AGENDA
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
AUGUST 14, 2013

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

STAFF PRESENT:

PLEDGE OF ALLEGIANCE: Commission Member Leonard

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 Regular Meeting on July 10, 2013

   Recommended Action: Approval (Deputy City Clerk)

4. PUBLIC HEARINGS:

   A. **Conditional Use Permit 2012-03 (Planck/Internaltional Fellowship of Churches, Inc.; IMF World Missions & International Missions Fellowship)**: A request for approval to allow a church campus to include the construction of a 6,136 square-foot main church building and the use of an existing building, on four parcels (APN 129-180-010, -011, -012, -013. All parcels are located on the south side of Second Street, between Parkridge and Western Avenues within the A-1-20 Zone. **Recommended Action: Approval** (Senior Planner)

   B. **Tentative Parcel Map 36552 (Mehta)**: A request for approval of a subdivision of land that is 1.14 acres into two parcels for residential uses located at 4520 Center Street within the A-1-20 Zone. **Recommended Action: Approval** (Senior Planner)

C. **Conditional Use Permit 2013-05 (Sparks)**: A request for approval to allow truck mechanic training school at 1820 Town & Country Drive located within the M-1 (Heavy Commercial/Light Manufacturing) Zone. **Recommended Action: Approval** (Senior Planner)

D. Housing Element **Recommended Action: Continue to September 11, 2013 regular meeting.** (Planning Director)

E. **Zone Code Amendment 2013-14 (City of Norco):** Amending Chapter 18.64 "Housing Development Overlay" and Adding Chapter 18.65 "Residential Density Bonus Provisions" to the Norco Municipal Code. **Recommended Action: Approval to the City Councils** (Planning Director)

5. BUSINESS ITEMS:

A. **Site Plan 2013-14 (Schmidt)**: A request for approval to allow an accessory building consisting of a 288 square-foot shed at 2260 Alhambra Street located within the A-E (Agricultural Estate) Zone. **Recommended Action: Approval** (Senior Planner)

B. Draft C-4 Zone **Recommended Action: Continue** (Planning Director)

6. CITY COUNCIL MINUTES: Available on the City of Norco website: http://www.norco.ca.us/depts/city_council/minutes.asp

- City Council Minutes of July 17, 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)

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MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
JULY 10, 2013

CALL TO ORDER: **7:00 PM**

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

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

PLEDGE OF ALLEGIANCE: **Commission Member Jaffarian**

1. ELECTION OF NEW CHAIR AND VICE CHAIR:

Motion by Chair Wright to elect Vice Chair Henderson as Chair and Commission Member Leonard as Vice Chair; Vice Chair Henderson declined.
Motion by Commission Member Jaffarian to re-elect Chair Wright as Chair, and Commission Member Leonard as Vice Chair; Chair Wright declined.
M/S Wright/Leonard to elect Commission Member Hedges as Chair.
AYES: Unanimous **Motion Passed**

M/S Wright/Hedges to elect Commission Member Leonard as Vice Chair.
AYES: Unanimous **Motion Passed**

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

3. PUBLIC COMMENTS: **NONE**

4. APPROVAL OF MINUTES:
   - Minutes of Regular Meeting on June 12, 2013

   Recommended Action: Approval (Deputy City Clerk)

M/S Wright/Leonard to approve the minutes of Planning Commission Regular Meeting of June 12, 2013, as written.
AYES: Wright, Henderson, Hedges, Leonard **Motion Passed**
ABSTAIN: Jaffarian

5. PUBLIC HEARINGS:

   A. Variance 2013-01 (Cortez): A request for a variance on the 100-foot rear yard setback requirement in Norco Municipal Code Section 18.13.16 (C) "Rear Yard", to allow a 197 square-foot garage proposed about 38 feet from the rear yard, as an addition to the existing residence at 2550 Vista Court located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)

AGENDA ITEM 3

Senior Planner Robles presented the staff report on file in the Planning Department. She reviewed the setbacks requested and those required by the Municipal Code, noting the unique configuration of the lot. Staff recommends approval.

Chair Hedges OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, Chair Hedges CLOSED the public hearing, bringing the discussion back to the Commission.

M/S Wright/Jaffarian to adopt Resolution 2013-21, to approve Variance 2013-01, to allow a 197 square-foot garage proposed about 38 feet from the rear yard as an addition to the existing residence at 2550 Vista Court.

AYES: Leonard, Henderson, Jaffarian, Wright Motion Carried
NOES: Hedges (would like a PAKA on all properties, regardless of size)

B. **Conditional Use Permit 2008-10, Modification No. 1 (Pasley):** A request for approval to allow an increase in the number of students from 90 to 120 at an existing early childhood care center/preschool at 4193 Bluff Street located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. He reviewed State requirements as well as City requirements for the parking and playground issues. He noted a condition has been added to limit students to 90 in the play area at any one time. He stated a change to Condition 14, regarding the hours of operation, to open at 6:00 a.m. instead of 6:30 a.m. to accommodate parent's work schedules. Staff recommends approval.

Vice Chair Leonard noted his concern with the parking requirement for teachers; in response, Director King stated that there are three full-time teachers, six part-time teachers on opposing shifts, adding that the needed parking spaces is sufficient.

In response to Chair Hedges, Director King stated that a traffic study is not necessary as this is a permitted use, adding that a child care/pre-school facility operates differently from public schools, as parents are not allowed to stay on property.

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

Greg Newton: Mr. Newton asked if this property could be reverted back to residential use in the future, and if this type of modification triggers street or equestrian trails improvements.

Director King replied that the building can be reverted with construction and this does not require street improvements, as it was already done when originally approved.

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

In response to the Commission, the applicant, Ms. Pasley, noted that the property is approved for a septic tank, as a hook up to the sewer is not readily accessible. She also explained the drop-off/pick-up procedure, and that parents are not allowed to remain on the property beyond five minutes; all students arrive or depart within a 30 minute time frame.

Vice Chair Leonard noted his concern with the drop-off/pick-up area, adding that additional parking would need to be provided before he can approve the CUP.

M/S Henderson/Jaffarian to adopt Resolution 2013-23, to approve Conditional Use Permit 2008-10, Modification No. 1, to allow an increase in the number of students from 90 to 120 at an existing early childhood care center/preschool at 4193 Bluff Street.
AYES: Hedges, Henderson, Jaffarian, Wright **Motion Carried**
NOES: Leonard

6. BUSINESS ITEMS:

A. Site Plan 2013-11 (Jarvis): A request for approval to allow an accessory building consisting of a 192 square-foot detached horse shade structure at 245 Pompano Place located within the A-1-20 (Agricultural Low-Density) Zone. **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. Staff recommends approval.

M/S Henderson/Jaffarian to adopt Resolution 2013-20, to approve Site Plan 2013-11, to allow an accessory building consisting of a 192 square-foot detached horse shade structure at 245 Pompano Place.
AYES: Unanimous **Motion Carried**

B. Site Plan 2013-13 (Hernandez): A request for approval to allow an accessory building consisting of a 720 square-foot freestanding patio cover at 3525 Vine Avenue located within the A-1-20 (Agricultural Low-Density) Zone. **Recommend Action: Approval** (Senior Planner)

Planning Intern Michaels presented the staff report on file in the Planning Department. Staff recommends approval.

Vice Chair Leonard noted his concern regarding the 16-foot height requested, he stated that the height should not exceed 14 feet as noted in the Municipal Code.

M/S Wright/Henderson to adopt Resolution 2013-22, to approve Site Plan 2013-13, to allow an accessory building consisting of a 720 square-foot freestanding patio cover at 3525 Vine Avenue; with the modification that the roof not exceed 14 feet in height.
AYES: Unanimous **Motion Carried**

C. Draft C-4 Zone Zone Code Amendment **Recommended Action: Provide Direction** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. He noted that this item was brought forth based on discussions by the previous Working Group, which included Council Members and Planning Commission Members. The idea is to extend permitted uses within the C-4 Zone, which is primarily on Sixth Street.

Discussions followed, including issues such as a live/work situation, which would allow for a combination of residence in the back or on a second level of a structure and a business at the front, categorizing allowed uses as was done for the Auto Mall Specific Plan to encourage different types of businesses, and how to encourage lot consolidations for a more conducive commercial development.

Staff will incorporate changes and suggestions, and bring back for further discussion prior to a public hearing being set.

7. CITY COUNCIL MINUTES: **NONE**

8. PLANNING COMMISSION: **NONE**

a. Oral Reports from Various Committees

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

- Chair Hedges asked staff to agendize a report regarding a faded sign located at Valley View Avenue and Sixth Street, to verify if a new sign can be done.

9. ADJOURNMENT: Chair Hedges adjourned the meeting at **8:14 PM**

Respectfully submitted,

_____
Steve King
Secretary
Planning Commission

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CONDITIONAL USE PERMIT 2012-03
Church Buildings
(Planck)

Staff Report
Planning Commission Meeting
August 14, 2013

REQUEST: A request for approval to allow a church campus to include the construction of a 6,136 square-foot main church building and the use of the existing buildings, on four parcels (Assessor's Parcel Numbers 129-180-010, -011, -012, -013; identified as 3068 Second Street). All parcels are located on the south side of Second Street, between Parkridge and Western Avenues within the A-1-20 Zone.

PROJECT PROPONENT:

Property Owner:
International Fellowship of Churches, Inc
3068 Second Street
Norco, CA 92860

Applicant:
Dr. James Planck
3068 Second Street
Norco, CA 92860

PROJECT LOCATION AND DESIGNATION:

Location: four parcels to include 3068 Second Street; located on the south side of Second Street, between Parkridge and Western Avenues (ref. Exhibit "A" – Location Map)
Acreage: 2.4 acres (about 104,544 square feet)
APN: 129-180-010, -011, -012, and -013 (ref. Exhibit "B" – APN Map)
General Plan: RA – Residential Agricultural
Existing Zoning: A-1-20 (Agricultural-Low Density)
Present Land Use: Single Family Residential
Surrounding Zoning and Land Use:

Surrounding Property	Zoning	Land Uses
North	A-1-20	Single-Family Residence
South	A-1-20/ LD	Single-Family Residence/ Flood Control
East	A-1-20	Single-Family Residence
West	A-1-20	Vacant

BACKGROUND: The four parcels comprising the project site were created with Parcel Map (PM) 34844, which was recorded in 2008 (ref. Exhibit "C" – Recorded Legal Map). The subdivision was intended for residential development, and the property owner had submitted building permit plans on three of the four lots. The building permits were never issued and the property has since been sold to International Fellowship of Churches, Inc.

Following the change of ownership, complaints were received and staff observed use of the property for church services without the proper approvals. The current property owner was contacted and made aware that a conditional use permit is required to allow a church on the subject property. As a result, the subject application has been submitted.

SITE DESCRIPTION: The project site is an irregular-shaped site consisting of four legal parcels totaling about 2.4 acres. The site has a frontage on the south side of Second Street of about 375 feet, a frontage on the west side of Western Avenue of about 163 feet, a frontage on the east side of Parkridge Avenue of about 154 feet, and a maximum depth of about 368 feet. The property is identified as 3068 Second Street, which is developed with an existing single-family dwelling and detached garage (on Parcel 2) and a detached accessory workshop (on Parcel 1). All parcels that comprise the project site have a recorded Primary Animal Keeping Area (PAKA) and a recorded 15-foot wide PAKA access, which was required in the approval of TPM 34844.

The property also includes commercial vehicle trailers that have been moved onto the site without the required approvals (ref Exhibit "D" – Aerial and Site Photos).

A vacant property owned by the Norco Community Service District is adjacent to the west property line of the subject property, at the southwest corner of Second Street and Parkridge Avenue and it is not part of this project.

There is little vegetation on the site, with several scattered trees. The topography of the site is relatively flat, with the high point located at the northwest corner of the property. The property slopes gently from the northwest corner of the property towards the existing Riverside County Flood Control channel that borders the property on the south side. Any construction that involves the flood control right-of-way, easements, or facilities will require an encroachment permit from the Flood Control District.

All of the required street dedications were acquired with the approval of PM 34844, and securities were posted guaranteeing public improvements. Street improvements have not been constructed, but will be required with development of the property.

PROJECT DESCRIPTION: The project is a church campus to include construction of the 6,136 square-foot single-story main church/multi-use building (with an attached 210 square foot front porch). The "campus" will include the use of other existing buildings (ref. Exhibit "E" – Site Plan). The main church building will consist of a sanctuary, nursery rooms, classrooms, office areas etc., (ref. Exhibit "F" – Floor Plans). The project also includes the provision of landscaping, parking, and off-site street improvements to include horse trails as required.

As noted, the project site consists of four parcels identified as Parcels 1 through 4 as noted on the site plan and on TPM 34844. Parcels 3 and 4 are proposed to be merged (to equal one lot of about 1.02 acres), and proposed to consist of the new church building, parking and landscaping. The existing PAKA and the 15-foot wide access way on Parcels 3 and 4 will need to be "quit claimed" back to the property owner via City Council approval for their removal.

Parcels 1 and 2 are also proposed to be merged (to equal one lot of about 1.38 acres) and proposed to consist of the existing residence and detached garage and workshop. The project also includes use of the existing residence and detached garage. The existing house will be used for missionary housing and the garage will be used storage. One of the existing PAKAs and its15-foot wide access will be required to remain on the property. The other PAKA can be "quit claimed" back to the property owner via City Council approval for its removal.

Per the conditions of approval of PM 34844, the existing workshop was required to be demolished, or bonding was to be posted with the Building Division for its removal, if a residence was not constructed within one year of the map being finalized or recorded. With this application, the applicant is requesting that the structure be allowed to remain (on the lot to be created by merging Parcels One and Two where the existing structures will remain) as an ancillary storage structure for the church.

Lot Sizes: With the proposed lot mergers, one parcel (with the existing structures) will be about 60,368 square feet, and the other (with the new church structure) will be about 44,431 square feet. The minimum lot size in the A-1-20 zone is 20,000 square feet.

Setbacks: The new church building is proposed to have a front yard setback of about 35 feet, side yard setbacks of about 5 and 74 feet, and a rear yard setback of about 100 feet. As proposed, the church structure will meet the minimum setback requirements for the A-1-20 zone (25 feet for the front, 5 and 15 feet for sides, and 100 feet for the rear). The existing structures will also comply with the setback requirements.

Lot Coverage: Lot/pad coverage for the new parcel with the church is proposed at about 14%, and the lot/pad coverage for the new parcel that will include the existing structures will be about 6%. Both lots will comply with the maximum lot coverage of 40% of the flat pad area allowed in the A-1-20 zone.

On-Site Parking and Loading: With the development of churches, the main church/sanctuary building typically generates the largest amount of vehicle traffic. For this reasons, parking for churches has been based on the seating for the main building/sanctuary alone.

The Norco Municipal Code (NMC) requires one parking space for every three seats, fixed or otherwise, when calculating parking for a church. The floor plan for the church building indicates a total of 130 seats, which would require that a minimum of 43 parking spaces be provided per Code. A total of 54 parking spaces are proposed, which are proposed to be located on the new parcel where the church is proposed.

One 12'x25' loading space will be provided for the church behind the proposed church building.

Access and On-Site Circulation: Access to the site for the new church building is proposed from Second Street and Western Avenue through one 25-foot wide access driveway on each street. The access on Second Street will be posted for right-in, right-out only. All on-site drive aisles are at a width of at least 25 feet, meeting Code requirements and providing for adequate on-site circulation. Access to the existing buildings is currently from Second Street and will remain.

The conceptual street improvements are being shown on the site plan. The site plan indicates stamped asphalt concrete at the driveway entrances that will cross the future horse trails, which can be allowed for non-residential projects. However, the project will be conditioned to allow material that is approved by Code. Street improvements will be built to required City width and standards.

Landscaping: Approximately 14,360 square feet of landscaping is proposed, equal to about 32% of the total lot area where the church building is proposed. Landscaping is proposed along the perimeter of the site, around the proposed building, and within parking areas. No new landscaping is proposed on the lot where the existing buildings will remain.

Architecture: The new church building is proposed to be single-story, with a maximum height of about 30 feet measured to the peak of the roof, which complies with the maximum height limitation of 35 feet allowed in the A-1-20 zone. The building is wood framed with a contemporary mission style architecture, that is reflected by a simple building with stucco exterior, arches, and attic vents that reflect terracotta-style ornamentation (ref. Exhibit "G" – Exterior Elevations). Details on the colors will be presented at the scheduled meeting.

The architecture was provided to the Architectural Review Subcommittee (ARC). One of the members of the ARC indicated that a western look could be achieved if the building had a porch with kickers and if the roof were less steep. Since it is a single story building, it seems that the roof line could be a shallower slope.

The architecture has not been revised to reflect the above comments. Should the Planning Commission agree that the architecture needs revision; staff is recommending that the applicant work with the ARC and staff to achieve a western look and that the building elevations come back to the Planning Commission for final approval .

Fencing: No new fencing is proposed with this project.

Trash Enclosures: One trash enclosure is proposed to be located to the rear of the church building site, adjacent to the south property line, and proposed to be built to City Standards.

Church Service Hours: Church services are proposed on Sundays from 11:00 a.m. to 2:00 p.m. and on Friday evenings from 7:30 p.m. to 9:00 p.m. In addition to the regularly scheduled weekly activities, the church on occasion may conduct special activities such as member meetings, weddings, funerals, parties, and other social functions.

PROJECT REVIEW STATUS:

Project Review Board (PRB): The project was routed for preliminary comments by the PRB in February 2010 (preliminary review before the formal application was filed) and the PRB met to consider the proposed project at two meetings held on April 25, 2012 and on May 22, 2013. On all occasions, the applicant was provided with comments on departmental development standards and notified of required right-of-way and street improvements. Issues discussed at the meeting have either been reflected in the plans submitted with this report or will be conditions of approval.

Environmental Review: The project has been determined by staff to be exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines pursuant to Class 32 (Infill Development Projects).

Streets, Trails and Utilities Commission (STC): Review by the STUC was not required for this project.

Neighborhood Meeting: Surrounding property owners within a 300-foot radius of the project site were notified and invited to a community meeting on July 22, 2013. The meeting was held by the developer/applicant where information was presented on the proposed development.

Concerns were expressed over the proposed asphalt driveways; the existing workshop, being an eyesore and which should have been torn down; church services being held without approvals in the existing workshop; the existing commercial trailers being there for some time and how much longer they will be there; whether street improvements will be provided; the mess on the property and previous dumping on the property; the applicant not having a good track record with the neighbors; the proposed access on Second Street being too close to the intersection with Western Avenue; traffic generated by the use especially on Second Street; the location of the access point on Western Avenue being inadequate to allow for proper access to properties across the street from the proposed church on Western Avenue; the effects of the development on the properties on Western Avenue like for example the effects of parking lot lighting and what they will be looking at, which was accompanied by a request to have the new development moved to the opposite side of the property; and the effects of the project on property values. A letter written by a surrounding property owner was provided at the meeting, which has been attached (ref. Exhibit "I" – Letter dated July 22, 2013).

EVALUATION/DISCUSSION: A church and its related activities are allowed within the A-1-20 zone subject to the approval of a conditional use permit.

The purpose for requiring a conditional use permit is to review the location, site development, and/or conduct of certain land uses, due to the potential unique and distinct impacts on the surrounding area. The A-1-20 Zone is primarily a single-family residential zone and although distinct, a church facility has been determined as a land use preferred within a residential setting.

Development standards for the A-1-20 Zone relate to residential uses; however, churches must comply with the same developments standards. With the approval of a conditional use permit, it must be determined that the site will be developed in a manner that is compatible with the surrounding land uses. The project can be further conditioned with development standards to address all issues pertaining to the project, ensuring the land use is compatible with surrounding properties.

The project meets or exceeds the minimum NMC requirements (i.e., setbacks, building height, lot coverage, parking, etc.) and standards for development in the A-1-20 Zone. No waivers have been requested for development. The percentage of landscaping required is not specified in the A-1-20 Zone; however, the proposed amount of landscaping is sufficient and adequate for this type of use.

Surrounding property owners have expressed concerns regarding the proposed project. The majority of these concerns can be addressed and impact can be minimized with conditions of approval as follows:

- condition to require a photometric lighting plan for review and approval by staff and the Planning Commission, so that lighting will be analyzed to be of minimal impact to neighbors (particularity the neighbors on Western Avenue) and require lighting be on timers;

- condition to require shrubbery be planted in the proposed 5-foot wide landscape planter along the east property line, that will create a green wall (with a three-foot height limit) to shield vehicle headlights from shining onto the properties on Western Avenue. A low solid wall can also be required along Western Avenue or an increase in the width of the landscaping planter to allow for landscape berms can also be required at the discretion of the Planning Commission.
- condition to require that chain link fencing along the south property adjacent to the flood control be replaced for security reasons (per the Sheriff Division) to a six-foot high fence and that it be solid to shield vehicle headlight from shining onto properties to the south. This solid fence should be treated/painted to be graffiti retardant on the side facing the flood control channel;

- condition to require that no services be held on-site until the church building and all the required improvements are complete. Failure to comply with this requirement will result in a scheduling of a public hearing to revoke the conditional use permit;

- condition to require immediate removal of all trailers;

- condition to prohibit any dumping on the property; and

- condition to require that at a minimum, Parcels 1 and 2 be merged within 60 days of the conditional use permit if approved, to allow the workshop to become an accessory building to the existing residential home on the property, and that it be brought up to Code with necessary building permits; otherwise, the building must be torn down within six months.

Engineering staff has reviewed the location of the proposed driveways on Second Street and Western Avenue and it was determined that the proposed distances are adequate. A traffic analysis was not required due to the limited days and hours of operation of the proposed use, with most of the traffic anticipated on Sunday mornings. Furthermore, the project's design and layout meets Code requirements. However, with the approval of a conditional use permit, it must be determined that the site will be developed in a manner that is compatible with the surrounding land uses. As such, the Planning Commission can direct that other site layout options be considered. Should the Planning Commission approve the proposed layout, staff is recommending that the parking space located closest to Second Street that is labeled for handicap be eliminated and replaced with landscaping, since it is too close to the street and unsafe. A different parking stall can be labeled for handicap parking if needed.

Because the project does not require any waivers from site development standards, the project is not expected to adversely affect adjoining land uses and growth or development in the area. Staff believes the use as proposed and conditioned can be operated in a manner that is compatible with the surrounding uses and should not have any significant effects.

The property is adequate to allow for full development of the project, and the traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area.

No drainage issues have been identified with this project. However, a grading/drainage plan will be required as a condition of approval for the project. The project must comply with City development standards that will provide positive drainage to public facilities and that do not increase or intensify run-off to adjacent properties. The applicant and

engineering staff will be at the scheduled meeting to address questions pertaining to the grading of the project.

CONCLUSION: The majority of churches within the City are located within residential zones. Although each location is unique, existing church facilities in residential zones provide an indication that the proposed land use can be developed and operated in a manner that is compatible with the surrounding area. The project is an improvement to the site and as conditioned could benefit surrounding properties and the community.

RECOMMENDATION: That the Planning Commission approves Conditional Use Permit 2012-03 by adopting the following motion:

Motion: Adopt Resolution 2013-27 approving Conditional Use Permit 2013-03 subject to all conditions of approval contained therein.

Prepared by:

Alma Robles
Senior Planner

Reviewed by:

Steve King
Planning Director

/adr

Attachments:
- Resolution 2013-27
- Exhibit "A" – Location Map
- Exhibit "B" – APN Map
- Exhibit "C" – Recorded Legal Map
- Exhibit "D" – Aerial and Site Photos
- Exhibit "E" – Site Plan
- Exhibit "F" – Floor Plans
- Exhibit "G" – Exterior Elevations
- Exhibit "H" – Letter dated July 22, 2013

RESOLUTION NO. 2013-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT TO ALLOW A CHURCH CAMPUS TO INCLUDE THE CONSTRUCTION OF A 6,136 SQUARE-FOOT MAIN CHURCH BUILDING AND THE USE OF EXISTING BUILDINGS, ON FOUR PARCELS (ASSESSOR'S PARCEL NUMBERS 129-180-010, -011, -012, -013; IDENTIFIED AS 3068 SECOND STREET). ALL PARCELS ARE LOCATED ON THE SOUTH SIDE OF SECOND STREET, BETWEEN PARKRIDGE AND WESTERN AVENUES WITHIN THE A-1-20 ZONE. CONDITIONAL USE PERMIT 2012-03

WHEREAS, DR. JAMES K. PLANCK submitted an application for a conditional use permit to the City of Norco, California, under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code, to allow the development of a church campus on property generally described as:

Real property in the City of Norco, County of Riverside, State of California, described as follows: Parcel #1 of parcel map 34844 in the City of Norco, County of Riverside, State of California as per parcel map recorded in book 224 pages 75 and 76,

Real property in the City of Norco, County of Riverside, State of California, described as follows: Parcel #2 of parcel map 34844 in the City of Norco, County of Riverside, State of California as per parcel map recorded in book 224 pages 75 and 76,

Real property in the City of Norco, County of Riverside, State of California, described as follows: Parcel #3 of parcel map 34844 in the City of Norco, County of Riverside, State of California as per parcel map recorded in book 224 pages 75 and 76,

Real property in the City of Norco, County of Riverside, State of California, described as follows: Parcel #4 of parcel map 34844 in the City of Norco, County of Riverside, State of California as per parcel map recorded in book 224 pages 75 and 76,

More generally described as an irregular-shaped area of about 2.4 acres and consisting of four legal parcels, having a frontage on the south side of Second Street of about 375 feet, a frontage on the west side of Western

Avenue of about 163 feet, a frontage on the east side of Parkridge Avenue of about 154 feet, a maximum depth of about 368 feet, and being further identified as 3068 Second Street (Assessor's Parcel Numbers 129-180-010, -011, -012, and -013); and

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

WHEREAS, said application was scheduled for a public hearing on August 14, 2013; and

WHEREAS, at the time set at 7 p.m. on August 14, 2013 within the Council Chambers at 2820 Clark Avenue, Norco, California, said petition was heard by the Planning Commission for the City of Norco; and

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

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is 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 requested Conditional Use Permit will not adversely affect the General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof, by reason that the Norco General Plan designated the site as Residential Agricultural, and the A-1-20 zoning designation of the site is consistent with the General Plan Designation. The proposed land use is a conditionally permitted use in this zone and subject to conditions. The use can be operated in a manner so as to be consistent with surrounding uses and future development, and will therefore not have any significant negative effects.

B. The requested use will not adversely affect the adjoining land uses, and the growth and development of the area in which it is located by reason that the adjoining properties are all zoned A-1-20. The proposed use, when operated in compliance with the conditions of approval, will be complementary and compatible with surrounding properties and therefore will not have an adverse effect on adjoining properties.

C. The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area as the proposed development meets all applicable development standards.

D. The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area, based on compliance with conditions of approval.

E. The City has determined that the project is categorically exempt from environmental assessment per CEQA and the provisions of the Norco Environmental Guidelines pursuant to Section 3.13, Class 32 (Infill Development Projects).

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled on August 14, 2013 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "E" – Site Plan, and Exhibit "F" – Floor Plans and Exhibit "G" – Building Elevations dated, dated July 15, 2013, and incorporated herein by reference and on file with the Planning Department. Development shall occur as shown unless otherwise noted in these conditions.

2. The recorded owner of the property shall submit to the Planning Department, 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 not specifically waived or conditioned by the Planning Commission 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 Department for record purposes for approval of any grading and/or building permits.

5. The subject property shall be developed in accordance with approved plans and specifications on file with the City of Norco Planning Division.

6. The developer shall pay all applicable City of Norco development fees prior to issuance of any permits.

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

8. This is not an approval to begin work. No work shall be commenced until the City of Norco has issued building permits and all other appropriate permits.

9. 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 thereto.

10. Building elevations, building colors and materials shall be as approved by the Planning Commission. Changes on the building architecture as directed by the Planning Commission shall be approved by the Architectural Review Sub-committee (ARC) for final review by the Planning Commission. Minor deviations from the approved colors and materials approved shall be subject to the approval of the Planning Director or designee prior to their application. Material boards and colored renderings shall be presented to the Planning Division as part of the permanent file.

11. No sign is authorized by approval of this site plan. Plans for any sign(s) proposed to be placed upon this site shall first be submitted to the Planning Division for approval of a sign permit, and to the Building Divison for issuance of a building permit.

12. Shrubbery shall be planted in the proposed 5-foot wide landscape planter along the east property line, that will create a green wall (with a three-foot height limit) to shield vehicle headlights from shining onto the properties on Western Avenue.

13. The chain link fencing along the south property adjacent to the flood control shall be replaced with a six-foot high solid fence for security and to shield vehicle headlight from shining onto properties to the south. Solid fencing shall be treated/painted to be graffiti retardant on the side facing the flood control channel.

14. Approval shall be granted by the Planning Department of all walls and fences, landscaping plans (precise schedule), and exterior lighting prior to issuance of building permits.

15. All landscaped areas shall be provided with a water-conserving automatic irrigation system. A detailed landscaping and underground irrigation plan which utilizes drought-resistant plants shall be submitted to the Planning Division and Planning Commission for approval. Such plans shall indicate plant and tree types and sizes, and the location and dimensions of all landscaped areas and irrigation lines. Trees shall be installed as a minimum 15-gallon container or 24-inch planter box. Shrubs shall be installed as a minimum 5-gallon container. Inside dimensions of any designated landscape planters adjacent to parking/maneuvering areas which allow vehicle approaches to overhang into said planter areas shall not be credited towards meeting the minimum landscaped area requirements. The landscape plan shall also be submitted for review and approval by the Planning Commission.

16. All landscaped areas shall be maintained in a healthy and thriving condition free from weeds, trash and debris as a condition of this approval. The property owner is responsible for maintenance of on-site and off-site landscaping.

17. A detailed on-site photometric lighting plan shall be submitted for review and approval by the Planning Commission, prior to issuance of building permits. Such plan shall indicate style, illumination, location, height and method of shielding, so as not to adversely affect adjacent properties or streets. On-site lighting shall be directed inward to the project and sheltered from view, as much as possible, from the adjacent property.

18. Freestanding lighting fixtures shall be no more than 15 feet in height and low pressure sodium lighting shall be used. Furthermore, all lighting shall be on timers so that lighting can be shut off as determined necessary to avoid impacts on neighbors during late hours of the night.

19. No services shall be held on-site until the church building and all the required improvements are complete. Failure to comply with this requirement will result in a scheduling of a public hearing to revoke the conditional use permit.

20. Immediate removal of all trailers is required and no storage of trailers shall be allowed.

21. No dumping on the property shall be allowed.

22. Parcels 1 and 2 of the project site shall be merged within 60 days of this approval, to allow the workshop to become an accessory building to the existing residential home on the project site. One of the existing PAKAs and its15-foot wide access will be required to remain on the property in accordance to the requirement of the A-1-20 Zone and one shall be "quit clamed" back to the property owner via City Council approval for its removal. This workshop shall be brought up to Code for a storage structure through the application and approval of building permits; otherwise, the building shall be torn down within six months.

23. Parcels 3 and 4 shall be merged. The existing PAKA and the 15-foot wide access way on Parcels 3 and 4 shall be "quit claimed" for their removal via City Council approval.

24. The parking space located closest to Second Street that is labeled for handicap shall be eliminated and replaced with landscaping.

25. All ground-mounted utility appurtenances such as transformers shall be located out of public view of the main building area and adequately screened through the use or combination of concrete masonry walls, berms, and landscaping to the satisfaction of the Planning Department.

26. Any mechanical equipment such as: air conditioning, heating or cooling equipment, etc. and/or appurtenant ducts, vents, pipes or cable which are proposed to be mounted either on top of, or outside of, any building or structure shall be subject to review and approval by the Planning Director prior to the issuance of building permits. Plans showing the nature, extent, and location of all such appendages and method of architectural integration, visual, and acoustical treatment of the same shall be submitted to the Planning Department for review and approval prior to issuance of building permits.

27. Trash enclosures shall be designed to meet City standards in the location as indicated on the site plan and/or in a location approved by Waste Management. The trash enclosure shall be placed on a concrete pad and screened on three sides with a six-foot high solid masonry wall in conformance with City standards, and shall be equipped with a six-foot high sight-obscuring gate and "man" entrance, subject to approval of the Planning Department. The trash enclosure shall be a minimum size for two bins, one bin for trash and the other bin for recycling.

28. The developer and subsequent owners shall participate in recycling programs that are in compliance with State requirements and the City's recycling program, and shall place recycling facilities as approved by the City and the City's waste hauler.

29. A minimum of 43 standard parking spaces shall be provided as required by the Norco Municipal Code. The number of parking spaces designated for disabled persons shall be provided per Code requirements. Parking shall remain clear and accessible to the public during normal business hours.

30. All parking stalls shall be 9'x20' in size with a maximum two-foot overhang into the designated landscape planters where applicable.

31. There shall be no sound amplification system provided which projects sound outside the confines of the building except as may be specifically approved by the Planning Director upon application for such system. In the event of approval of any such system, technical details of system (i.e., loud speaker, paging, etc.) shall be subject to review and approval by the Planning Division prior to installation. Provided further, that sound levels shall be controlled as to not exceed 55 PndbA (CNEL) at property line, and shall be so certified by a registered acoustical engineer.

32. Any stop work order caused by a failure to make application for building permits may be cause for revocation proceeding to begin.

33. The proposed project lies within the Western Riverside Council of Governments (WRCOG) area-wide Multi-Species Habitat Conservation Plan (MSHCP). The City has adopted the MSHCP program and if applicable, this project shall be subject to the payment of these fees prior to the issuance of building permits.

34. A bond or surety device shall be posted and an agreement executed to the satisfaction of the City Engineer and City Attorney, guaranteeing completion of all public improvements. NOTE: Upon acceptance by the City Council of the public improvements and installation of any necessary erosion control devices, the City will release the Labor and Materials bond within 180 days, and reduce the Faithful Performance Bond to 10 percent of the original amount and release it after a period of one year if no liens have been filed and the work remains in satisfactory condition.

35. Trash enclosures proposed for this site, near buildings where food uses are anticipated, shall be protected from surface run-off by a six-inch concrete curb or masonry wall and shall drain inward to a sewer inlet to the satisfaction of the Building Division. Access to enclosures from entry drives will not be permitted.

36. No construction activity work shall be permitted after 6 p.m. or before 7 a.m. or on Saturdays, Sundays or holidays without prior written approval from the City Engineer.

37. The applicant shall submit a current title report (no more than 30 days old) for the project site showing all existing property ownership, easements and rights of title.

38. The access on Second Street for the parking lot of the proposed church building shall be posted for right-in, right-out only.

39. Driveway approaches shall be constructed in accordance with City standards as approved by the City Engineer.

40. All on-site drive aisles and parking areas shall be constructed in accordance with City Standards as approved by the City Engineer.

41. A City of Norco Encroachment Permit shall be obtained for **ALL** work in the public right-of-way prior to the start of work. All work shall be done in accordance with City Standards, Riverside County Road Department Standards, and/or as otherwise specified to the satisfaction of the City Engineer and completed prior to certificate of occupancy.

42. This development shall be served by underground utilities. All sewer, water and storm drain utility locations shall be incorporated into the public improvements plans and shall be prepared on 24"x36" mylar, by a registered civil engineer, for approval by the City Engineer. A plan check fee of 4.5% of the estimated public improvement costs shall be paid prior to plan approval.

43. The applicant shall obtain written authorization granting permission for any work to be completed on property in which he is not the sole owner. A copy of this written authorization shall be submitted to the City Engineer's office prior to start of work.

44. The proposed project lies within an area subject to an area-wide Transportation Uniform Mitigation Fee (TUMF). The City has adopted the TUMF program and if applicable, this project shall be subject to the payment of these fees prior to the issuance of building permits unless exempted by ordinance.

45. The applicant shall submit a preliminary soils report, prepared by a California-licensed soils engineer, prior to issuance of grading permit.

46. An on-site precise grading, paving and drainage plan shall be prepared for this project by a registered civil engineer for approval by the City Engineer. Plans shall

be on 24"x36" mylar sheets with mass grading and drainage shown at a maximum scale of 1" = 40'. Precise grading information, such as house plots, drainage swales and hardscape may be included if the plan is prepared at 1"= 30' or larger. The applicant's engineer shall submit a rough grade certification stipulating completion of all grading operations in conformance with the approved plan prior to the issuance of building permits.

47. The grading plan will show all proposed flow patterns, elevations, hardscape improvements, project phasing and implementation prior to issuance of a grading permit.

48. Prior to issuance of a grading permit, a complete hydrology and hydraulic study shall be prepared by a registered civil engineer for approval by the City Engineer. Those recommendations of the report, as approved by the City Engineer, shall be incorporated into the public improvement plans and site development plans prior to their approval.

49. The applicant shall participate in the Master Drainage Plan improvement facility identified for the project site and shall be responsible for its construction and shall dedicate those drainage easements to the City as are determined necessary to the City Engineer.

50. Prior to the issuance of a grading permit, the applicant's engineer shall prepare and submit a Storm Water Pollution Plan (SWPPP) covering all construction. Maintenance of the necessary erosion control devices shall be the responsibility of the applicant. Any emergency repair to these devices performed by City forces shall be billed to the applicant and paid for prior to the release of certificate of occupancy.

51. The project engineer shall include an erosion control plan as part of the precise grading plan, providing for installation of approved erosion control devices (sandbags, desilting basins, etc.) during all phases of construction.

52. All slopes shall be a maximum of 2:1, unless a slope stability analysis prepared by a registered soils engineer is submitted recommending steeper slope gradients. Review and approval of this analysis shall be at the sole discretion of the City Engineer and in no case shall slopes steeper than 1.5:1 be permitted. Slopes greater than 5 feet in height and slopes adjacent to street right-of-way shall be planted and irrigated with an approved plant material. Review and approval of corresponding landscaping/irrigation plans shall be performed by the Planning Department.

53. A registered civil engineer or landscape architect shall prepare street tree planting, parkway landscaping and irrigation plans on standard size sheets for approval by the City Engineer and Director of Community Development. Plans shall be submitted at the time of initial submission of all improvement plans. All street tree installations shall conform to the Street Tree Master Plan as approved by the Parks and Recreation Commission and City Council.

54. Off-site landscaping must be included on the on-site landscaping plans, which shall be submitted for review and approval by the Planning and Engineering Divisions.

55. Street improvements are required with this project to the required City width and standards. A registered civil engineer shall prepare street improvement plans on 24" x 36" mylar for approval by the City Engineer. Striping and signing shall be included as part of these plans, when required. Striping and legends shall be thermoplastic paint. A plan check deposit may be required prior to plan checking and standard fees shall be paid prior to plan approval.

56. The applicant shall dedicate all vehicular access rights to Second Street and on Western and Parkridge Avenues, except across driveway openings as indicated on the approved site plan prior to issuance of a building permit.

57. The project shall be connected to the City's sewer system; and the applicant shall pay all associated connection fees to the City of Norco, prior to building permit issuance. Grease interceptors shall be required for all food service uses.

58. The project shall be connected to the City's water system; and the applicant shall pay all associated connection fees to the City of Norco, prior to building permit issuance.

59. Separate water meters shall be required for the buildings and irrigation, and are required to be installed prior to issuance of a certificate of occupancy.

60. Existing water meters are required to be upgraded to current City standards.

61. An existing Riverside County Flood Control District facility is located adjacent to the project area and may be impacted. An encroachment permit from the Riverside County Flood Control District will be required for any work that involves Riverside County Flood Control District right-of-way, easements or facilities. Furthermore, a permit from the Riverside County Flood Control District is required for any connection to the flood control . Any construction within road right-of-way that may impact Riverside County Flood Control District's existing facilities should also be coordinated with the District.

62. Irrigation lines require reduced pressure backflow preventors to be installed to City standards.

63. A preliminary Water Quality Management Plan (WQMP) shall be submitted prior to site grading plan submittal. A Final WQMP shall be submitted and approved by the City Engineer. Prior to issuance of a grading permit, the property owner shall record a Covenant and Agreement, or other approved instrument, with the County-Clerk Recorder to inform future property owners of the requirement to implement the approved WQMP.

64. The applicant shall be required to process a Storm Water Pollution Prevention Plan (SWPPP) through the State of California Regional Water Quality Control Board for conformance with the requirements of the National Pollution Discharge and Elimination System (NPDES) and submit proof that a Notice of Intent (NOI) has been filed with the appropriate state agency. No work completed must cause a violation of the City-wide NPDES Permit.

65. The applicant shall meet with the Norco Fire Department to determine locations of fire hydrants, red curbing and signage by fire hydrants, Fire Department connections, and designated fire lanes on-site.

66. Fire lanes, turn-around/access and yard hydrants shall be in accordance with the latest edition of the California Fire Code. See the Norco Fire Department Standards for fire lane, fire access, and fire hydrant guidelines.

67. All gates shall be installed in compliance with the latest edition of the California Code, Section 902 and approval of the Norco Fire Department is required.

68. The Norco Fire Department will require a Knox Box to be installed.

69. Fire Department roof access ladders are required when buildings have a parapet which is four feet or greater. See the Norco Fire Department for "Roof Access" requirements.

70. The developer/general contractor is responsible for reasonable continuous cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on- and off-site. Open fires are not permitted as they pose a hazardous situation; consequently, the developer/general contractor would be cited for this.

71. Complete architectural and structural building plans, including all specifications, shall be submitted to the Norco Fire Department for review prior to the issuance of

any building permits. These plans and specifications shall include, but not be limited to, construction type, exits, fire protection equipment, building protection, and interior finish. The developer is responsible for, and shall apply for and receive, all Fire Department permits, paying all necessary fees prior to beginning construction.

72. Portable fire extinguishers shall be installed in accordance with Norco Fire Department standards prior to occupancy. The developer should contact the Norco Fire Department to determine the exact number, type, and placement required. Where exterior-mounted extinguishers are provided, it is suggested that installation be in recessed cabinets for aesthetics and to reduce theft or vandalism.

73. A fully supervised automatic fire sprinkler system is required for buildings of 2,500 square feet or greater. Supervision must include monitoring to a listed and U.L. Certified Central Station. Said system design to include provisions for future tenant improvement, if applicable. Plans must be submitted to the Building Department. (Information sheet available from the Norco Fire Department).

74. All fire suppression systems require a separate submittal and permit for proposed work prior to installation. See Norco Fire Department standards for "Fire Sprinkler Standard" and "Fire Alarm/Monitored Standard". Fire flow information shall be submitted and acquired prior to system design.

75. All roof coverings shall be of fire-resistive materials only (Class A or Class B according to the Uniform Building Code). The Building Department shall approve materials.

76. The following is a list of possible plan reviews necessary for completion of this project. Some of these are "shop drawings" and specifications done by sub-contractors. Plan review fees and permit fees may apply - check with the Fire Department for confirmation.

--Building Architectural Plans
--On-Site Water & Fire Hydrant Utility Plans
--Detailed Site Plan with Islands and Drive Aisles
--Fire Sprinkler
--Fire Alarm/Sprinkler Monitoring
--Fire Lanes
--Flammable Liquid/Hazardous Materials

77. Approved address numbers shall be in accordance to Norco Fire Department Standards for Single-Family Dwellings, Multi-family Dwellings and Industrial/Commercial buildings.

78. Owner must file an emergency notification form with the Sheriff's Department prior to obtaining certificate of occupancy.

79. Roof top addressing (for Sheriff's helicopter) shall be applied in a contrasting color with a minimum 1' x 4' to the main building, provided they are applied on flat roofs that are hidden by parapet walls and not visible from the street.

80. The project site shall be screened from Second Street and Western Avenue during construction.

81. The applicant shall provide surveillance of the parking lots during weekend services to deter vehicle burglaries.

82. No trespassing/loitering signage shall be provided in the parking lot.

83. Security alarm systems shall be installed in the church building.

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

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

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

85. The applicant shall meet all standards and conditions of the Planning, Fire, Engineering, Building and Safety Departments, and all other applicable departments and agencies.

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

approval date of said project, and then by December 31 of every year from date of approval thereafter. The owner/operator shall be responsible for all staff and attorney fees that may be incurred in the enforcement of the terms of the conditions of approval, whether they are annual inspections or compliance hearings.

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on August 14, 2013.

_____
Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

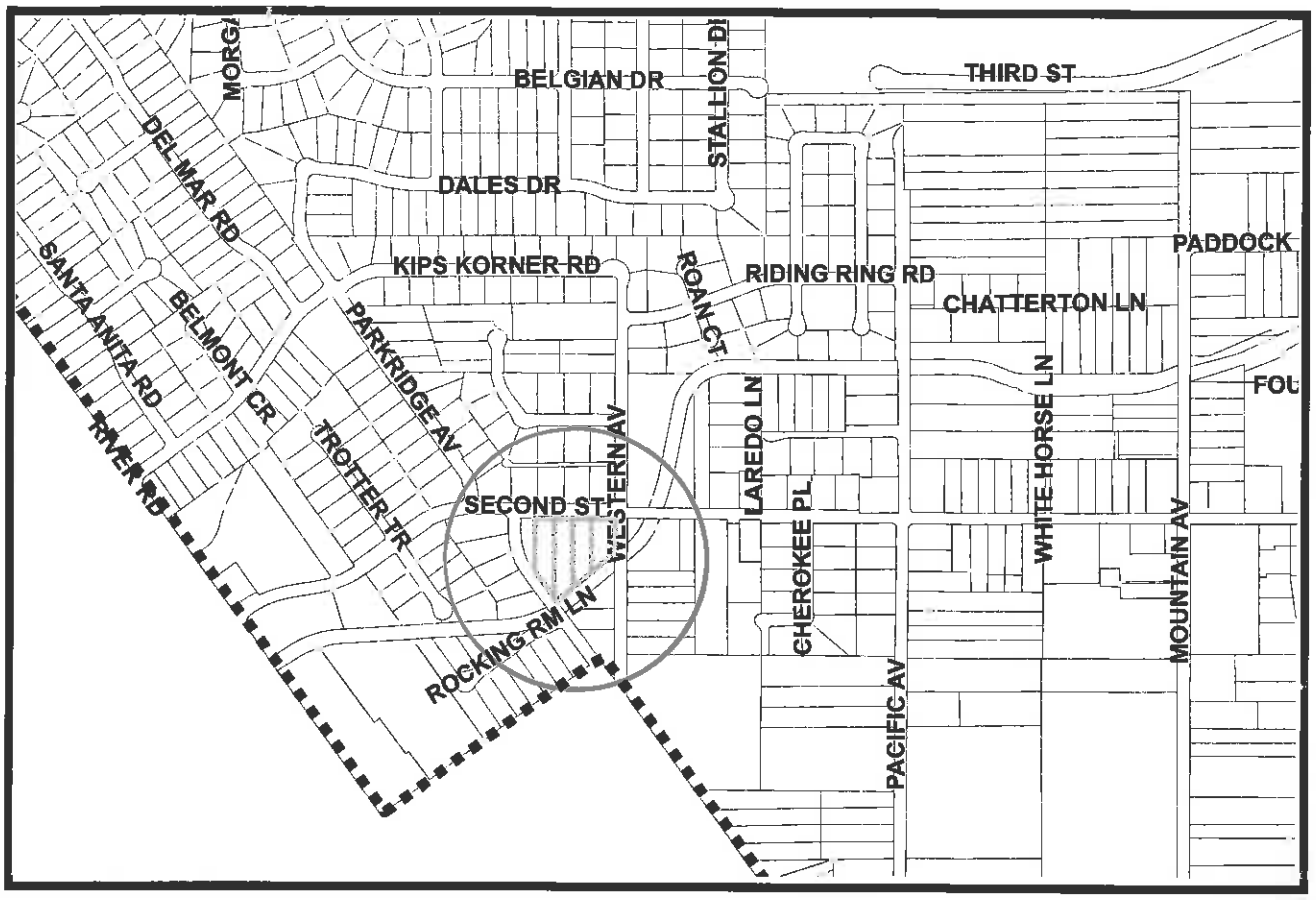
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on August 14, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale

N

PROJECT: Conditional Use Permit 2012-03

APPLICANT: Dr. James Planck

LOCATION: 3068 Second Street

Exhibit "A"

/va-80888

ASSESSOR'S PARCEL MAP

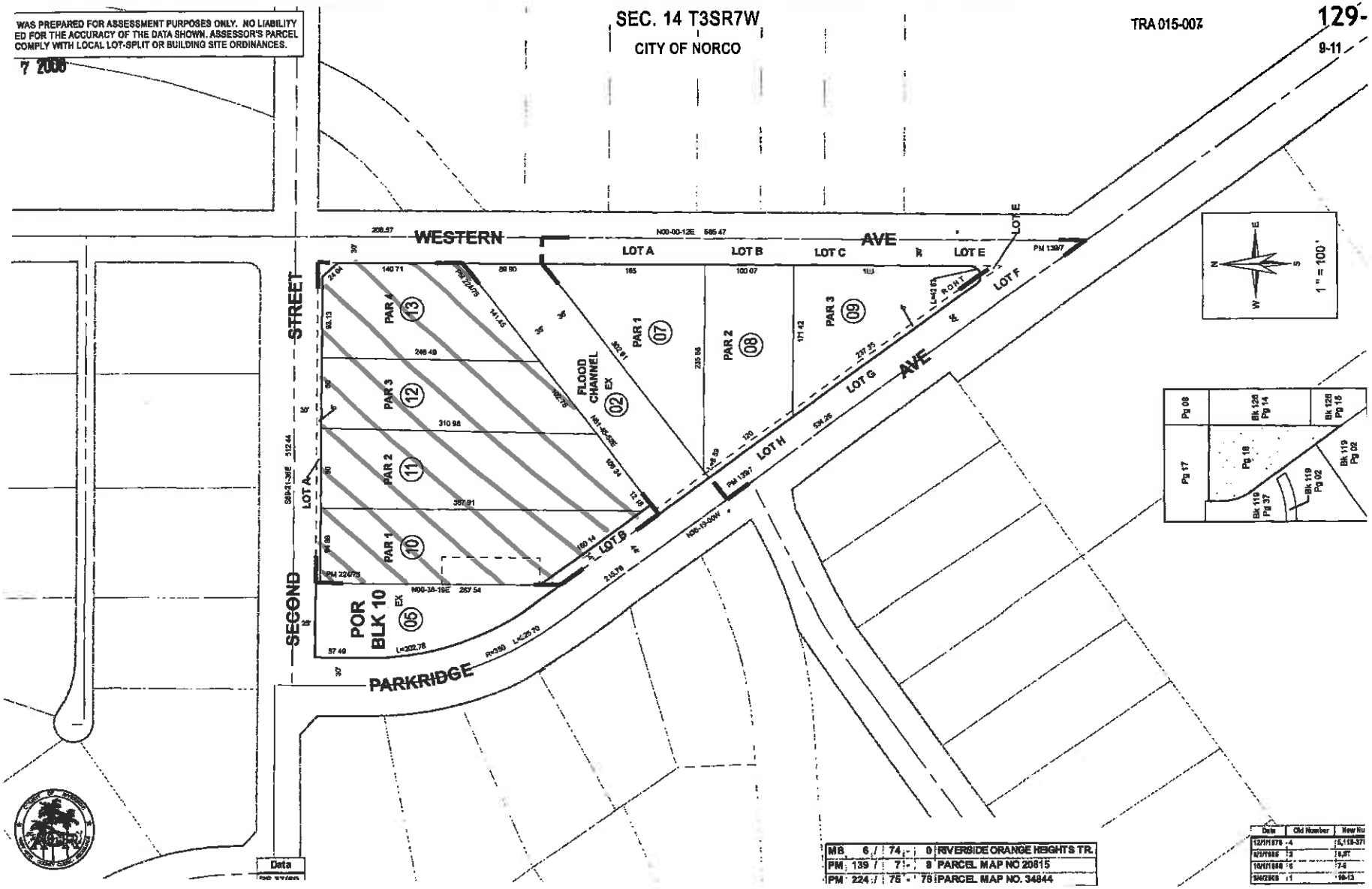


Exhibit "B"

224/76 PM 34844 2/2

IN THE CITY OF NORCO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

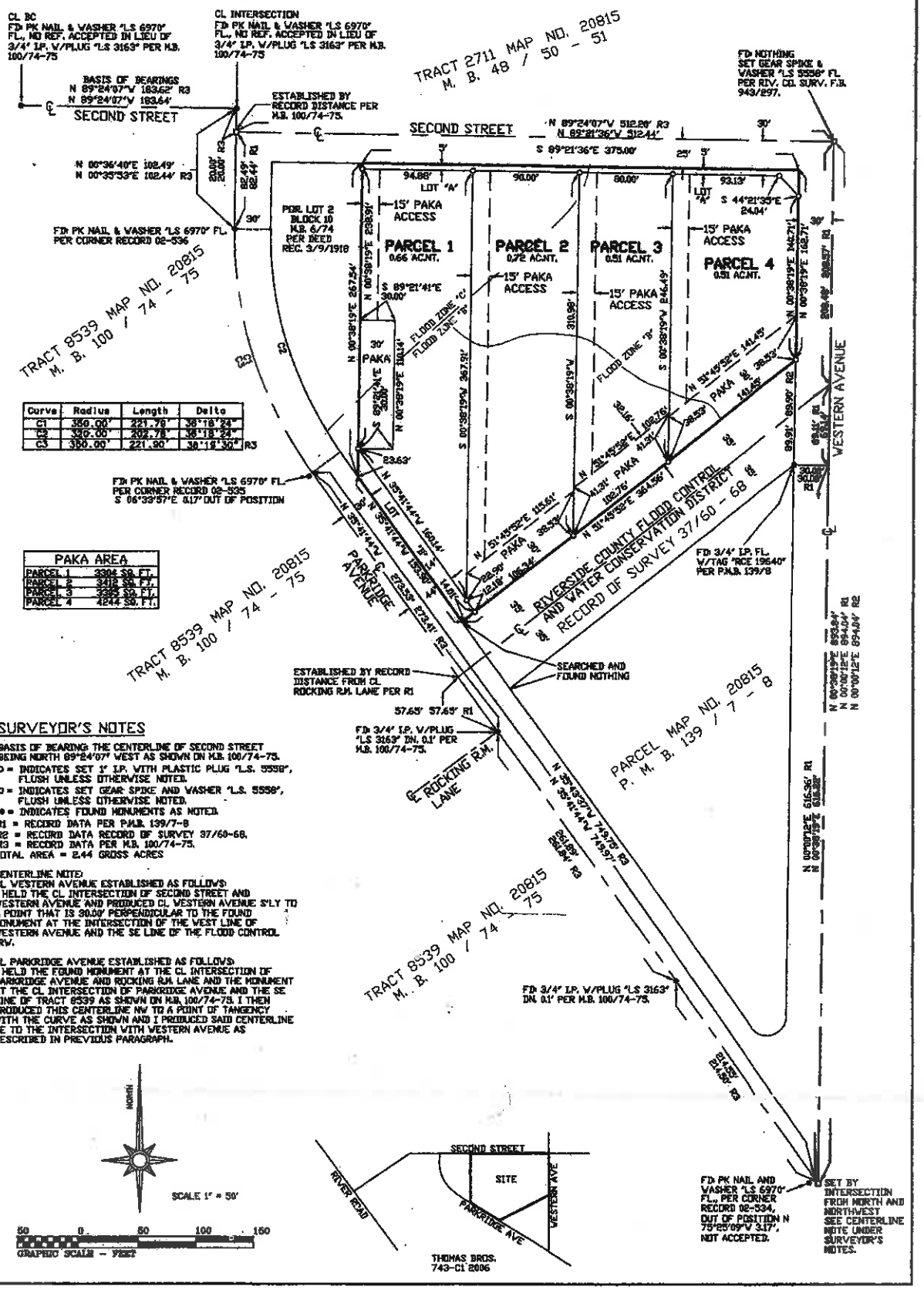
SHEET 2 OF 2 SHEETS

PARCEL MAP 34844

BEING A SUBDIVISION OF A PORTION OF LOT 2, BLOCK 10 OF RIVERSIDE ORANGE HEIGHTS TRACT., MAP BOOK 6, PAGE 74, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LOCATED IN RANCHO LA SIERRA SEPULVEDA.

LANDMARK SURVEYING INC.

MAY 2006



Curve	Radius	Length	Delta
C1	350.00'	221.78'	36°18'24"
C2	350.00'	202.78'	33°18'24"
C3	350.00'	221.90'	36°19'30" R3

SURVEYOR'S NOTES

BASIS OF BEARING: THE CENTERLINE OF SECOND STREET BEING NORTH 89°24'07" WEST AS SHOWN ON M.B. 100/74-75.

o = INDICATES SET 3" I.P. WITH PLASTIC PLUG "L.S. 5558", FLUSH UNLESS OTHERWISE NOTED.

□ = INDICATES SET GEAR SPIKE AND WASHER "L.S. 5558", FLUSH UNLESS OTHERWISE NOTED.

● = INDICATES FOUND MONUMENTS AS NOTED.

R1 = RECORD DATA PER P.M.B. 139/7-8

R2 = RECORD DATA RECORD OF SURVEY 37/60-68.

R3 = RECORD DATA PER M.B. 100/74-75.

TOTAL AREA = 2.44 GROSS ACRES

CENTERLINE NOTE:
CL WESTERN AVENUE ESTABLISHED AS FOLLOWS:
I HELD THE CL INTERSECTION OF SECOND STREET AND WESTERN AVENUE AND PRODUCED CL WESTERN AVENUE S'LY TO A POINT THAT IS 30.00' PERPENDICULAR TO THE FOUND MONUMENT AT THE INTERSECTION OF THE WEST LINE OF WESTERN AVENUE AND THE SE LINE OF THE FLOOD CONTROL R/W.

CL PARKRIDGE AVENUE ESTABLISHED AS FOLLOWS:
I HELD THE FOUND MONUMENT AT THE CL INTERSECTION OF PARKRIDGE AVENUE AND ROCKING R.M. LANE AND THE MONUMENT AT THE CL INTERSECTION OF PARKRIDGE AVENUE AND THE SE LINE OF TRACT 8539 AS SHOWN ON M.B. 100/74-75. I THEN PRODUCED THIS CENTERLINE NW TO A POINT OF TANGENCY WITH THE CURVE AS SHOWN AND I PRODUCED SAID CENTERLINE SE TO THE INTERSECTION WITH WESTERN AVENUE AS DESCRIBED IN PREVIOUS PARAGRAPH.

EXHIBIT "C"

TENTATIVE PARCEL MAP 36552
Residential Subdivision
(Mehta)

Staff Report
Planning Commission Meeting
August 14, 2013

REQUEST: This is a request for approval of a subdivision of land that is approximately 1.14 acres into two parcels for residential uses. The property is located at 4520 Center Avenue within the A-1-20 Zone.

PROJECT PROPONENT:

Property Owner:
O. Rhyan Capital Management, LLC.
801 N. Harbor Boulevard
Fullerton, CA 92832

Applicant/Principal:
Attn: Sunil K. Mehta
1398 Arrowhead Drive
Placentia, CA 92870

PROJECT LOCATION AND DESIGNATION:

Location: 4520 Center Avenue; located on the west side of Center Avenue between Seventh Street and River Drive (ref. Exhibit "A" – Location Map)
Acreage: 1.136 acres (49,500 square feet)
APN: 153-131-008 (ref. Exhibit "B" – APN Map)
General Plan: RA - Residential Agriculture
Existing Zoning: A-1-20 (Agricultural-Low Density)
Present Land Use: Residential (Two dwellings on lot)
Surrounding Zoning and Land Use:

Adjacent Property	Zoning	Land Uses
North	A-1-20	Residential
South	A-1-20	Residential
East	A-1-20	Residential
West	A-1-20	Residential

SITE DESCRIPTION: The subject property is a rectangular-shaped parcel consisting of approximately 1.136 acres, having frontage of about 165 feet on the west side of Center Avenue and a maximum depth of approximately 300 feet.

The project site is presently developed with two single-family residences, both with detached garages. Horse stables are also located at the rear of the property (ref. Exhibit "C" – Aerial and Site Photos). The entire site is relatively flat with a slope of 4% or less.

An equestrian trail exists on the west side of Center Avenue, in front of the project site. All necessary right-of-way presently exists, but the only street improvement constructed is asphalt pavement (no curb and gutter). Furthermore, street improvements have not been completed (no curb and gutter) on Center Avenue between River Drive and Seventh Street near the project site.

PROJECT DESCRIPTION: The applicant is proposing the subdivision of property that is approximately 1.136 acres into two parcels for residential uses (ref. Exhibit "D" – Tentative Parcel Map 36552). The purpose of the proposed subdivision is to allow each of the two dwelling units at 4520 Center Avenue to be on a separate lot.

A minimum lot size of 20,000 square feet along with a minimum pad size of 18,000 square feet is required for the creation of lots in the A-1-20 Zone. For lots with a pad size less than 20,000 square feet, a minimum Primary Animal-Keeping Area (PAKA) of 2,728 square feet is required, and for lots with a pad area greater than 20,000 square feet, a minimum PAKA of 3,304 square feet is required. In addition, the minimum lot width and frontage is 80 feet and the minimum lot depth is 200 feet.

Both parcels in Tentative Parcel Map (TPM) 36552 are proposed to meet the minimum requirements and are proposed to consist of the following:

LOT SUMMARY TABLE

Parcel Number	Lot Area (sq. ft.)	Pad Size (sq. ft.)	PAKA Area (sq. ft.)	Minimum Lot Width/ Frontage	Minimum Lot Depth
1	25,500	25,500	3,315	85	300
2	24,000	24,000	3,360	80	300

Parcel One is proposed to consist of an existing residential home, detached garage and the accessory horse stall structures as indicated on the tentative parcel map exhibit. The existing structure at the rear of the property on Parcel One which is noted to be removed or rebuilt on the map exhibit is proposed to be modified/re-built to meet the required five-foot setback from property line. All existing structures for proposed Parcel One will meet the minimum setbacks in the A-1-20 Zone.

Parcel Two is proposed to consist of the existing second residential home and detached garage. All existing structures for proposed Parcel Two meet the minimum setbacks in the A-1-20 Zone.

The Municipal Code requires that all PAKAs be located in the rear yard area, consist of flat usable land (with a slope of 4% or less), have a minimum width of 30 feet, and be rectangular in shape. The PAKA on each lot of the map is proposed to comply with these requirements. In addition, the Code requires that PAKAs be a minimum of 35 feet away from any habitable structure located on adjacent lots, and each PAKA will meet this requirement. A recorded minimum 15-foot wide access to the PAKA will be provided on both parcels. Only a portion of the existing stables will be in the PAKA on Parcel One, and will not exceed the maximum PAKA coverage of 40%.

PROJECT REVIEW STATUS:

Project Review Board (PRB): The PRB met to consider the proposed project at its meeting held June 19, 2013. At that meeting the applicant was provided with comments on departmental subdivision standards and notified of required street improvements. Issues discussed at the meeting have either been reflected in the plans submitted with this report or will be conditions of approval.

Environmental Review: City staff has determined that the project is categorically exempt from the provisions of the Norco Environmental Guidelines pursuant to Section 3.13, Class 15 – Minor Land Divisions.

EVALUATION: TPM 36552 as submitted meets all applicable Code provisions pertaining to lot area, pad area, PAKA provisions, street frontage, and dimensions for the creation of lots in the A-1-20 Zone. The map also satisfies all sections of the subdivision chapter of the NMC. In addition, the existing structures to remain on proposed Parcel One and Parcel Two will meet the required setbacks for the A-1 Zone.

The existing structure at the rear of the property on Parcel One which is noted to be removed or rebuilt on the map exhibit "D", will be conditioned to be modified/re-built in accordance to all City standards and requirements of the A-1-20 zone (i.e. setbacks that require five feet from property line and 10 feet from any other structure). A building and/or demolition permit will be required prior to any modification to this structure and the demolition or modification of this building will be required to be completed prior to the recordation of the subject map.

No drainage issues have been identified with the proposed subdivision of this property. However, any topographic changes to the property will require a grading plan.

The project has been conditioned to require that street improvements be designed and built in front of the project site.

The Municipal Code requires that PAKAs be located in the rear yard area. As noted on the map, the PAKA on both lots will be towards the rear of the property.

Staff has no other issues or concerns with the subdivision project as proposed. Overall, staff believes that the project will be an asset and benefit to the surrounding residential properties.

RECOMMENDATION: That the Planning Commission recommends to the City Council the approval of Tentative Parcel Map 36552 by the adoption of the following motion:

MOTION: For recommendation of approval of Tentative Parcel Map 36552 subject to conditions of approval set forth in the attached draft resolution.

Prepared by:

Alma Robles
Senior Planner

/cmm

Attachments:
- PC Resolution 2013-26
- Exhibit "A" – Location Map
- Exhibit "B" – APN Map
- Exhibit "C" – Aerial and Site Photos
- Exhibit "D" – TPM 36552

RESOLUTION NO. 2013-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO RECOMMENDING TO THE CITY COUNCIL OF THE AFORESAID CITY THAT TENTATIVE PARCEL MAP 36552 BE APPROVED

WHEREAS, SUNIL K. MEHTA submitted an application to the City of Norco, California, for a tentative parcel map under the provisions of Title 17 of the Norco Municipal Code on property generally described as:

> The Southerly 165.00 feet of the Easterly 330.00 feet of lot No. 7 in Block 52 of Tract Norco Farms Tract No. 2, in the City of Norco, County of Riverside, State of California, as per map recorded in Book 11, Page 56 of Maps, records of Riverside County, California; and
>
> More generally described as a rectangular-shaped parcel consisting of approximately 1.136 acres, having a frontage of about 165 feet on the west side of Center Avenue, having a maximum depth of about 300 feet, and being further described as 4520 Center Avenue (APN 153-131-008);

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

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

WHEREAS, at the time set, at 7 p.m. on August 14, 2013 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

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

WHEREAS, the proposed map depicted on Tentative Parcel Map 36552, Exhibit "D", dated August 8, 2013 and on file with the Planning Department, is consistent with the City's General Plan, and meets all regulations regarding subdivisions; and

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

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

I. FINDINGS:

A. The map is consistent with the Norco General Plan. The site is designated Residential Agricultural and zoned A-1-20 (Agricultural-Low Density, Residential). The proposed lots as designed and conditioned meet all A-1-20 zoning requirements related to lot area and dimension standards.

B. None of the conditions for mandatory denial as set forth in Subsections (a) through (g) of Section 66474, Article 1, Chapter 4, Division 2, Title 7, of the California Government Code exist with respect to said subdivision.

C. The proposed subdivision together with provisions for its design and improvement is consistent with applicable general plans of the City pursuant to Section 66473.5, Article 1, Chapter 4, Division 2, Title 7, of the California Government Code.

D. The project has been determined by the City of Norco to be categorically exempt from City of Norco Environmental Guidelines, pursuant to Section 3.13, Class 15 "Minor Subdivision" of said guidelines.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Norco, California, in session assembled on August 14, 2013 does recommend to the City Council that Tentative Parcel Map 36552 be approved for a period of 24 months, subject to the following conditions:

1. Approval is based on Exhibit "D", dated August 7, 2013 and incorporated herein by reference and on file with the Planning Department. Development shall occur as shown unless otherwise noted in these conditions.

2. The recorded owner of the property shall submit to the Planning Department, 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. The applicant shall pay all applicable fees associated with this proposal and the subdivision of land. Furthermore, the applicant shall pay all development fees in accordance with the NMC prior to approval of the final map.

5. All provisions of Chapters 17 and 18 of the NMC shall be met as it relates to the division of land.

6. The submittal, approval, and recordation of a subdivision map in accordance with the provisions of the State Subdivision Map Act and the City Subdivision Ordinance prior to the issuance of any permits is required.

7. Approval of the tentative map shall expire if the subject map has not been recorded within a two-year period from the date of City Council approval.

8. Extension of the tentative map approval shall only be considered if the applicant filing said map submits a written request for extension to the City Planning Department stating the response for the request, **at least 30 days before the map approval is due to expire,** pursuant to and in compliance with Section 17.16.170 of the City Subdivision Ordinance.

9. The project shall have a dedicated "primary animal-keeping area" (PAKA) on each lot created within the subdivision map. The size of the PAKA shall be as set forth and shown on the Tentative Parcel Map and in compliance with the NMC. Furthermore, the dedicated PAKA shall be recorded on each lot.

10. The driveway leading up to the garage on existing garage on Parcel Two of the subject map shall be completed with either asphalt or concrete, or an alternative surface drive as approved by the Planning Director.

11. The existing structure at the rear of the property on Parcel One which is noted to be removed or rebuilt on the Map exhibit "D", shall be modified/re-built in accordance to all City standards and requirements of the A-1-20 zone (i.e. setbacks that require five feet from property line and 10 feet from any other structure). A building and/or demolition permit shall be required prior to any modification to this structure and the demolition or modification of this building shall be completed prior to the recordation of the subject map.

12. Each parcel shall be provided with separate connections to all utilities (sewer, water, gas and electricity). If separate connections do not exist, permits are required for their installation.

13. The final map shall depict and specify all utility connections and a special inspection shall be obtained for verification by the Planning Division.

14. A City of Norco Public Works encroachment permit shall be taken out for all work in the public right-of-way prior to the start of work. All work shall be done in accordance with City Standards, and/or otherwise specified to the satisfaction of the City Engineer and completed prior to certificate of occupancy.

15. Development on Parcel Two shall only be served by underground utilities. All utility locations shall be incorporated into the public improvements plans and shall be prepared on standard size sheets by a registered civil engineer for approval by the City Engineer. A plan check deposit of $250 per sheet shall be posted prior to checking and standard fees paid prior to plan approval.

16. Parcels One and Two of said map shall be connected to the City's sewer system, and the applicant shall pay all associated connection fees to the City of Norco prior to building permit issuance.

17. Street improvements shall be designed and installed/completed in front of the property prior to recordation of the final map, or cash in lieu of improvements may be submitted at the discretion of the City Engineer/Director of Public Works.

18. A monumentation bond in an amount determined by the project engineer, and approved by the City Engineer, shall be posted with the City of Norco prior to approval of the final map.

19. Driveway approaches shall be constructed in accordance with City Standards as approved by the City Engineer.

20. Any topographical changes to the Parcels One and Two shall require a grading plan to be submitted to and approved by the City Engineer.

21. A final map shall be prepared on 18" x 24" sheets and approved by the City Engineer prior to recordation. A plan check deposit shall be paid prior to plan check.

22. The applicant shall submit a current title report (no more than 30 days old) for the project site showing all existing property ownership, easements and rights of title.

23. The applicant shall meet all standards and conditions of the Planning, Fire, Engineering, Building and Safety Departments, and all other applicable departments and agencies.

24. The proposed project lies within an area subject to an area-wide Transportation Uniform Mitigation Fee (TUMF). The City has adopted the TUMF program, and this project shall be subject to the payment of these fees prior to the issuance of any building permits unless exempted by ordinance.

25. A minimum 15-foot wide, flat, clear and direct vehicular access to the PAKA, as measured from any eave line, shall be provided and recorded on both parcels of the subject map.

##

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held on August 14, 2013.

_____
Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

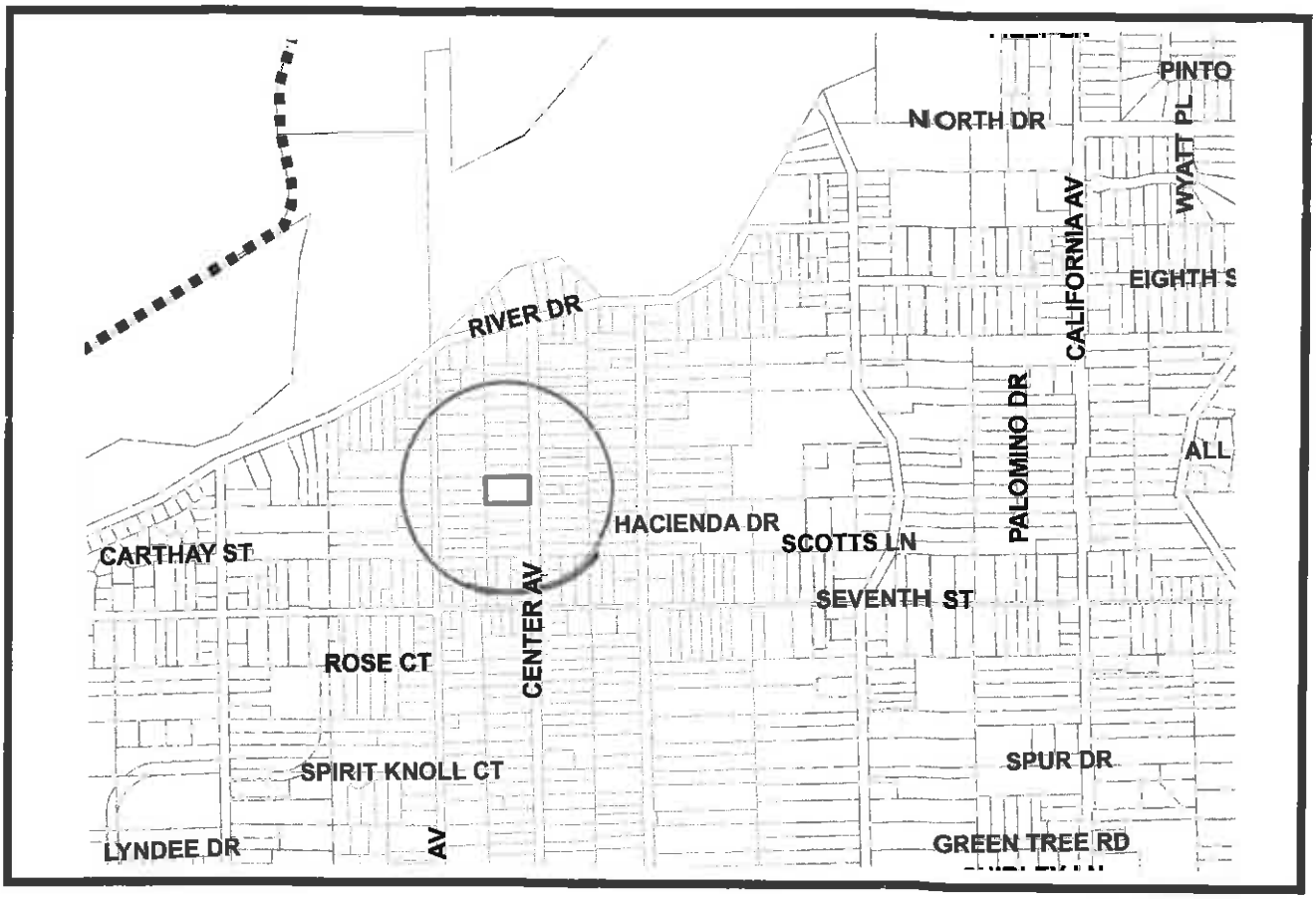
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on August 14, 2013, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

/cmm

LOCATION MAP



Not to Scale

N

PROJECT: Tentative Parcel Map 36552

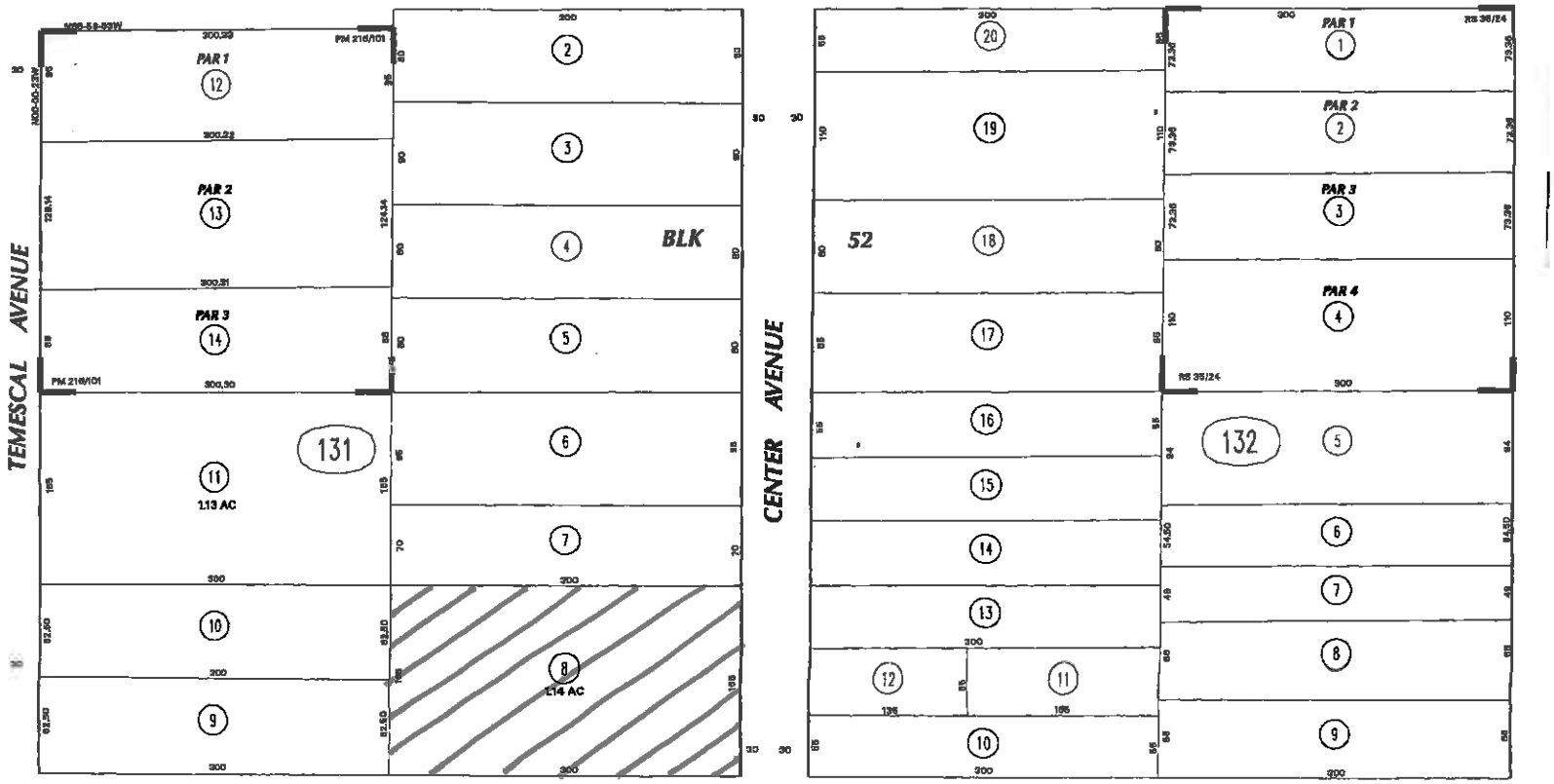
APPLICANT: Sunil K. Mehta

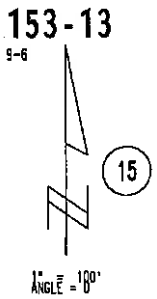
LOCATION: 4520 Center Avenue

Exhibit "A"

/va-80888

ASSESSOR'S PARCEL MAP





14

MB 11/56 NORCO FARMS TR NO 2
RS 35/24

Exhibit "B"

CONDITIONAL USE PERMIT 2013-05
(Sparks)
Truck Mechanic Training School

STAFF REPORT
Planning Commission Meeting
August 14, 2013

REQUEST: A request for approval to allow truck mechanic training school at 1820 Town & Country Drive located within the M-1 (Heavy Commercial/Light Manufacturing) Zone.

PROJECT PROPONENT:

Property Owner:
Lahn V. Nguyen and Nhin T. Nguyen
7422 Cobble Creek
East Valley, CA 92880

Applicant:
Daniel G. Sparks
3712 Charlemage
Long Beach, CA 90808

PROJECT LOCATION AND DESIGNATION:

Location: 1820 Town & Country Drive; located on the south side of Town & Country Drive, west of Hamner Avenue (ref. Exhibit "A" – Location Map)
Acreage: .43 acres (approximately 18,730 square feet)
APN: 129-230-047 (ref. Exhibit "B" – APN Map)
General Plan: Industrial
Zoning: M-1 (Heavy Commercial/Light Industrial)
Present Land Use: Vacant Industrial Building which is Part of an Industrial Center
Surrounding Zoning and Land Use:

Adjacent Property	Zoning	Land Uses
North	M-1	Office/Commercial/Warehousing
South	C-G	Vacant Land
East	C-G	Commercial/Restaurant
West	M-1	Commercial/auto repair

SITE DESCRIPTION: The project site is an irregular-shaped area consisting of about 18,730 square feet, having an average width of about 133 feet and a maximum depth of about 113 feet.

The project site is presently developed with a commercial/industrial building consisting of 8,391 square feet (that is divided into office and warehousing space), associated parking (17 stalls) and landscaping (ref. Exhibit "D" – Existing Site Plan and Existing "E" – Existing Floor Plan). The site is part of an integrated industrial center that was approved by the Planning Commission on August 8, 2001, and the project site is located at the southeast corner of the center (ref. Exhibit "C" – Aerial and Site Photos).

The site does not front onto Town & Country Drive, but there is a driveway that crosses the center from north to south that provides access to the site from Town & Country Drive. A secondary access point exists to the east of the site that provides access from Hamner Avenue.

PROJECT DESCRIPTION: The applicant is proposing to use the existing building at 1820 Town & Country Drive for a truck mechanic training school (Humberto's Technical Training School). No exterior building and site improvements are proposed. Improvements will be done to the interior of the existing building to accommodate the proposed use (ref. Exhibit "F" – Proposed Floor Plan). The warehouse area in the existing building is proposed to be set up to accommodate the instruction area for the proposed school.

The school provides classes on mechanical repair of Hino Trucks (a group of Toyota) with classes and training on: engine, clutch, transmission, differential, brakes, electrical and diagnosis; fix it right the first time, parts management and service management. All training is done indoors.

Class is held from 9:00 am to 4:00 pm., Monday thru Friday, with a maximum of 10 students per class. No more than one class, that covers all of the subjects listed above, is held throughout the day from 9:00 am to 4:00 pm.

ENVIRONMENTAL REVIEW: City staff has determined that the project is categorically exempt from environmental assessment and the provisions of the Norco Environmental Guidelines pursuant to Section 3.13, Class 1 – Existing Facilities.

EVALUATION: The subject property is located in the M-1 zone. The propose use is consistent with uses in the M-1 zone that require a conditional use permit, such as studios (which provide instruction) and automobile/vehicle repair and services (subject of the instruction).

With conditionally permitted land uses, the Commission must hold a public hearing to consider all aspects of the project. The Commission must consider whether the proposed land use will adversely affect the adjoining land uses and the growth and development of the area.

As noted, no new site improvements are being proposed with the subject application and none that will be required. Upon development, the site was in compliance with all development standards (i.e., setbacks access, parking, landscaping, architecture, trash enclosures, etc.,) required in the M-1 Zone. For this project, it needs to be determined if the existing parking spaces (17 spaces) is sufficient to accommodate the proposed use.

The parking requirement for a private school/college is one parking space for every ten students plus one and one-half for each classroom. The warehouse area in the existing building is proposed to be set up as the instruction area for the proposed use, which would be the only classroom, and there is a maximum of 10 students per class. Using the parking ratio for private colleges, a total of three parking spaces would be required.

Because this may be an underestimate of the parking need, staff is recommending that the project if approved, be conditioned to only allow the proposed maximum of 10 students throughout the day, and that any increase in the number of classes throughout the day or increase in the number of students, require a modification of this permit for approval by the Planning Commission.

Improvements to the interior of the existing building will have to comply with building and safety requirements and will not be allowed to require more parking than what is already provided on site and/or approved by the Planning Commission.

As existing, proposed, and conditioned, the project meets the minimum requirements (i.e., setbacks, landscaping, etc.) and standards for development and uses in the M-1 zone.

The project does not require any waivers from site development standards, and as such, the project is not expected to adversely affect adjoining land uses and growth or development in the area. Staff believes the use can be operated in a manner that is compatible with the surrounding uses and should not have any significant effects. With a maximum of 10 students for the entire operating hours of the school, there should be enough parking spaces to support the proposed use throughout the day.

The project will be conditioned to allow instruction only indoors, with no outdoor instruction, truck repair or storage of any kind allowed. The proposed use as conditioned can be operated in a manner that is complementary with the existing businesses within the center.

The property is adequate to allow for full development of the project, and the traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area. The project site and the entire center have been fully developed and all street improvements exist. The proposed use is not expected to increase traffic above what was reasonably anticipated for the center when it was reviewed for approval.

Staff has no issues or concerns with the proposed truck mechanic training school. The proposed use as proposed and conditioned can be operated in a manner that is complementary to the existing businesses within the center.

RECOMMENDATION: That the Planning Commission approves Conditional Use Permit 2013-05 by adopting the following motion:

Motion: Adopt Resolution 2013-34 approving Conditional Use Permit 2013-05 subject to all conditions of approval contained therein.

Prepared by:

Alma Robles
Senior Planner

Reviewed by:

Steve King
Planning Director

/adr

Attachments:
- PC Resolution No. 2013-34
- Exhibit "A" – Location Map
- Exhibit "B" – APN Map
- Exhibit "C" – Areal and Site Photos
- Exhibit "D" – Existing Site Plan
- Exhibit "E" – Existing Floor Plan
- Exhibit "F" – Proposed Floor Plan

RESOLUTION 2013-34

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT TO ALLOW A TRUCK MECHANIC TRAINING SCHOOL AT 1820 TOWN & COUNTRY DRIVE LOCATED WITHIN THE M-1 (HEAVY COMMERCIAL/LIGHT MANUFACTURING) ZONE. CONDITIONAL USE PERMIT 2013-05

WHEREAS, DANIEL G. SPARKS submitted an application to the City of Norco, California for a conditional use permit under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code to allow a vehicle service and repair on property generally described as:

.43 acres net in Par 7 PM 205/080 PM 310;

More generally described as irregular-shaped area of about .43 acres, having an average width of about 133 feet. a maximum depth of about 113 feet, and being further identified as 1820 Town and Country Drive (Assessor's Parcel Number of 129-230-047); and

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

WHEREAS, said application was scheduled for a public hearing on August 14, 2013; and

WHEREAS, at the time set at 7 p.m. on August 14, 2013 within the Council Chambers at 2820 Clark Avenue, Norco, California, said petition was heard by the Planning Commission for the City of Norco; and

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

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is 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 requested Conditional Use Permit will not adversely affect the General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof, by reason that the Norco General Plan designates the site as Industrial and the existing M-1 zoning designation is consistent with the General Plan. The proposed land use is conditionally permitted in the zone and subject to conditions. The use can be operated in a manner so as to be consistent with surrounding uses and will therefore not have any significant effects.

B. The requested use will not adversely affect the adjoining land uses, and the growth and development of the area in which it is located by reason that the adjoining properties, are zoned for commercial or light industrial uses. The proposed use, when operated in compliance with the conditions of approval, will be complementary and compatible with surrounding properties and therefore will not have an adverse effect on adjoining properties

C. The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area as the proposed project meets all applicable development standards.

D. The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area, based on compliance with conditions of approval.

E. The City has determined that the project is categorically exempt from environmental assessment and the provisions of the Norco Environmental Guidelines pursuant to Section 3.13, Class 1.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled on August 14, 2013 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "D" – Existing Site Plan and Exhibit "F" – Proposed Floor Plan dated June 27, 2013, and incorporated herein by reference

and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.

2. The applicant and 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. The applicant shall obtain permits for tenant improvements to the interior of the building. Tenant improvements to the interior of the building shall comply with building and safety requirements and will not be allowed to require more parking than has been approved for the use.

6. This is not an approval to begin work or to occupy the subject building. No work shall commence and no occupancy shall be allowed until the City of Norco has issued building permits and all other appropriate permits (i.e., business license, certificate of occupancy, etc.).

7. 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.

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

9. A maximum of 10 students shall be allowed throughout the day/operating hours of the subject use. A modification of this permit to be approved by the Planning Commission, is required to allow any increase in the number of classes throughout the day or an increase in the number of students.

10. No outdoor instruction is allowed with the approval of this permit. Furthermore, no outdoor truck repair or storage of any kind (i.e., vehicle storage) is permitted.

11. An alarm system shall be provided.

12. All work shall comply with the latest editions of the California Codes.

13. The subject building shall be fully compliant with the American with Disabilities Act (ADA). This includes parking and exterior path of travel.

14. No washing of vehicles is allowed.

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

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

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

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

17. The applicant shall comply with all the requirements of the Building and Engineering Divisions and Fire Department for chemical storage and disposal.

18. The applicant shall comply with and implement Best Management Practices (B.P.M.s) for the disposal of oil and protections measures shall be implemented to insure that oil does not go into floor drains (if existing).

19. It shall be the responsibility of the property owner to maintain the site and the use in a clean and maintained condition. Failure to do so may be subject to revocation of this conditional use permit.

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

21. The owner/operator of the business, regardless of any changes in ownership, shall provide a self-audit of compliance with the conditions of approval to the Planning Commission on a form or in a manner determined by the Planning Division, and inclusive of the payment of any fees as may be set by the City Council. Said report shall demonstrate that the project is in compliance with all the conditions of approval and shall be submitted for review no later than six months from the approval date of said project, and then by December 31 of every year from date of approval thereafter. The owner/operator shall be responsible for all staff and attorney fees that may be incurred in the enforcement of the terms of the conditions of approval, whether they are annual inspections or compliance hearings.

#

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on August 14, 2013.

_____
Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

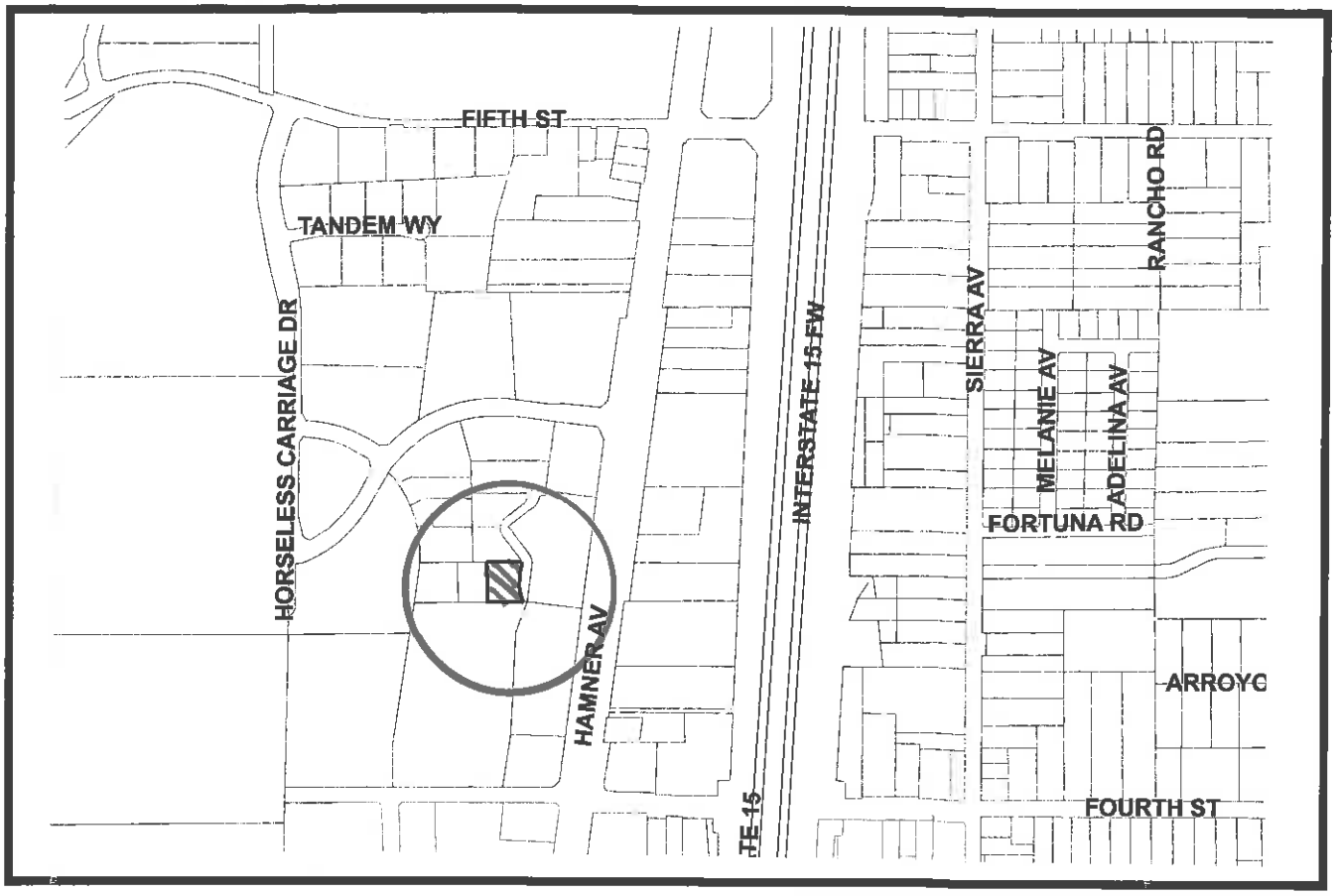
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on August 14, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale

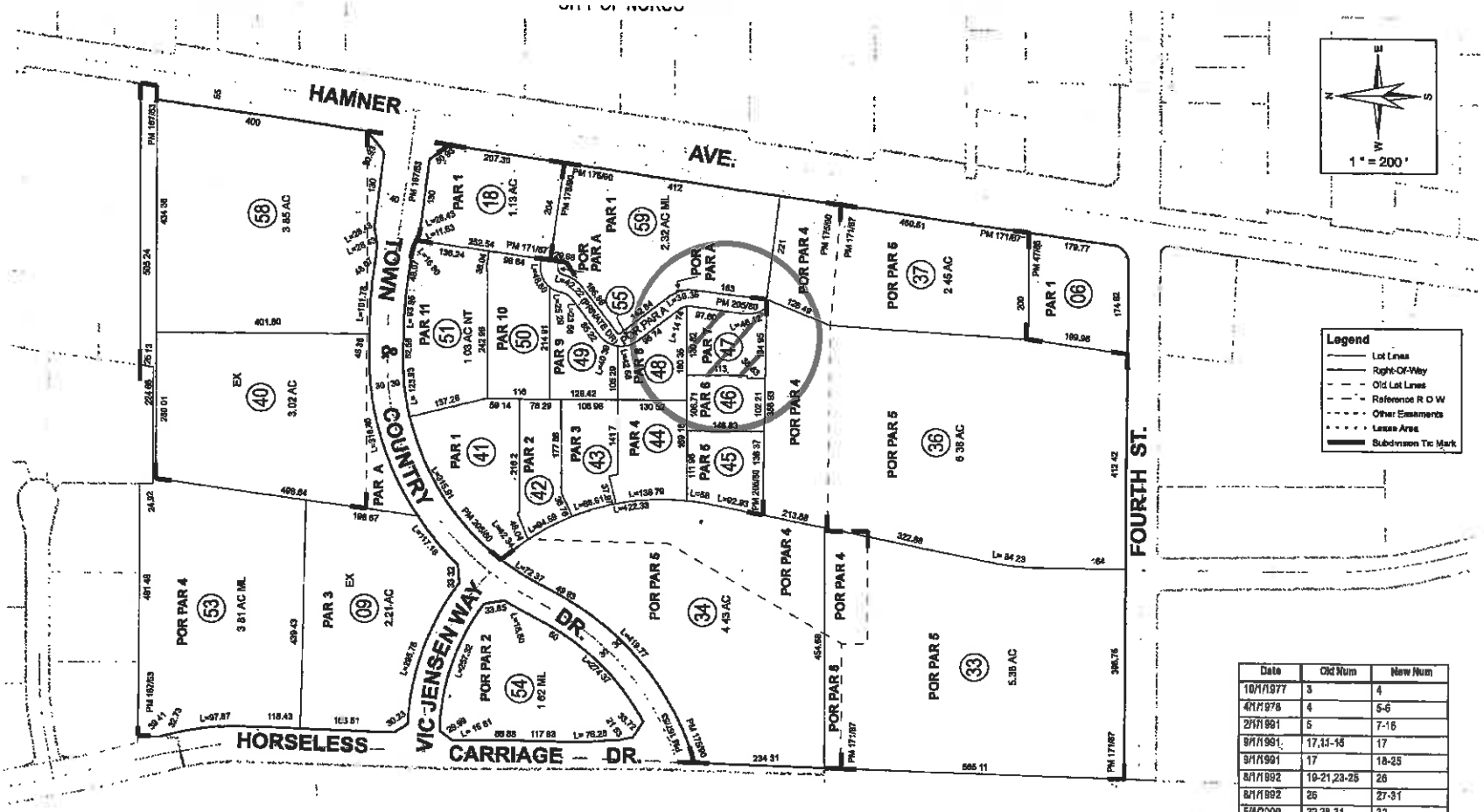
N

PROJECT:	Conditional Use Permit 2013-05
APPLICANT:	Daniel G. Sparks
LOCATION:	1820 Town & Country Drive

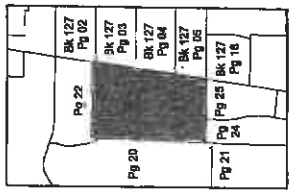
Exhibit "A"

/va-80888

ASSESSOR'S PARCEL MAP



Date
RS 82/90



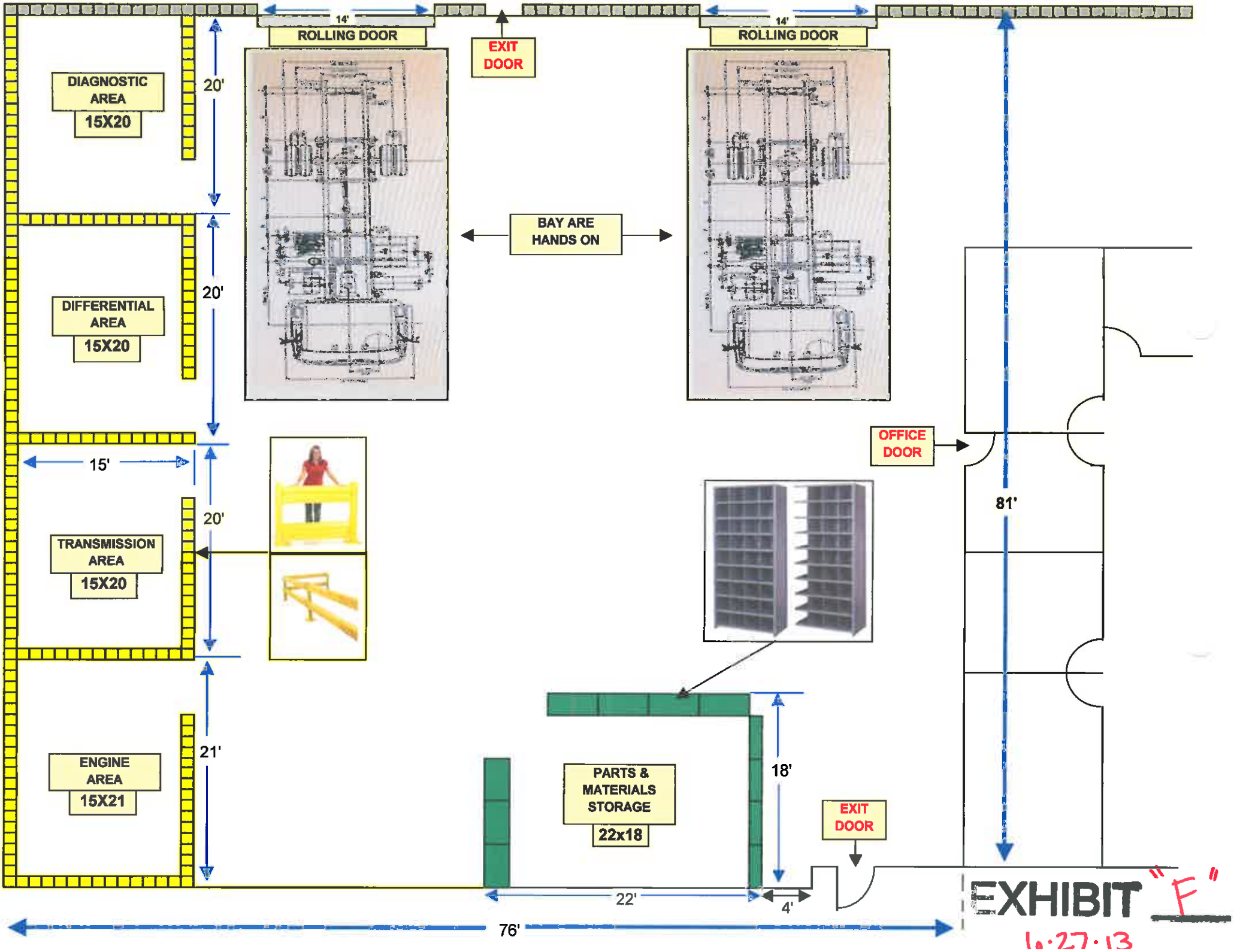
Map Reference
PM 167/53 - 55 PARCEL MAP 24006
PM 171/87 - 88 PARCEL MAP 26955
PM 175/90 - 91 PARCEL MAP 27505
PM 205/80 - 83 PARCEL MAP NO. 31044
PM 47/84 - 85 PARCEL MAP 11584

Date	Old Num	New Num
10/1/1977	3	4
4/1/1978	4	5-6
2/1/1991	5	7-16
9/1/1991	17,11-16	17
9/1/1991	17	18-25
8/1/1992	19-21,23-25	26
8/1/1992	26	27-31
5/4/2000	22,28-31	32
5/4/2000	32	33-37
2/7/2001	1,2,16	38
2/7/2001	38	39-40
2/10/2004	35	41-52
4/1/2006	10	53,220-54
2/20/2007	8	54,ST
3/10/2009	52	55-57
6/15/2010	39	58,ST
2/23/2012	27,56,57	59

rrodrig

Feb 2012

Exhibit "B"


14'
ROLLING DOOR
EXIT DOOR
14'
ROLLING DOOR
DIAGNOSTIC AREA
15X20
20'
DIFFERENTIAL AREA
15X20
20'
BAY ARE HANDS ON
OFFICE DOOR
15'
TRANSMISSION AREA
15X20
20'
81'
ENGINE AREA
15X21
21'
PARTS & MATERIALS STORAGE
22x18
18'
EXIT DOOR
22'
4'
76'
EXHIBIT "F"
6·27·13

CITY OF NORCO
STAFF REPORT

TO:	Honorable Chairman and Members of the Planning Commission
FROM:	Steve King, Planning Director
DATE:	August 14, 2013
SUBJECT:	Zone Code Amendment 2013-14 (City of Norco): Amending Chapter 18.64 "Housing Development Overlay" and Adding Chapter 18.65 "Residential Density Bonus Provisions" to the Norco Municipal Code.
RECOMMENDATION:	Recommend approval to the City Council:
MOTIONS:	1. Adopt an Addendum to the Negative Declaration for Housing Element Update 2008-2014 2. Adopt Resolution 2013-28 recommending that the City Council approve Zone Code Amendment 2013-14.

SUMMARY: The proposed Density Bonus Ordinance is a requirement of the state and is one of the implementation measures of the 2008-2014 Housing Element Update that was certified by the state last year. And in order to quality for an expedited review of the 2014-2021 Update that is currently being reviewed the Department of Housing and Community Development (HCD), the City needs to adopt the Density Bonus Ordinance.

BACKGROUND: In its certification of the 2008-2014 Housing Element Update to the Norco General Plan HCD required follow-up implementation actions by the City. One of those was the placement of the Housing Development Overlay zone over properties where the policies of the Housing Element could be implemented for the provision of housing. Cities are not required to develop affordable housing, but are required by state law to make provisions in the zoning regulations to obtain the state housing goals for affordable housing. That implementation measure was accomplished.

Another implementation measure that still needs to be done is the adoption of a density bonus ordinance. The states Density Bonus Law is a requirement of all cities (both charter and general law) and is one of several statutes designed to promote the construction of affordable housing, and to remove impediments to the same. The purpose of the Law is to require cities to offer bonuses and incentives to housing developers that will "contribute significantly to the economic feasibility of lower income housing units within proposed housing developments." State courts have recognized that the Law is a legitimate reward to grant to developers that agree to build a certain

percentage of low-income housing the opportunity to build more residences than would otherwise be permitted by local zoning regulations. Incentivizing developers is a way to promote the construction of housing for seniors and low-income families.

When the Legislature adopted the Density Bonus Law it declared that a housing shortage crisis must be addressed and that the State should rely on local governments to provide the necessary increased housing stock "provided that such local discretion and powers not be exercised in a manner to frustrate the purposes of this act." A 2002 amendment to the statute noted that "too many local governments have undercut [the Density Bonus Law by layering density bonus and second unit projects with unnecessary and procedural obstacles." State housing statutes, including the 2002 Amendment, are designed to simplify the process for obtaining density bonuses in order to increase California's supply of affordable housing statewide.

The Density Bonus Law requires cities to adopt an ordinance that specifies how local compliance with the statute will be implemented, though failure to adopt such an ordinance does not relieve the City from complying with the law. The HDO zone includes a provision for higher densities but it is tied to the provision of equestrian facilities to the satisfaction of the Planning Commission. While this is not illegal it does not meet the intent of the Density Bonus Law. The attached Resolution includes changes to the text of the HDO zone with regards to the density bonus tied to equestrian facilities and changes that to read "density allowance" so as not to be confuses with the Density Bonus Ordinance which would be the next chapter in the NMC. The resolution also includes the addition of the new chapter for the Density Bonus Ordinance.

The methodology and tables to determine the number of units that can be granted through the density bonus that are included in that draft text language are consistent with state requirements as there is little flexibility in how those are determined state-wide. The ordinance includes requirements that are the responsibility of the developer to insure that units used to qualify a development for a density bonus remain affordable to the targeted income group for a period of 30 years.

Density bonuses vary depending on the number of units provided and what income category is targeted. For the very low and lower income categories and senior citizen housing the base density bonus is an increase in the number of units by 20% if certain thresholds are met by the developer (5% and 10% of the planned units respectively are targeted for very low and lower income households). For senior housing the density bonus is automatically 20% over the number of units planned for seniors. For the moderate income category a base density bonus of a 5% increase in the number of units is granted if 10% of the planned units are targeted to that income category. The units allowed by density bonuses are not restricted to a certain targeted group.

If a developer proposes more affordable units above the thresholds described above there is a second tier of density bonuses that a developer can qualify for depending on the number of units above the thresholds (5% very low, 10% lower, and 10% moderate). The number of bonus units increase on a graduated scale that is shown in Tables 1, 2, and 3 in the attached resolution.

As an example for a 50-unit project the following would be the maximum density bonuses that a developer could qualify for if they met the minimum threshold requirements:

PLANNED 50-UNIT PROJECT AS A BASE PROJECT			
	# UNITS IN TARGET INCOME	DENSITY BONUS UNITS	TOTAL UNITS
BASE DENSITY BONUS (20 % increase allowed)			
If 5% of units planned are very low income	3	10	60
If 10% of units planned are lower income	5	10	60
If 10% of units planned are moderate income	5	10	60
ADDED DENSITY BONUS (max. 35% increase allowed)			
If 11% of units planned are very low income	6	18	68
If 20% of units planned are lower income	10	18	68
If 40% of units are moderate income	20	18	68

All projects still have to meet minimum zoning requirements including landscaping, open areas, and parking. As such there could be physical limitations depending on the size and topography of a parcel that would restrict the ultimate overall number of units.

Attached: Resolution 2013-28

CITY OF NORCO
STAFF REPORT

TO:	Honorable Chairman and Members of the Planning Commission
FROM:	Steve King, Planning Director
DATE:	August 14, 2013
SUBJECT:	Zone Code Amendment 2013-14 (City of Norco): Amending Chapter 18.64 "Housing Development Overlay" and Adding Chapter 18.65 "Residential Density Bonus Provisions" to the Norco Municipal Code.
RECOMMENDATION:	Recommend approval to the City Council:
MOTIONS:	1. Adopt an Addendum to the Negative Declaration for Housing Element Update 2008-2014 2. Adopt Resolution 2013-28 recommending that the City Council approve Zone Code Amendment 2013-14.

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BACKGROUND: In its certification of the 2008-2014 Housing Element Update to the Norco General Plan HCD required follow-up implementation actions by the City. One of those was the placement of the Housing Development Overlay zone over properties where the policies of the Housing Element could be implemented for the provision of housing. Cities are not required to develop affordable housing, but are required by state law to make provisions in the zoning regulations to obtain the state housing goals for affordable housing. That implementation measure was accomplished.

Another implementation measure that still needs to be done is the adoption of a density bonus ordinance. The states Density Bonus Law is a requirement of all cities (both charter and general law) and is one of several statutes designed to promote the construction of affordable housing, and to remove impediments to the same. The purpose of the Law is to require cities to offer bonuses and incentives to housing developers that will "contribute significantly to the economic feasibility of lower income housing units within proposed housing developments." State courts have recognized that the Law is a legitimate reward to grant to developers that agree to build a certain

percentage of low-income housing the opportunity to build more residences than would otherwise be permitted by local zoning regulations. Incentivizing developers is a way to promote the construction of housing for seniors and low-income families.

When the Legislature adopted the Density Bonus Law it declared that a housing shortage crisis must be addressed and that the State should rely on local governments to provide the necessary increased housing stock "provided that such local discretion and powers not be exercised in a manner to frustrate the purposes of this act." A 2002 amendment to the statute noted that "too many local governments have undercut [the Density Bonus Law by layering density bonus and second unit projects with unnecessary and procedural obstacles." State housing statutes, including the 2002 Amendment, are designed to simplify the process for obtaining density bonuses in order to increase California's supply of affordable housing statewide.

The Density Bonus Law requires cities to adopt an ordinance that specifies how local compliance with the statute will be implemented, though failure to adopt such an ordinance does not relieve the City from complying with the law. The HDO zone includes a provision for higher densities but it is tied to the provision of equestrian facilities to the satisfaction of the Planning Commission. While this is not illegal it does not meet the intent of the Density Bonus Law. The attached Resolution includes changes to the text of the HDO zone with regards to the density bonus tied to equestrian facilities and changes that to read "density allowance" so as not to be confuses with the Density Bonus Ordinance which would be the next chapter in the NMC. The resolution also includes the addition of the new chapter for the Density Bonus Ordinance.

The methodology and tables to determine the number of units that can be granted through the density bonus that are included in that draft text language are consistent with state requirements as there is little flexibility in how those are determined state-wide. The ordinance includes requirements that are the responsibility of the developer to insure that units used to qualify a development for a density bonus remain affordable to the targeted income group for a period of 30 years.

Density bonuses vary depending on the number of units provided and what income category is targeted. For the very low and lower income categories and senior citizen housing the base density bonus is an increase in the number of units by 20% if certain thresholds are met by the developer (5% and 10% of the planned units respectively are targeted for very low and lower income households). For senior housing the density bonus is automatically 20% over the number of units planned for seniors. For the moderate income category a base density bonus of a 5% increase in the number of units is granted if 10% of the planned units are targeted to that income category. The units allowed by density bonuses are not restricted to a certain targeted group.

If a developer proposes more affordable units above the thresholds described above there is a second tier of density bonuses that a developer can qualify for depending on the number of units above the thresholds (5% very low, 10% lower, and 10% moderate). The number of bonus units increase on a graduated scale that is shown in Tables 1, 2, and 3 in the attached resolution.

As an example for a 50-unit project the following would be the maximum density bonuses that a developer could qualify for if they met the minimum threshold requirements:

PLANNED 50-UNIT PROJECT AS A BASE PROJECT			
	# UNITS IN TARGET INCOME	DENSITY BONUS UNITS	TOTAL UNITS
BASE DENSITY BONUS (20 % increase allowed)			
If 5% of units planned are very low income	3	10	60
If 10% of units planned are lower income	5	10	60
If 10% of units planned are moderate income	5	10	60
ADDED DENSITY BONUS (max. 35% increase allowed)			
If 11% of units planned are very low income	6	18	68
If 20% of units planned are lower income	10	18	68
If 40% of units are moderate income	20	18	68

All projects still have to meet minimum zoning requirements including landscaping, open areas, and parking. As such there could be physical limitations depending on the size and topography of a parcel that would restrict the ultimate overall number of units.

Attached: Resolution 2013-28

RESOLUTION 2013-28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CODE AMENDMENT 2013-14 AMENDING CHAPTER 18.64 "HOUSING DEVELOPMENT OVERLAY" AND ADDING CHAPTER 18.65 "RESIDENTIAL DENSITY BONUS PROVISIONS." ZONE CODE AMENDMENT 2013-14.

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2013-14, an amendment to Norco Municipal Code Title 18 (Zoning Code), to amend regulations regarding residential density bonuses; and

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

WHEREAS, the Zone Code Amendment was scheduled for public hearing on August 14, 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

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project is within the parameters of an adopted Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines and an addendum to the Negative Declaration is adopted.

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 will not be inconsistent with, or contrary to, the General Plan or the Zoning Code since the project clarifies and updates existing regulations regarding residential density bonuses to be consistent with state housing laws.

B. The project (proposed amendment) has been determined to be within the parameters of an adopted Negative Declaration pursuant to the California Environmental Quality Act and the City of Norco Environmental Guidelines and an addendum to the Negative Declaration is adopted.

II. DETERMINATION: NOW THEREFORE, the Planning Commission for the City of Norco assembled August 14, 2013 does hereby recommend to the City Council of

the City of Norco that Zone Code Amendment 2013-14, be adopted, thereby amending the Norco Municipal Code as follows:

Chapter 18.64
HOUSING DEVELOPMENT OVERLAY (HDO) ZONE

Sections:

18.64.10 Density Allowance (for the Provision of Equestrian Facilities).

18.64.10 Density Allowance (for Provision of Equestrian Facilities).
To encourage and facilitate the development of affordable housing in context of the City's small plot agriculture/animal keeping/equestrian lifestyle, a density allowance may be awarded to projects that provide equestrian facilities in conjunction with development of an HDO zone. If an applicant chooses to provide such facilities, a density allowance for residential development of up to a maximum 30 dwelling units per acre may be awarded. A proposed density bonus will be evaluated by the Planning Commission as part of the HDO site plan review process.

The intent of the density allowance in conjunction with the provision of equestrian facilities is to expand the animal-keeping lifestyle to all economic segments of the regional population. The inclusion of equestrian facilities will help preserve and maintain the equestrian character and rural nature of the City while accommodating the affordable housing needs of the community. This density allowance cannot be granted in addition to the density bonus provisions of Chapter 18. 65. (Ord. 947 Sec. 1, 2012)

Chapter 18.65
RESIDENTIAL DENSITY BONUS PROVISIONS

Sections:

18.65.02 - Intent and Purpose.
18.65.04 - Definitions
18.65.06 - Types of Bonuses and Incentives Allowed.
18.65.08 - Additional Density Bonus for Donations of Land.
18.65.10 - General Provisions Governing Density Bonus Calculations.
18.65.12 – Incentives and Concessions for Affordable Housing.
18.65.14 - Waivers and Modifications of Development Standards.
18.65.16 - Parking Incentives.
18.65.18 – Standards for Density Bonus Housing Developments.
18.65.20 – Application Requirements.

18.65.22 – Application Review.
18.65.24 – Developer Affordable Housing Agreement.

18.65.02 - Intent and purpose.

The intent and purpose of Chapter 18.65 is: a) to facilitate the production of housing for all income levels and special needs households, including senior citizen housing; b) facilitate the development of rental housing for households in all income categories identified by the California Government Code as it pertains to the development of affordable housing; and c) to implement sections 65915, 65915.5, and 65917 of the California Government Code as required by section 65915(a). In enacting this article, the city also intends to implement the goals, objectives, and policies of the city's general plan housing element to encourage the construction of affordable housing in the city. It is also the city's intent to encourage the development of rental housing to serve an economically diverse community. Accordingly, the city desires to provide a density bonus upon the request of an applicant when the applicant includes affordable or senior citizen restricted units in a project. This article implements the laws for density bonuses and other incentive and concessions available to qualified applicants under Government Code sections 65915 through 65918. In the event these Government Code sections are amended, those amended provisions shall be incorporated into this article as if fully set forth herein.

18.65.04 – Definitions.

For purposes of this Article, the following definitions shall apply. Unless specifically defined below, words or phrases shall be interpreted as to give this Article its most reasonable interpretation.

Affordable Ownership Cost. The average annual housing costs, including mortgage payments, property taxes, homeowners insurance, and homeowners' association dues, if any, which do not exceed the following:

> *Very low income households: 50 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 30 percent.*
>
> *Lower income households: 70 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 30 percent.*
>
> *Moderate income households: 110 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 35 percent.*

Affordable rent. The annual rent, including utilities and all fees for housing services, which does not exceed the following:

> *Very low income households: 50 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 30 percent.*

Lower income households: 60 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 30 percent.

Affordable units. Dwelling units which are affordable to very low, lower, or moderate income households as defined by this Article or by any federal or state housing program and are subject to rental, sale, or resale restrictions to maintain affordability.

Applicant. A developer or organization applying for a density bonus who seeks and agrees to construct a qualified housing development on or after the effective date of this Article pursuant to Section 65915, subdivision (b), of the California Government Code.

Area Median Income. The median income for Riverside County as published by the State of California pursuant to California Code of Regulations, Title 25, Section 6932, or a successor provision.

Assumed Household Size Based on Unit Size. A household of one person in a studio apartment, two persons in a one bedroom unit, three persons in a two bedroom unit, and one additional person for each additional bedroom thereafter.

Common Interest Development. As defined in Section 1351 of the California Civil Code a common interest development may include a community apartment project, a condominium project, a planned development, or a stock cooperative.

Density Bonus. A density increase over the otherwise allowable zoning maximum residential density on a site as of the date of application by the applicant to the city, granted pursuant to this Chapter.

Density Bonus Units. Dwelling units granted pursuant to this Chapter which exceed the otherwise allowable zoning maximum residential density for a housing development.

Household Income. The combined adjusted gross household income for all adult persons living in a dwelling unit as calculated for the purpose of the Section 8 program under the United States Housing Act of 1937, as amended, or its successor provision.

Very Low Income Household. As defined in California Health & Safety Code Section 50105, very low income persons and families are those whose incomes do not exceed the qualifying limits for very low income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937 which is 50 percent of area median income, adjusted for family size and revised annually.

Lower Income Household. As defined in California Health & Safety Code Section 50079.5 lower income persons and families are those whose incomes do not exceed the qualifying limits for low income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937 which is 70 percent of area median income, adjusted for family size and revised annually.

Moderate Income Household. Persons and families of low or moderate income" means persons and families whose income does not exceed 120 percent of area median income, adjusted for family size by the department in accordance with adjustment factors adopted and amended from time to time by the United States Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937.

Housing Development. One or more groups of projects to construct dwelling units in the Housing Development Overlay zone (Chapter 18.64) of the city. Housing development also includes a subdivision or common interest development, as defined in Section 1351 of the California Civil Code, approved by the city and consisting of dwelling units or unimproved residential lots and the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Section 65863.4, where the result of the rehabilitation would be a net increase in available dwelling units. For the purpose of calculating a density bonus, the dwelling units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels.

Market Rate Unit. A dwelling unit which is not an affordable unit or an inclusionary unit.

Maximum Residential Density. The maximum number of dwelling units permitted by the Zoning Code and Land Use element of the general plan or, if a range of density is permitted, means the maximum allowable density for the specific zoning range and community development element of the general plan applicable to the project. Where the density allowed under the zoning ordinance is inconsistent with the density allowed under the community development element of the general plan, the general plan density shall prevail. The maximum allowable density is based on the date an application for a housing development is deemed complete. This definition is used to calculate a density bonus pursuant to this Article.

Senior Citizen Housing Development. Senior citizen housing as defined in Section 51.3 (a housing development developed, substantially rehabilitated, or substantially renovated for senior citizens that has at least 35 dwelling units) and Section 51.12 of the California Civil Code, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.

Specific Adverse Impact. A significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete. Mere inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

18.65.06 - Types of Bonuses and Incentives Allowed.

(1) Very Low And Lower Income Housing And Senior Citizen Housing. Upon written request to the city, an applicant for a housing development is eligible for one density

bonus of twenty percent (20%) over the maximum residential density (except in the case of senior citizen housing, as provided below), provided that the applicant agrees to construct the housing development in accordance with one of the following criteria:

(a) Very Low Income Households. Five percent (5%) of the total dwelling units, excluding any units permitted by the density bonus, are provided at affordable rent or ownership costs to very low income households; or

(b) Lower Income Households. Ten percent (10%) of the total dwelling units, excluding any units permitted by the density bonus, are provided at affordable rent or ownership costs to lower income households; or

(c) Senior Citizen Housing Development. For senior citizen housing developments, the density bonus shall be twenty percent (20%) of the number of senior housing units provided.

(2) Moderate Income Housing. Upon written request to the city, an applicant for a housing development is eligible for one density bonus of five percent (5%) over the maximum residential density if the applicant agrees to construct the housing development in accordance with all of the following criteria:

(a) At least ten percent (10%) of the total dwelling units, excluding any units permitted by the density bonus, are provided at affordable ownership costs to moderate income households; and

(b) The housing development is a common interest project as defined by section 1351 of the California Civil Code; and

(c) All of the dwelling units in the housing development are offered for sale to the public.

(3) Higher Density Bonus For Greater Contribution Of Affordable Units: Upon written request to the city, an applicant for a housing development that is eligible for a density bonus based upon the contribution of affordable units, may receive a higher amount of density bonus if the percentage of very low, lower, and moderate income housing units exceeds the base percentage established in subsection A or B of this section, as follows:

(a) Very Low Income Units. For each one percent (1%) increase above five percent (5%) in affordable units for very low income households, the density bonus shall be increased by two and one-half percent (2.5%) up to a maximum of thirty five percent (35%), as follows:

Table 1: Very Low Income Units	
Percentage of Very Low Income Units	*Percentage of Density Bonus*
5	*20*
6	*22.5*
7	*25*
8	*27.5*
9	*30*
10	*32.5*
11	*35*

(b) Lower Income Units. For each one percent (1%) increase above ten percent (10%) in the affordable units for lower income households, the density bonus shall be increased by one and one-half percent (1.5%) up to a maximum of theory-five percent (35%), as shown in Table 2:

Table 2: Lower Income Units	
Percentage of Very Low Income Units	*Percentage of Density Bonus*
10	*20*
11	*21.5*
12	*23*
13	*24.5*
14	*26*
15	*27.5*
16	*29*
17	*30.5*
18	*32*
19	*33.5*
20	*35*

(c) Moderate Income Units. For each one percent (1%) increase above ten percent (10%) in affordable units offered for sale to moderate income households, the density bonus shall be increased by one percent (1%) up to maximum thirty-five percent (35%), as shown in Table 3:

Table 3: Moderate Income Units	
Percentage of Very Low Income Units	*Percentage of Density Bonus*
10	*5*
11	*6*
12	*7*
13	*8*
14	*9*
15	*10*
16	*11*
17	*12*
18	*13*
19	*14*
20	*15*
21	*16*
22	*17*
23	*18*
24	*19*
25	*20*
26	*21*
27	*22*
28	*23*
29	*24*
30	*25*
31	*26*

32	*27*
33	*28*
34	*29*
35	*30*
36	*31*
37	*32*
38	*33*
39	*34*
40	*35*

(4) Continued Affordability. Affordable units qualifying a housing development for a density bonus shall remain affordable as follows:

(a) Very low income and low income household units shall remain affordable to the designated income group for a minimum of thirty (30) years, or for a longer period of time if required by any construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program applicable to the dwelling units.

(b) Moderate income household units shall remain affordable for a minimum of thirty (30) years, or for a longer period of time if required by any construction or mortgage financing assistance program, mortgage insurance program applicable to the dwelling units.

(5) Specification of Basis for Density Bonus. Each applicant who requests a density bonus pursuant to this section, shall elect whether the bonus will be awarded on the basis of subsection (1)(a), (1)(b), (1)(c) or (2) of this section. Each housing development is entitled to only one density bonus, which may be selected based on the percentage of either very low income affordable housing units, lower income affordable housing units or moderate income affordable housing units, or the development's status as a senior citizen housing development. Density bonuses from more than one of these categories may not be combined.

18.65.08 – Additional Density Bonus for Donations of Land.

(1) Land Suitability. Upon written request, when an applicant for a tentative map, subdivision map, parcel map, or other residential development approval qualified for a density bonus pursuant to section 18.65.06 of this article also donates land to the city in accordance with this section, the applicant shall be entitled to an additional density bonus. Applicants donating land to the city shall be eligible for an additional fifteen

percent (15%) density bonus at the site of the housing development if the donated land is suitable for the construction of very low income units equaling at least ten percent (10%) of the market rate units being constructed for the project. The density bonus provided pursuant to this section shall be in addition to any density bonus granted pursuant to section 18.65.06 of this article, up to a maximum combined density bonus of thirty five percent (35%).

(2) Qualification Criteria. To qualify for the additional density bonus described in subsection 1 of this section, the donation of land must meet all of the following criteria:

(a) The tentative map, subdivision map, parcel map, or other residential development must otherwise be subject to a density bonus pursuant to section 18.65.06 of this article; and

(b) The land must be transferred no later than the date of the approval of the final subdivision map, parcel map, or housing development application; and

(c) The developable acreage and zoning classification of the land being transferred must be sufficient to permit construction of dwelling units affordable to very low income households in an amount not less than ten percent (10%) of the total number of market rate dwelling units in the proposed development (i.e., the proposed development before the addition of any density bonus); and

(d) The donated land is at least one acre in size or is large enough to permit development of at least forty (40) units, has the appropriate general plan land use designation, has the appropriate zoning and development standards for affordable housing and, at the time of project approval is, or at the time of construction will be, served by adequate public facilities and infrastructure; and

(e) No later than the date of approval of the final map, parcel map, or other development application for the housing development, the donated land must have all of the applicable permits and approvals (other than building permits) necessary for the development of the very low income housing units on the donated land, except that the city may subject the proposed housing development to subsequent design review to the extent authorized by California Government Code section 65583.2 subsection (i) if the design is not reviewed by the city prior to the time of transfer; and

(f) The donated land is subject to a deed restriction ensuring continued affordability of the very low income units consistent with subsection 18.65.06 subsection (4) of this article, which deed restriction shall be recorded upon the donated property at the time of its transfer; and

(g) The land will be transferred to the city or to a housing developer approved by the city. The city reserves the right to require the applicant to identify a developer and to require that the land be transferred to that developer; and

(h) The land is within the boundary of the proposed housing development or within one-fourth (1/4) mile of the boundary of the proposed housing development; and

(i) No later than the date of approval of the final map, parcel map, or other development application for the housing development, a proposed source of funding for the construction of the very low income units shall be identified.

(3) Additional Density Bonus Based On Greater Suitability Of Land For Very Low Income Housing. For each one percent (1%) increase above the minimum ten percent (10%) in the number of very low income housing units that can be accommodated on the donated land, the maximum density bonus shall be increased by one percent (1%), up to a maximum of thirty five percent (35%), as follows:

Table 4: Land Donation	
Percentage Of Very Low Income Units That Can Be Accommodated On Donated Land	*Percentage Of Additional Density Bonus*
10	*15*
11	*16*
12	*17*
13	*18*
14	*19*
15	*20*
16	*21*
17	*22*
18	*23*
19	*24*
20	*25*
21	*26*
22	*27*
23	*28*
24	*29*
25	*30*
26	*31*
27	*32*

28	*33*
29	*34*
30	*35*

18.65.10 – General Provisions Governing Density Bonus Calculations.

(1) For the purposes of any provisions in this article, an applicant may elect to accept a lesser percentage of density bonus than that to which the housing development is eligible.

(2) When calculating the number of permitted density bonus units, any calculations resulting in fractional units shall be rounded up to the next larger whole number.

(3) For the purpose of calculating a density bonus, the dwelling units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the affordable units are located.

(4) For the purposes of this article, the "total units" or "total dwelling units" in a housing development does not include those units added by any density bonus.

(5) Regardless of the number or extent of affordable units, senior housing, land dedication, or other qualifications for a density bonus provided in any single housing development, no housing development may be entitled to a total density bonus of more than thirty five percent (35%).

Table 5: Density Bonus Summary				
Types Of Affordable Units Providing Eligibility For A Density Bonus	*Minimum Percent*	*Bonus Granted*	*Additional Bonus For Each 1% Increase In Affordable Units*	*Percent Of Affordable Units Required For Maximum 35% Bonus*
Very Low Income	*5%*	*20%*	*2.5%*	*11%*
Lower Income	*10%*	*20%*	*1.5%*	*20%*
Moderate Income	*10%*	*5%*	*1%*	*40%*
Senior Citizen Housing	*Qualified development*	*20% of the units*	-	-

Land Donation for Very Low Income Housing	*Land donated can accommodate 10% of market rate units, plus housing development qualified for density bonus as an affordable or senior project.*	*15%*	*1%*	*30% of market rate units (assuming housing development provides 5% very low income units)*

18.65.12 – Incentives and Concessions for Affordable Housing.

(1) Definition of a Qualified Incentive or Concession. A qualifying project shall be entitled to at least one but no more than three of the following incentives identified by state law:

(a) A reduction in the parcel development standards (e.g. coverage, setback, zero lot line and/or reduced parcel sizes, architectural design requirements and/or parking requirements). Development standard means any ordinance, general plan element, specific plan, condition, law, policy, resolution, or regulation. In no case may the city apply a development standard that will have the effect of precluding the construction of affordable units. A waiver or modification to development standards may be requested by the applicant, and shall be approved unless such waiver or modification creates an adverse impact as described in subsection (3), below.

(b) Approval of mixed use zoning in conjunction with the housing project if nonresidential land uses will reduce the cost of the housing project, and the nonresidential land uses are compatible with the housing project and existing or planned development in the area where the proposed development will be located.

(c) Other regulatory incentives or concessions proposed by the applicant or the city that will result in identifiable, financially sufficient and actual cost reductions.

(2) Number of Incentives or Concessions. The number of incentives shall be based on the percentage of affordable units in the project:

(a) One (1) incentive or concession shall be entitled for projects where at least five percent (5%) of the total units are for very low income households, ten percent (10%) of the total units are for lower income households, or ten percent (10%) of the total units in a common interest development are sold to moderate income households.

(b) Two (2) incentives or concessions shall be entitled for projects where at least ten percent (10%) of the total units are for very low income households, twenty percent (20%) of the total units are for lower income households, or at least twenty

percent (20%) of the total units in a common interest development are sold to moderate income households.

(c) Three (3) incentives or concessions shall be entitled for projects where at least fifteen percent (15%) of the total units are for very low income households, thirty percent (30%) of the total units are for lower income households, or thirty percent (30%) of the total units in a common interest development are sold to moderate income households.

Table 6: Incentives and Concessions Summary			
Affordable Units or Category	*Percent of Affordable Units*		
Affordable Housing Types:			
Very Low Income	*5%*	*10%*	*15%*
Low Income	*10%*	*20%*	*30%*
Moderate Income	*10%*	*20%*	*30%*
Maximum incentive(s)/concession(s)[1, 2, 3]	*1*	*2*	*3*

Notes:

1. An incentive or concession may be requested only if an application is also made for a density bonus.
2. Incentives or concessions may be selected from only 1 category (very low, lower, or moderate).
3. No incentives or concessions are available for land donation.

(3) Findings to Deny Incentive or Concession. The city shall grant the incentive or concession requested by the applicant unless the city makes a written finding based upon substantial evidence of any of the following:

(a) The incentive or concession is not required in order to provide for affordable housing costs or for affordable rents for the restricted units; or

(b) The concession or incentive would have a specific adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse without rendering the development unaffordable to low and moderate-income households. A specific adverse impact means a significant, unavoidable impact, as provided in written standards, policies, or conditions; or

(c) The incentive or concession would be contrary to state or federal law.

(4) Exceptions. This section does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city or the waiver of fees or dedication requirements. Nor does any provision of

this section require the city to grant an incentive or concession found to have a specific adverse impact.

(5) Amendment, Zone Change. The granting of a concession or incentive shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.

18.65.14 – Waivers and Modifications of Development Standards.

(1) Applicants granted a density bonus pursuant to section 18.65.06 of this article may, by written proposal, seek a waiver, modification or reduction of development standards that would otherwise have the effect of physically precluding the construction of the housing development at the densities or with the concessions or incentives permitted pursuant to this article. The applicant may also request a meeting with the city to discuss such request for waiver and modifications.

(2) In order to obtain a waiver or modification of development standards, the applicant shall show that the development standards will have the effect of precluding the construction of a housing development meeting the criteria of section 18.65.06 of this article, at the densities or with the concessions or incentives permitted by this article.

(3) A proposal for the waiver or reduction of development standards pursuant to this section shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to section 18.65.12 of this article.

(4) The city may deny a request for any waiver, modification or reduction of development standards if the wavier, modification or reduction would have a specific adverse impact.

18.65.16 – Parking Incentives.

Upon the written request of the applicant for a housing development meeting the criteria for a density bonus under section 18.65.06 of this article, the city shall not require a vehicular parking ratio that exceeds the following:

(1) Zero to one bedroom units: One onsite parking space.

(2) Two (2) to three (3) bedroom units: Two (2) onsite parking spaces.

(3) Four (4) and more bedroom units: Two and one-half (2 1/2) parking spaces.

Guest parking and handicapped parking shall be included within the maximum number of spaces that may be required. If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, a housing development may provide onsite parking through tandem parking or uncovered parking, but not through on street

parking. For purposes of this article, the parking ratios set forth in this section shall be deemed a concession or incentive available to the applicant under section 18.65.12 of this article.

18.65.18 – Standards for Density Bonus Housing Developments.

(1) Affordable units qualifying a housing development for a density bonus shall be reasonably dispersed throughout the housing development and compatible with the design of market rate units in terms of appearance, materials, and finished quality. The applicant may reduce the interior amenities and square footage of inclusionary units, provided all units conform to all other requirements of this municipal code.

(2) For developments with multiple market rate units containing differing numbers of bedrooms, affordable units qualifying a housing development for a density bonus shall be representative of the market rate unit mix.

(3) All building permits for affordable units qualifying a housing development for a density bonus shall be issued concurrently with, or prior to, issuance of building permits for the market rate units, and the affordable units shall be constructed concurrently with, or prior to, construction of the market rate units. Occupancy permits and final inspections for affordable units qualifying a housing development for a density bonus shall be approved concurrently with, or prior to, approval of occupancy permits and final inspections for the market rate units.

18.65.20 – Application Requirements.

(1) An application for a density bonus, incentive, concession, waiver, modification, or revised parking standard pursuant to this section shall be submitted with the first approval of the housing development and processed concurrently with all other applications required for the housing development.

(2) For affordable units qualifying the housing development for a density bonus, the application shall include the following information:

(a) A site plan identifying the base project without the density bonus, number and location of all inclusionary units, affordable units qualifying for the project for a density bonus, and proposed density bonus units; and

(b) Proposed category(ies) qualifying the housing development for a density bonus; and

(c) Level of affordability of all affordable and inclusionary units and proposals for ensuring affordability, if applicable; and

(d) A description of any requested incentives, concessions, waivers or modifications of development standards, or modified parking standards.

(e) If a density bonus or concession is requested for a land donation, the application shall show the location of the land to be dedicated and provide evidence that each of the findings included in section 18.65.08 of this article can be made.

(3) Upon submission of the application to the city, the Planning Director or designee shall determine if the application is complete and conforms to the provisions of this article. No application for a first approval for a housing development requesting a density bonus, incentives, concessions, or waivers may be deemed complete unless an affordable housing plan is submitted conforming to the provisions of this article.

(4) A request for a minor modification of an approved application may be granted by the City Manager or designee if the modification is substantially in compliance with the original application and the conditions of approval. Other modifications to the affordable housing plan shall be processed in the same manner as the original application.

18.65.22 – Application Review.

(1) An application for a density bonus, incentive, concession, waiver, modification, or revised parking standard pursuant to this article shall be reviewed as part of the first approval of the housing development by the approval body with authority to approve the housing development, unless additional review by the planning commission or city council is required. An applicant proposing a housing development pursuant to this article, may submit a preliminary application prior to the submittal of any formal request for approval of a housing development.

(2) Within ninety (90) days of receipt of the preliminary application the city shall provide to an applicant, a letter which identifies project issues of concern (the maximum financial assistance that the Planning Director can support when making a recommendation to the City Council), and the procedures for compliance with this article. The Planning Director shall inform the applicant that the requested additional incentives shall be recommended for consideration with the proposed housing development, or that alternative or modified additional incentives pursuant to section 18.65.12 of this article shall be recommended for consideration in lieu of the requested incentives. If alternative or modified incentives are recommended by the Planning Director, the recommendation shall establish how the alternative or modified incentives can be expected to have an equivalent affordability effect as the requested incentives.

(3) Before approving an application for a density bonus, incentive, concession, waiver, or modification, the approval body shall make the following findings:

(a) The housing development is: a) eligible for a density bonus, and/or b) any concessions, incentives, waivers, modifications, or reduced parking standards requested conform to all requirements of this article, and c) supported by a financing mechanism for all implementation and monitoring costs.

(b) If the density bonus is based all or in part on dedication of land, the application meets the qualifications and findings stated in section 18.65.08 of this article.

(c) If a waiver or modification is requested, the applicant has shown that the waiver, modification or reduction of development standards meets the qualifications and findings stated in section 18.65.14 of this article.

(4) If the findings stated in subsection (3) of this section can be made, and a request for an incentive or concession is otherwise consistent with this article, the approval body may deny a concession or incentive based upon written findings of any of the factors stated in section 18.65.12 of this article for the denial or disqualification of a concession or incentive.

(5) If the required findings stated in subsection (3) of this section can be made, and a request for a waiver or modification is otherwise consistent with this article, the approval body may deny the requested waiver or modification based upon written findings of any of the factors stated in section 18.65.14 of this article for the denial or disqualification of a waiver or modification.

(6) Nothing in this section shall be interpreted to require the city to grant an incentive or concession or to waive or reduce development standards if that incentive, concession, waiver, or reduction has a specific adverse impact upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

(7) Any decision regarding a density bonus, incentive, concession, waiver, modification, or revised parking standard may be appealed pursuant to pursuant to Chapter 4.04 of the Norco Municipal Code. In accordance with state law, neither the granting of a concession or incentive, nor the granting of a density bonus, shall be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval.

18.65.24 – Developer Affordable Housing Agreement.

(1) Applications requesting a density bonus shall agree to enter into a density bonus housing agreement with the city. The terms of the draft agreement shall be reviewed and revised as appropriate by the Planning Director, who shall formulate a recommendation to the planning commission for final approval. A density bonus housing agreement shall be made a condition of the discretionary planning permits for all housing developments pursuant to this article and shall be recorded as a restriction on any parcels on which the affordable units or density bonus units will be constructed.

(2) The density bonus housing agreement shall be recorded prior to final or parcel map approval, or, where the housing development does not include a map, prior to issuance of a building permit for any structure in the housing development. The density bonus housing agreement shall run with the land and bind future owners and successors in interest.

PASSED AND ADOPTED by the Planning Commission of the City of Norco at a regular meeting held August 14, 2013.

_____
Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting held August 14, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Steve King, Secretary
Planning Commission

CITY OF NORCO
STAFF REPORT

TO:	Honorable Chairman and Members of the Planning Commission
FROM:	Steve King, Planning Director
DATE:	August 14, 2013
SUBJECT:	General Plan Amendment 2013-1A (City of Norco): update to the City of Norco Housing Element for the 2014-2021 housing cycle.
RECOMMENDATION:	Continue to September 11, 2013

BACKGROUND: This item was advertised prematurely.

Agenda Item 4.D.

CITY OF NORCO
STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: August 14, 2013

SUBJECT: Site Plan 2013-14 (Schmidt): A request for approval to allow an accessory building consisting of a 288 square-foot shed at 2260 Alhambra Street located within the A-E (Agricultural Estate) zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2013-25 approving Site Plan 2013-14.

Site Plan 2013-14 is a request for approval to allow an accessory building consisting of a 288 square-foot shed at 2260 Alhambra Street located within the A-E (Agricultural Estate) Zone (ref. Exhibit "A" – Location Map). The property consists of .60 acres/26,136 square-feet and is developed with a single family residence (ref. 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. The site plan and building elevations for the proposed shed are attached (ref. Exhibit "C" – Site Plan and Exhibit "D" Building Elevations). The building is a prefabricated (Tuff Shed) and is proposed to be a greyish green in color to complement the existing house. The shed is proposed in the middle of the property toward the east property line, to replace the existing structures shown on the site photos attached to this report.

The following is required of accessory buildings in the A-E Zone:

- 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 structure is proposed with a maximum height of about 14 feet.**
- The maximum lot coverage of all structures shall be not more than 40% of the total lot area. **The lot coverage for the property will be about 12%, which takes into account the existing and proposed structures.**

A contiguous open animal area was not required for properties in the A-E Zone. In the A-1-20 Zone, a contiguous open animal area is required and 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.

If the required open animal area in the A-1-20 Zone were to be applied, an area of 3,456 square feet would be required (a total of six animal units would be allowed on the property and six multiplied by 576 is 3,456).

A contiguous open animal area of 5,100 square feet is being shown (but not required) on the site plan for the subject property. This area is located towards the rear of the property and is conducive to animal-keeping.

As proposed, the project meets the requirements for an accessory building of 864 square feet of less. Staff is recommending that the Commission adopt Resolution 2013-25, approving Site Plan 2013-14

/adr

Attachments:
- Resolution 2013-25
- Exhibit "A" – Location Map
- Exhibit "B" – APN MAP
- Exhibit "C" – Site Plan
- Exhibit "D" – Building Elevations
- Exhibit "E" – Aerial and Site Photos

RESOLUTION 2013-25

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 288 SQUARE-FOOT SHED AT 2260 ALHAMBRA STREET LOCATED WITHIN THE A-E (AGRICULTURAL ESTATE) ZONE. SITE PLAN 2013-14.

WHEREAS, CHARLES AND KAY SCHMIDT 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 2260 Alhambra Street (APN 130-272-013).

WHEREAS, at the time set; at 7 p.m. on August 14, 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 August 14, 2013 that the application for Site Plan 2013-14 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 and dated July 10, 2013 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.

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

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

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

5. No occupancy and/or use of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.

6. The applicant shall obtain building permits and pay all applicable fees for the subject building.

7. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.

8. A home occupation business shall not be permitted from the subject building.

9. The subject building shall complement the existing house in color.

10. Building permits for this accessory building are issued within the confines of this permit/site plan approval. Any violation of a condition resulting in a revocation of this permit/site plan approval may result in an order to remove the accessory building at the owner's expense.

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on August 14, 2013.

_____
Patricia Hedges, Chairman
Planning Commission
City of Norco, California

ATTEST:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

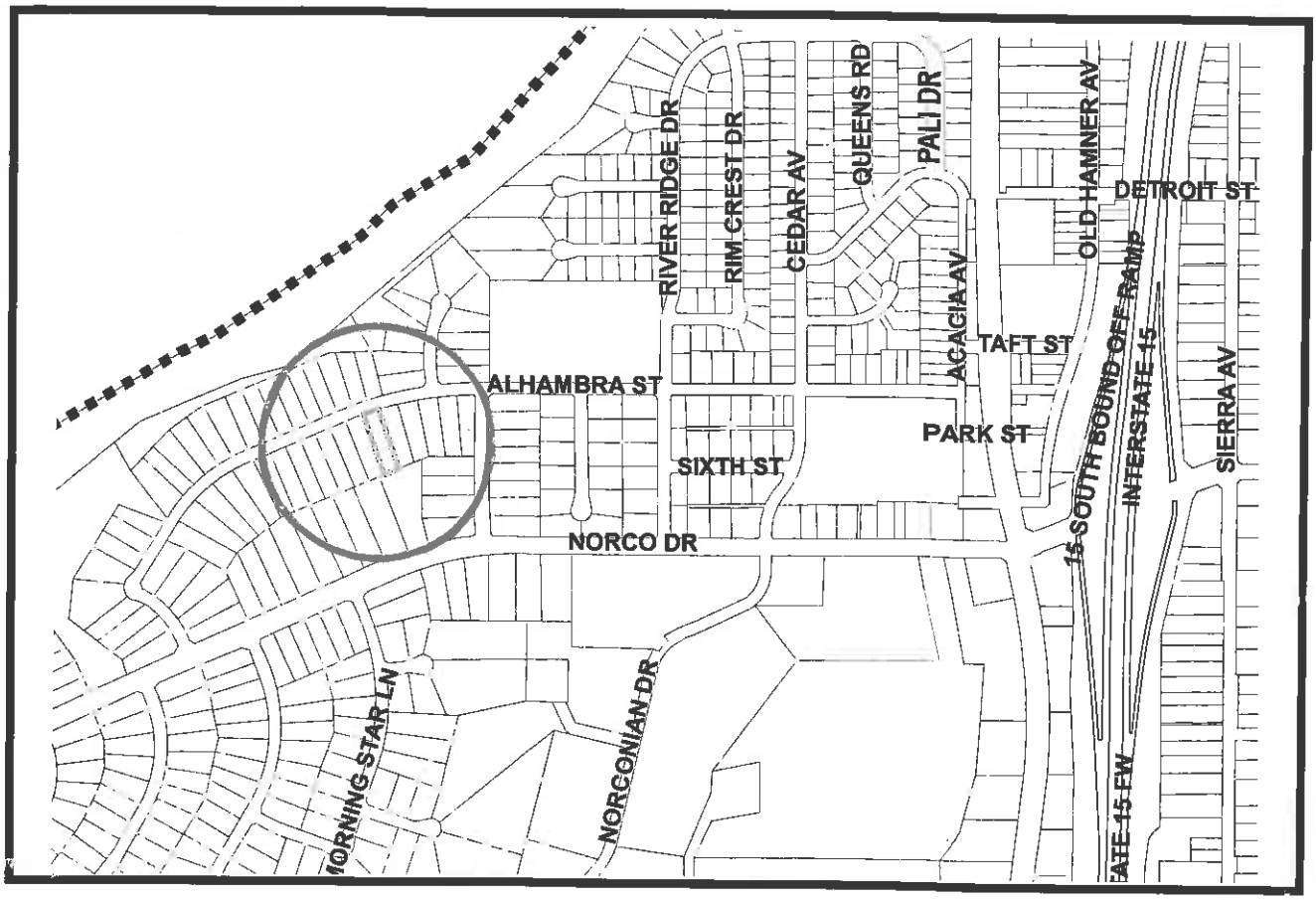
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held August 14, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale

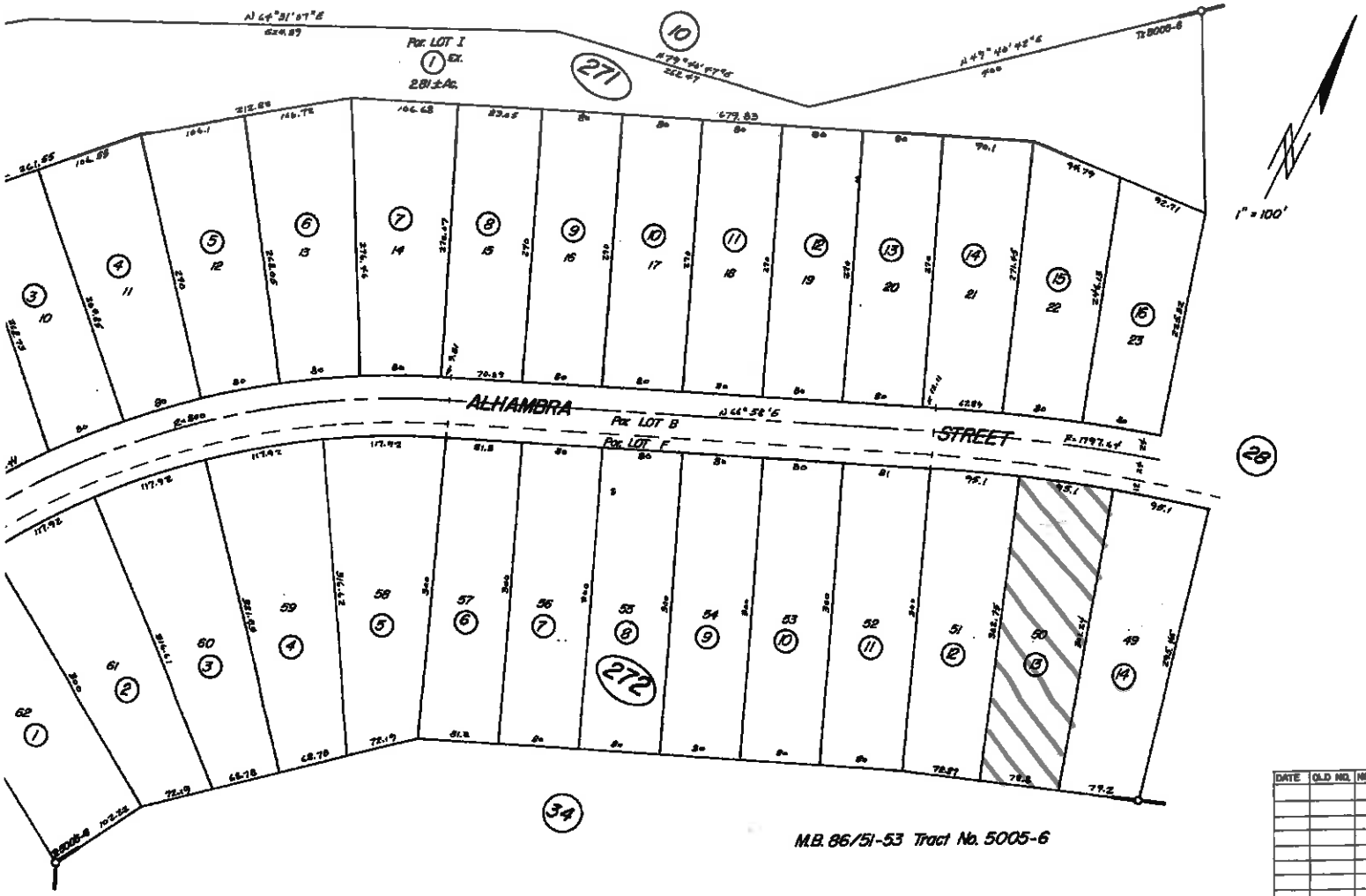
N

PROJECT:	Site Plan 2013-14
APPLICANT:	Charles Schmidt
LOCATION:	2260 Alhambra Street

Exhibit "A"

/va-80888

ASSESSOR'S PARCEL MAP



DATE	OLD NO.	NEW NO.

Exhibit "B"

CITY OF NORCO
STAFF REPORT

TO:	Honorable Chair and Members of the Planning Commission
FROM:	Steve king, Planning Director
DATE:	August 14, 2013
SUBJECT:	Draft of the proposed amendments to the C-4 Zone
RECOMMENDATION:	Staff recommends that the Planning Commission continue this item to the Planning Commission meeting of September 11, 2013.

Staff is recommending that the draft of the proposed amendments to the C-4 Zone be continued to the meeting of September 11, 2013.