposed structure restricts animal-keeping on a lot that is already not very conducive to animal-keeping. The applicant is requesting that the proposed structure be allowed in the area proposed for practical reasons. The applicant will be available at the meeting to discuss his reasoning for allowing the structure where proposed.

As proposed, the project meets the minimum requirements for an accessory building of 864 or less. The minimum setbacks, height limit and lot coverage is adhered to, and the required open area of 2,880 is there (the open area consisting of 1,850 square feet being shown on the site plan and the remaining 1,030 square feet within and around the uncovered patio area behind the existing house).

Staff is recommending that the Commission adopt Resolution 2013-13, approving Site Plan 2013-07, based on the minimum requirements being met.

/cmm/adr

Attachments: Resolution 2013-13
 Exhibit "A" – Location Map
 Exhibit "B" – APN MAP
 Exhibit "C" – Site Plan
 Exhibit "D" – Building Elevations
 Exhibit "E" – Aerial Photo and Site Photos

RESOLUTION 2013-13

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 625 SQUARE-FOOT DETACHED GARAGE AT 3023 ARAPAHO STREET LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW-DENSITY) ZONE. SITE PLAN 2013-07.

WHEREAS, JIM SALLEY 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 3023 Arapaho Street (129-152-006).

WHEREAS, at the time set; at 7 p.m. on April 24, 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 April 24, 2013 that the application for Site Plan 2013-07 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 Elevations dated April 8, 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.

Resolution 2013-13
Page 4
April 24, 2013

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on April 24, 2013.

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

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

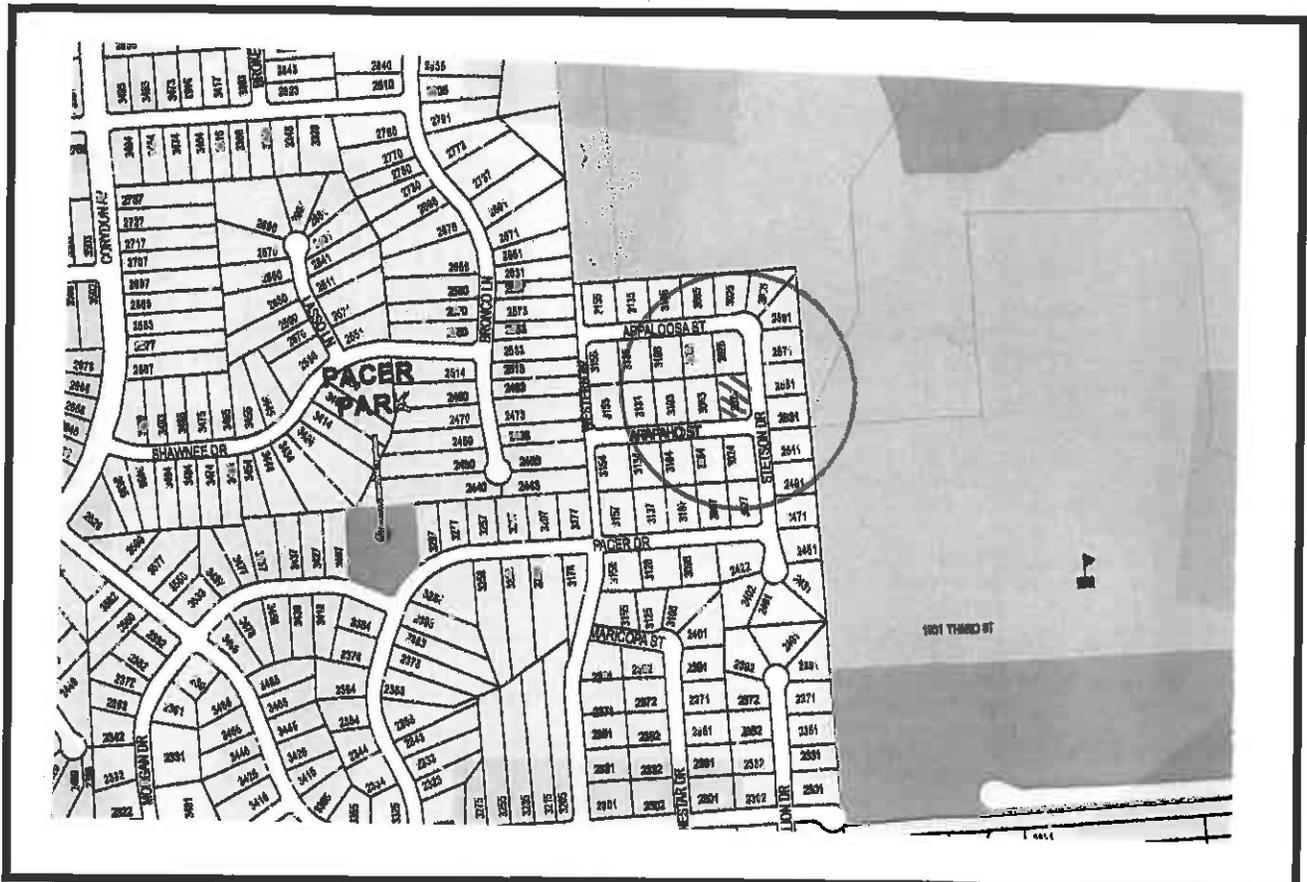
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held April 24, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/cmm

LOCATION MAP



Not to Scale



PROJECT: Site Plan 2013-07
APPLICANT: David and Chela Salley
LOCATION: 3023 Arapaho St

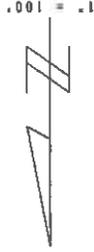
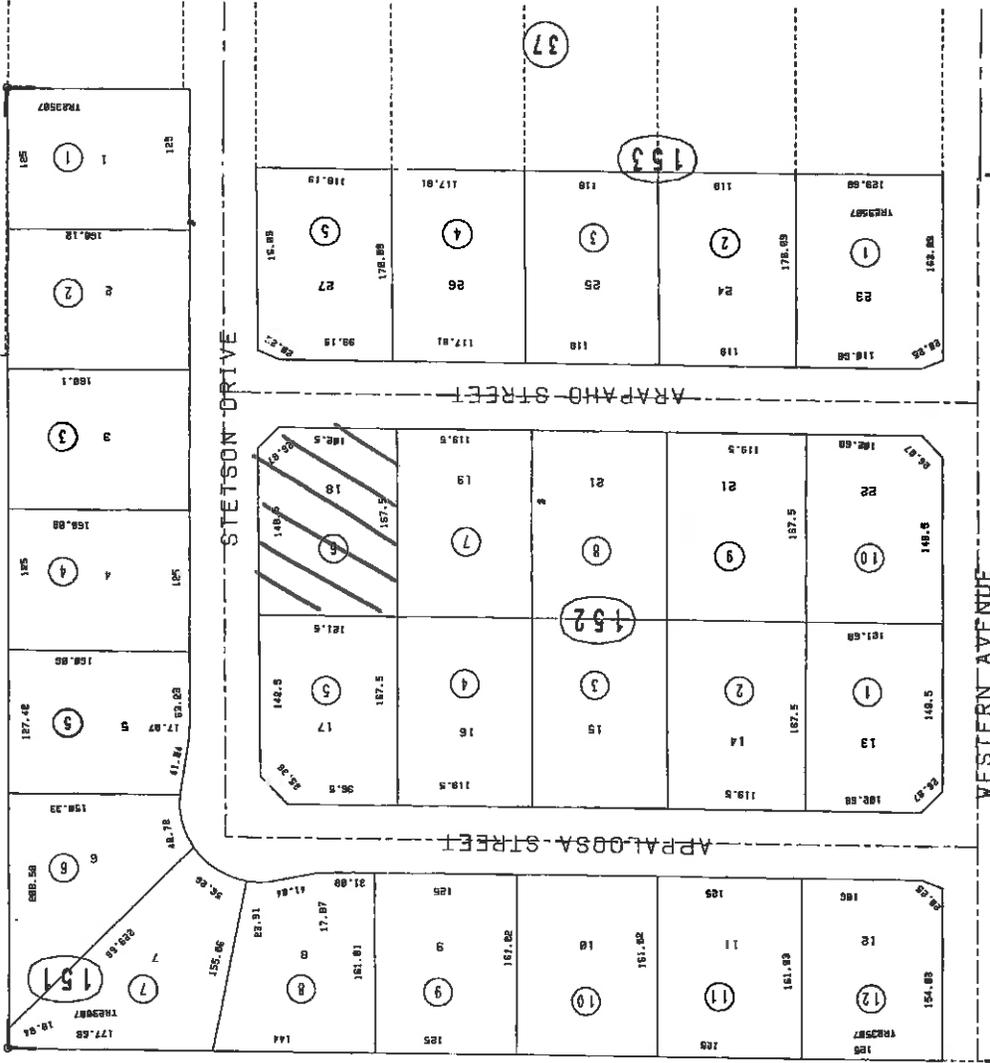
Exhibit "A"

ASSESSOR'S PARCEL MAP

ALL RIGHTS RESERVED
 CITY OF NORCO
 BUILDING SITE ORDINANCES.

SEC. 11 12 1, 23, K. / W
 CITY OF NORCO
 POR. TRACT OF RANCHO LA SIERRA SEPULVEDA

34



| DATE | REV. NO. | REV. NO. |
|------|----------|----------|
| 5-81 | 1 | 5 |
| 5-81 | 2 | 5 |
| 5-81 | 3 | 5 |
| 5-87 | 4 | 5 |
| 5-87 | 5 | 5 |
| 5-87 | 6 | 5 |
| 5-87 | 7 | 5 |
| 5-87 | 8 | 5 |
| 5-87 | 9 | 5 |
| 5-87 | 10 | 5 |
| 5-87 | 11 | 5 |
| 5-87 | 12 | 5 |
| 5-87 | 13 | 5 |
| 5-87 | 14 | 5 |
| 5-87 | 15 | 5 |

Exhibit "B"

CITY OF NORCO STAFF REPORT

TO: Honorable Chairman and Members of the Planning Commission

FROM: Steve King, Planning Director

DATE: April 24, 2013

SUBJECT: Specific Plan 90-01 (Gateway) Draft Amendment.

RECOMMENDATION: Presented for discussion

SUMMARY: The City Council and Planning Commission held a joint meeting on April 10, 2013 to discuss land uses and zoning in the Industrial District of the Gateway Specific Plan. At that meeting the Planning Commission was directed to investigate the intent and interpretation of the currently permitted uses, recognizing that the Plan is more than 20 years old.

BACKGROUND/PERMITTED USES: The Gateway Specific Plan (GSP) was approved in 1990 and has been amended 12 times since approval. When the GSP was approved there were a number of existing uses where it was intended that those uses would stay. That included the Norco Egg Ranch the primary property owner within the Industrial District:

Section 2.7.5, Exiting Land Uses

The Norco Ranch facility presently operates its administrative and egg processing facilities on an area of land located near the corner of Mountain Avenue and Second Street within the Plan's Industrial District. The facility will remain and is compatible with the Industrial designation.

The first amendment to the GSP was in 1992 whereat "egg processing facility" was added to the list of permitted uses. There were no changes to development standards with that first amendment.

The permitted and conditionally-permitted uses (ref. Exhibit "A") in the Industrial District currently are:

**APPENDIX C
 PERMITTED USES**

| | |
|--|--|
| <i>Warehouse/Distribution</i> | <ul style="list-style-type: none"> <i>c) Cosmetics</i> <i>d) Dairy Products</i> <i>e) Drug Products</i> <i>f) Food Products (excluding fish and meat products, sauerkraut, vinegar, yeast, and the rendering of fats and oils.</i> <i>g) Fruit and Vegetable Packaging</i> <i>h) Perfumes</i> <i>i) Manufacturing/maintenance of electric/neon signs.</i> <i>j) Toiletries</i> <i>k) Novelties</i> <i>l) Retail Lumber</i> <i>m) Shoes</i> <i>n) Stone Monument Works</i> <i>o) Egg Processing Facility</i> |
| <i>Light Assembly and Processing</i> | |
| <i>Mixed Use Projects including commercial, office, and light industrial uses where the Light Industrial uses make up at least 75% of the total square footage.*</i> | |
| <i>Wholesaling and Warehouse</i> | |
| <i>Manufacturing, compounding, processing, packaging, or treatment of products such as:</i> <ul style="list-style-type: none"> <i>a) Bakery Goods</i> <i>b) Candy</i> <i>c) Cosmetics</i> | |

CONDITIONALLY-PERMITTED USES

| | |
|--------------------------------------|-------------------------------------|
| <i>Ambulance Service</i> | <i>Recreational Club</i> |
| <i>Animal Hospitals and Shelters</i> | <i>Stables and Riding Academies</i> |
| <i>Delicatessen</i> | |

In addition to the list of allowed uses there are limitations and permitted accessory uses listed in the text body of the GSP:

Section 4.10.1.4
b. Limitations on Permitted Uses

Every use permitted in the Industrial District shall be subject to the following conditions and limitations:

- 1) No operations and use conducted on the premises shall be objectionable by reason of noise, dust, mud, odor, smoke, vibrations or other similar causes; and*
- 2) All uses in the Industrial District shall be conducted completely within a fully enclosed building except:*
 - a) Recreational facilities customarily conducted in the open;*
 - b) Exterior storage provided that it is completely surrounded by a masonry wall at least seven feet in height.*
 - c) Outdoor dining areas and employee parking; and,*

- d) *Surface parking lots.*
- 3) *No automobile dismantling businesses are allowed in this district.*
- 4) *Small professional offices up to 15,000 square feet in floor area may be the principal permitted use except that, in conjunction with a permitted manufacturing, light industrial, warehousing, distribution, light assembly, processing or mixed use the size may be greater.*

c. Permitted Accessory Uses

The following uses are permitted in the Industrial District when developed and used in conjunction with one or more of the principal permitted uses.

- 1) *Employee recreation facilities and play areas.*
- 2) *Wholesale sales and distribution.*
- 3) *Surface parking lots.*
- 4) *Open storage incidental to a principal use provided the storage is screened from public view by a solid masonry or stucco stud wall of one color to be not less than seven feet in height. Such storage shall not be stacked above the height of the wall and shall not be located within the required parking area.*

BACKGROUND/INDUSTRIAL DISTRICT INTENT: The GSP was adopted with stated goals and policies of the intent of the Plan. Additionally there are several citations in the text of the document that shed some understanding on what was intended in the Industrial District when the Plan was adopted. Firstly, as cited above, the Plan was adopted with the recognition that the egg ranch existed and was compatible to the Industrial District. The General Goal Statement of the Plan under Goals, Objectives, and Policies is:

2.3 Goals, Objectives, & Policies

2.3.3 General Goal Statement

The ultimate goal of the Plan is to create a Project Area that is attractive and of high quality with a unifying Project Area design theme reflective of community standards and identity, providing an economically viable setting for a balanced mixture of light industrial, commercial and office/professional uses, serviced by a safe and efficient circulation/transportation system, and to eliminate and prevent future service infrastructure deficiencies. All new uses must respect and accommodate existing uses that will remain both within and adjacent to the Project Area.

Under Development Regulations the Planning Commission is charged with the interpretation of the intent of the Plan:

4.0 Development Regulations

4.1.7 Interpretation

The Planning Commission shall have the responsibility to interpret the provisions of the Plan. All such interpretations shall be in written form and permanently maintained. Any person aggrieved by such interpretation may request such interpretation be reviewed by the City Council.

4.1.8 Ambiguities

Unless otherwise provided, any ambiguity concerning the content or application of the Gateway Specific Plan shall be interpreted by the Planning Commission.

In the same section under Site Plan Review there is a table that shows the required number of loading spaces for different types of buildings at different sizes. While not a definitive description of intent it gives an idea of what the intent was in terms of the industrial space versus warehousing/distribution space in an industrial building. The required number of loading spaces is relatively low for industrial buildings possibly signifying that the focus of intent was on production as opposed to warehousing and distribution:

4.12.1 Site Plan Review

**TABLE 7
REQUIRED LOADING SPACES**

Commercial, Industrial and Warehouse Buildings (Square feet of gross floor area)

| | <u>Building Floor Area</u> | <u>No. of Loading Spaces Required</u> |
|-----|--------------------------------------|--|
| (a) | Under 20,000 | 1 |
| (b) | Between 20,001 & 40,000 | 2 |
| (c) | Between 40,001 & 80,000 | 3 |
| (d) | Between 80,001 & 120,000 | 4 |
| (e) | Between 120,001 & 160,000 | 5 |
| (f) | Over 160,000 | 6 |

The Industrial District is formally defined in two separate locations in the Plan, in the "Digest" and in the main text of the document. While similar, there are nuances of differences and both are included here for a better understanding of the original intent:

Industrial District

Light industrial, research and development (R&D) and ancillary facilities will be located in the Area east and west of Mountain Avenue and north of First Street. Designation of this area to accommodate industrial uses allows maximum utilization of land area inward from the major traffic routes. Industrial uses allowed in this District will be "light" and "clean", primarily high-tech industry that generates little noise or air pollution; no heavy manufacturing will be permitted.

2.7 Land Use Plan

2.7.2.4 Industrial (I)

The Industrial designation allows light industrial, research and development, and office uses. Permitted industrial uses include light manufacturing, custom manufacturing, assembly, fabrication and wholesaling. Permitted office uses are those necessary to support the administrative function of the primary permitted uses. This industrial classification is closely related to the city's existing C-4 and M-1 and industrial park zoning designations.

In the Goals, Objectives, & Policies Section the following policies are stated:

2.3 Goals, Objectives, & Policies

2.3.4 Land Use/Fiscal

Goal: Develop a specific plan which is sensitive to Project Area land use and fiscal needs.

Policies:

- 7. Develop a light industrial land use nucleus centering around the existing Norco Ranch Facility.*
- 8. Promote clustering of multiple, medium sized structures on large parcels rather than single, massive structures.*

ANALYSIS: Based on the above excerpts from the GSP it is staff's interpretation that the intent of industrial development in the GSP was to be research and development-oriented type, and light industrial-type buildings. The problem is these terms were not defined as to whether they referred to the types of uses or the size of buildings.

Robotics and mechanization have made many previous labor-intensive uses much quieter and efficient but those types of uses may not have been foreseen when the Plan was adopted. And while they do not require the heavy load of employees and the associated traffic and parking, they make feasible larger buildings for warehousing which in turn require more trucks for distribution. With the direction from the Joint Meeting staff would recommend some minor clarifications to the list of allowable uses as a starting point for further discussions:

**APPENDIX C
 PERMITTED USES**

| | |
|--|--|
| <i>Warehouse/Distribution</i> | <ul style="list-style-type: none"> c) <i>Cosmetics</i> d) <i>Dairy Products</i> e) <i>Drug Products</i> f) <i>Food Products (excluding fish and meat products, sauerkraut, vinegar, yeast, and the rendering of fats and oils.</i> g) <i>Fruit and Vegetable Packaging</i> h) <i>Perfumes</i> i) <i>Manufacturing/maintenance of electric/neon signs.</i> j) <i>Toiletries</i> k) <i>Novelties</i> l) <i>Retail Lumber</i> m) <i>Shoes</i> n) <i>Stone Monument Works</i> o) <i>Egg Processing Facility</i> |
| <i>Light Assembly and Processing</i> | |
| <i>Mixed Use Projects including commercial, office, and light industrial uses where the Light Industrial uses make up at least 75% of the total square footage.*</i> | |
| <i>Wholesaling and Warehouse</i> | |
| <i>Manufacturing, compounding, processing, packaging, or treatment of products such as:</i> <ul style="list-style-type: none"> a) <i>Bakery Goods</i> b) <i>Candy</i> c) <i>Cosmetics</i> | |

CONDITIONALLY-PERMITTED USES

| | |
|--------------------------------------|-------------------------------------|
| <i>Ambulance Service</i> | <i>Recreational Club</i> |
| <i>Animal Hospitals and Shelters</i> | <i>Stables and Riding Academies</i> |
| <i>Delicatessen</i> | |

Possible clarifications:

| | |
|--|---|
| | <i>Limit size of buildings to 150,000 square feet, require a CUP for larger</i> |
| | <i>Make Warehouse/Distribution uses ancillary only.</i> |
| | <i>Make delicatessen (and add non-drive-through restaurants) as permitted uses.</i> |

CITY OF NORCO STAFF REPORT

TO: Honorable Chairman and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: April 24, 2013

SUBJECT: Consideration for revisions to Norco Municipal Code (NMC) for on-site vehicle parking requirements on property zoned for residential uses.

RECOMMENDATION: Staff recommends that the Planning Commission provide direction on the necessary revisions to the NMC for on-site vehicle parking requirements on property zoned for residential uses.

SUMMARY: This item is being presented to the Planning Commission for direction on necessary revisions to Norco Municipal Code (NMC) for on-site vehicle parking requirements on property zoned for residential uses.

BACKGROUND: The City Council has directed the Planning Commission to review the requirements for on-site vehicle parking in the NMC for property zoned for residential uses, for the purpose of making a recommendation on revisions that the Planning Commission deems necessary.

Currently, the NMC has the following requirements for on-site vehicle parking on property zoned for residential uses:

Section 18.31.08 Yard Requirements--Walls, Fences, and Structures in Setback Areas.

(9) Storage of Recreational Vehicles and Boats: Except as otherwise approved under site plan review or conditional use permit in the Commercial and Manufacturing zones, recreational vehicles and boats shall not be stored in required front yards or corner side yards. In agricultural and residential zones, no more than a total of three recreational vehicles or boats may be stored on any lot. For lots greater than one half acre, one additional vehicle per each additional half acre may be stored. The maximum number of vehicles that may be stored shall not exceed ten. Further, said recreational vehicles and boats may not be used as a habitable space or dwelling. All such vehicles and boats approved for storage shall be maintained in a neat appearance and be in readily operable condition. The proposed storage area for the vehicles or boats shall not become a nuisance to neighboring properties.

18.38.22 On –Site Location of Parking Facilities.

On-site parking facilities for residential uses shall not be permitted to occupy any portion of a required front yard or any portion of a required side yard.

Based on the Section 18.38.22, no parking is allowed in the front yard, which would mean no parking is allowed within the first 25 feet of a property located in the A-1-20 zone. As currently written, the Code does not make provision for driveway parking. A property owner parking on a driveway, in front of their garage that is within the front yard 25-foot setback, is technically in violation of the NMC per Section 18.38.22. Parking of vehicle in the side yard would also be a violation per this Section. Strict enforcement of no parking in the required front yard or side yard setback has not been applied.

Furthermore, there is an inconsistency with the Sections of the Code mentioned above. Per Section 18.31.08, storage of recreational vehicles and boats is allowed on the side yard, provided it is not a street side yard. However, per Section 18.38.22 storage of recreational vehicles and boats would not be allowed on a side that is not on a street side. Because of this inconsistency, the application of the Code with respect to each of these sections is impossible because one invalidates the other.

The above information and concerns of on-site residential parking were presented to the Planning Commission at their meeting on December 12, 2012. The Commission agreed that a Code Amendment was necessary to eliminate inconsistencies, and make parking requirements more enforceable. The Commission directed staff to present a draft Code Amendment addressing the inconsistencies, and that the following be discussed for possible inclusion in a Code Amendment:

- Inclusion of a definition of vehicle in the NMC;
- Removal of the prohibition of parking in the front yard;
- Regulation for parking of high profile vehicles in the front yard primarily for visibility;
- Reducing the number of recreational vehicle (RV) and boats allowed to be stored on a property;
- Parking on the street
- Consideration of parking provisions for lots that are non-conforming (smaller) or where there is not enough room on the sides of the house to park the vehicles/horse trailers in the back of the property; and
- Specification of the type of surfacing allowed to be parked on.

ANALYSIS: Inclusion of a definition of vehicle in the NMC: The following definition currently exists in Title 18 (Zoning Code), Chapter 18.02 – “Definitions” in the NMC:

“Recreational Vehicles”. A motor home, travel trailer, truck camper, or camping trailer, with or without motor power, designed for human habitation for recreational or emergency occupancy, which meets all of the following criteria:

- (a) Contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.
- (b) Contains 400 square feet or less of gross area measured at maximum horizontal projections and does not exceed 40 feet in length.
- (c) Is built on a single chassis.
- (d) Is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.
- (e) Requires licensing and registration by the State Department of Motor Vehicles. (Amended by Ord. 497 Sec. 2, 1983)

Chapter 10.16 addresses the parking of commercial vehicles (truck and trailer) exceeding a maximum gross weight limit of eleven thousand pounds (five and one-half tons) subject to certain regulations (ref. Exhibit “A” – Section 10.16.050). These regulations allow the parking of a commercial vehicle provided such vehicle is parked on private property adjacent to the residence of an applicant. Said vehicle can be parked to the side or rear of the residence (but not in the front) in such a manner so as to minimize visibility from the street and provided the parking area for such vehicle is not 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).

The following Definitions currently exist in Title 10, Chapter 10.16 – Commercial Vehicles/Trucks (not the Zoning Code which is Title 18) in the NMC:

- 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.

Should additional definitions be necessary and/or clarifications/modifications be required staff is recommending that the definitions in Title 18 (Zoning Code) and Chapter 10.16 of the NMC be consistent with each other. As previously stated, Chapter 10.16 on Commercial vehicles, allows parking on the side yard, but Section 18.38.22 (Title 18 – Zoning Code) does not. These also need to be consistent.

Removal of the prohibition of parking in the front yard: It is recommended that parking in the front and side yards be allowed, provided there is a maximum height limitation for vehicles to be parked so that visibility is not obstructed. It is recommended that 18.38.22 – On-Site Location of Parking Facilities, be amended as follows (deleted words are crossed out and new verbiage is in bold and under lined):

On-site parking facilities for residential uses shall not be permitted to occupy any portion of a required front yard or any portion of a required corner side yard, **if vehicles to be parked exceed a height of six feet. Vehicles that exceed six feet can be parked in a side yard that is not on a corner.**

Regulation for parking of high profile vehicles in the front yard primarily for visibility: The proposed amendment to Section 18.38.22 – On-Site Location of Parking Facilities listed immediately above, would address this concern.

Reducing the number of recreational vehicle (RV) and boats allowed to be stored on a property. To address this concern, staff is recommending that no more than a total of three RV's and/or boats be allowed. It is recommended that Section 18.38.22 – On-Site Location of Parking Facilities, be amended as follows (deleted words are crossed out and added words are in bold and underlined) to allow a maximum of three recreational vehicle on a property:

(9) Storage of Recreational Vehicles and Boats: Except as otherwise approved under site plan review or conditional use permit in the Commercial and Manufacturing Zones, recreational vehicles and boats shall not be stored in required

front yards or corner side yards. In agricultural and residential zones, no more than a total of three recreational vehicles or boats may be stored on any lot. ~~For lots greater than one half acre, one additional vehicle per each additional half acre may be stored. The maximum number of vehicles that may be stored shall not exceed ten.~~ Further, said recreational vehicles and boats may not be used as a habitable space or dwelling. ~~All such vehicles and boats approved for storage~~ and shall be maintained in a neat appearance and be in readily operable condition. The proposed storage area for the vehicles or boats shall not become a nuisance to neighboring properties

Parking on the street. Parking on designated streets is allowed; however, not on a permanent or long term basis. Staff conferred with Engineering staff on the possibility of allowing long term parking on a street. However, it was noted that the intent and purpose of streets in the City is for traffic flow and not for providing a "parking lot" for vehicles. Furthermore, there is a liability issue that would be more prevalent should City owned streets be identified as long term parking. Based on this, staff has no recommendation for allowing parking on streets.

Consideration of parking provisions for lots that are non-conforming (smaller) or where there is not enough room on the sides of the house to park the vehicles/horse trailers in the back of the property. Non-conforming lots pose several challenges especially when it comes to the size of the lot (i.e., there are several lots in the A-1-20 zone for example, that are under 10,000 square feet), and lots with non-conforming side yards, which are not wide enough to allow for parking or access to a rear yard. There is difficulty in addressing existing non-conforming lots, since each lot is unique and they more than likely existed before the City incorporated.

Through the years, the Planning Commission has addressed potential limitations on the lots particularly in the A-1-20 zone, (to avoid limitations on the use of the property, especially when it comes to animal-keeping) by establishing a minimum lot size of 20,000 square feet and a minimum side yard on one side of a dwelling of 15 feet to allow for adequate rear yard access. There is little that can be done for non-conforming lots to address parking in a rear yard where the lot is not big enough, or where there is a side yard not wide enough to allow parking or to provide access to the rear of a property.

The limited possibilities to address the issues surrounding non-conforming lots would be for allowing parking in the front yard and/or parking in the street. However, as proposed in this report, parking of tall vehicles in the required front yard setback should not be allowed, and long term parking on the street is not recommended. A special type of permit can be considered on a case by case basis for allowing tall vehicles to park in a front yard, however, that would be counterproductive to creating a safe environment for visibility and would not be aesthetically appealing. Staff is recommending further discussion and direction on this matter.

Specification of the type of surfacing allowed to be parked on. Section 18.38.20 "Design and Improvement of Parking Areas", Subsection (9)(a) identifies the requirements for driveway as follows:

- (a) Single Family Dwellings: 10 feet wide, paved with a minimum of 2 inches of asphaltic or portland cement concrete or approved alternative surfacing over suitably compacted sub-grade.

Alternative surfacing material may be approved for driveways in excess of 25' in conjunction with construction of an existing dwelling. Alternative surfacing material must be approved by the Director of Community Development.

It is difficult to insure/enforce that an alternative surfacing is maintained, because this surfacing is not considered permanent. Staff is recommending direction on appropriate changes to the above section to further its enforcement.

CONCLUSION: Staff recommends that the Planning Commission provide direction on the necessary revisions to the NMC for on-site vehicle parking requirements on property zoned for residential uses. Once direction is received, staff will schedule a public hearing for a Zone Code Amendment to address the subject matter at the next available meeting.