



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

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

STAFF PRESENT:

PLEDGE OF ALLEGIANCE: Chair Hedges

1. **APPEAL NOTICE:** In the event that you disagree with the action taken by the Planning Commission in regards to your application, or with any condition for approval of the application which is not a specific requirement of the Norco Municipal Code, you are entitled to appeal such determination or conditions to the Norco City Council, provided that such appeal is filed with the Norco City Clerk within ten calendar days after the requirements for appeals, inclusive of payment of an appeal fee. Please contact City planning staff at (951) 270-5661 if you have any questions regarding any item you may wish to appeal.
2. **PUBLIC COMMENTS:** Hearing from the audience on items not listed on the agenda. Please limit your comments to three (3) minutes. If you have an item that will require extended discussion, please request that the time be scheduled on a regular agenda.
3. **APPROVAL OF MINUTES:**
 - ❖ Minutes of Regular Meeting on October 9, 2013
 - Recommended Action: Approval** (Deputy City Clerk)
4. **CONTINUED PUBLIC HEARINGS:**
 - A. **Conditional Use Permit 2012-03 (Planck/International 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. **Application Withdrawn** (Senior Planner)
 - B. **Zone Code Amendment 2013-03 (City of Norco):** A city-initiated proposal to amend Title 18 "Zoning" of the Norco Municipal code, Chapter 18.02 – Definitions", Section 18.31.08 - "Yard Requirements – Walls, Fences and Structures in Setback Areas" and Section 18.38.22 -"On-site Location of Parking Facilities", to address/revise the definitions of non-commercial vehicle and trailer parking in residential zones. **Recommended Action: Adoption** (Planning Director)

5. PUBLIC HEARINGS:

- A. **Conditional Use Permit 2013-10 (Shank):** A request for approval to allow a detached accessory building consisting of a 1,620 square-foot storage garage at 2615 Corydon Avenue located within the A-1-20 (Agricultural Low-Density) zone. **Recommended Action: Approval** (Senior Planner)
- B. **Conditional Use Permit 2013-11 (Rafiq):** A request for approval to allow an increase in the number of students allowed for an existing tutoring center located at 1161 Hidden Valley Parkway, Unit 103, within the Norco Hills Specific Plan (NHSP), Neighborhood Commercial District. **Recommended Action: Approval** (Senior Planner)
- C. **Conditional Use Permit 2013-12 (Brother's Towing):** A request to expand the operation of an existing towing company, a non-conforming use, to allow the parking of tow trucks on-site when not in use, on property located at 1674 Elm Drive in the Commercial General (C-G) zone. **Recommended Action: --** (Planning Director)
- D. **Conditional Use Permit 2013-13 (Norco Retail Group):** A request to allow a temporary modular unit for use as a construction office and interim sales office for an existing RV rental business located at 2185 Hamner Avenue in the Norco Auto Mall Specific Plan. **Recommended Action: --** (Planning Director)
- E. **Zone Code Amendment 2013-16 (City):** A request to amend Title 18 (Zoning) of the Norco Municipal Code regarding the definitions and/or regulations for second units, emergency shelters, transitional housing, and supportive housing in accordance with state Government Code requirements. **Recommended Action: --** (Planning Director)

6. BUSINESS ITEMS:

- A. **Site Plan 2013-22 (White):** A request for approval to allow an 816 square-foot addition to an existing detached accessory storage barn located at 3181 Shadow Canyon Circle located within the A-E (Agricultural Estate) zone. **Recommended Action: Approval** (Senior Planner)
- B. **Site Plan 2013-23 (Tuff Shed):** A request for approval to allow a detached accessory building consisting of a 384 square-foot garage at 2984 Temescal Avenue located within the A-1-20 (Agricultural Low-Density) zone. **Recommended Action: Approval** (Senior Planner)

7. CITY COUNCIL MINUTES:

- City Council Special Meeting Minutes of September 25, 2013
- City Council Regular Meeting Minutes of October 2, 2013
- City Council Regular Meeting Minutes of October 16, 2013

8. PLANNING COMMISSION:

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

9. ADJOURNMENT

Staff reports are on file in the Planning Division.

Additionally, any writings or documents provided after distribution of the Planning Commission's agenda packet to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Planning Division counter at City Hall located at 2870 Clark Avenue.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office at (951) 270-5623. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

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

CALL TO ORDER: 7:10 PM

ROLL CALL: Chair Hedges, Vice Chair Leonard, Commission Members Henderson and Wright; Commission Member Jaffarian – arrived at 8:07 p.m.

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

PLEDGE OF ALLEGIANCE: Commission Member Henderson

1. APPEAL NOTICE: Read by Planning Director King

2. PUBLIC COMMENTS: NONE

3. APPROVAL OF MINUTES:

❖ Minutes of Regular Meeting on September 11, 2013

Recommended Action: Approval (Deputy City Clerk)

M/S Wright/Leonard to approve the minutes of Planning Commission regular meeting of September 11, 2013, as written

AYES: Hedges, Leonard, Henderson, Wright

Motion Passed

ABSENT: Jaffarian (late arrival)

4. CONTINUED PUBLIC HEARINGS

A. **General Plan Amendment 2013-01A (City of Norco):** A City-initiated proposal to update the Housing Element for the 2014-2021 Housing Cycle: **Recommended Action: Adopt Resolution 2013-36 Recommending that the City Council approves General Plan Amendment 2013-01A** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department, in conjunction with **Agenda Item 5.D**. He noted that the City was successful in getting the 2013-2020 Housing Element certified by the State in an expedited manner; as such the City is set for an eight-year cycle.

In response to Commission Member Wright, Director King noted that the prison population could not be counted as low income; he explained how the count is done of the populous for housing purposes.

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/Hedges to approve an addendum to the Negative Declaration for General Plan Amendment 2008-01, indicating that the project is consistent with that determination and will not have a significant impact on the environment.

AYES: Hedges, Leonard, Henderson, Wright

Motion Passed

ABSENT: Jaffarian (late arrival)

M/S Wright/Leonard to adopt Resolution 2013-36, recommending that the City Council of the City of Norco approves the Housing Element 2014-2021; General Plan Amendment 2013-01A.

AYES: Hedges, Leonard, Henderson, Wright

Motion Passed

ABSENT: Jaffarian (late arrival)

Under discussion: Commission Member Henderson stated that he will vote yes on this item, but would like to acknowledge that he is not in support of the State being involved in local issues.

- B. Zone Code Amendment 2013-03 (City of Norco):** A city-initiated proposal to amend Title 18 "Zoning" of the Norco Municipal code, Chapter 18.02 – Definitions", Section 18.31.08 - "Yard Requirements – Walls, Fences and Structures in Setback Areas" and Section 18.38.22 -"On-site Location of Parking Facilities", to address/revise the definitions of non-commercial vehicle and trailer parking in residential zones. **Recommended Action: Continue to November 13, 2013** (Planning Director)

Planning Director King stated that this public hearing item is being continued to the regular meeting of November 13, 2013.

5. PUBLIC HEARINGS:

- A. Conditional Use Permit 2013-09 (Ayala):** A request for approval to allow a detached accessory building consisting of a 1,000 square-foot recreational vehicle garage at 1115 Big Pine Lane located within the Norco Hills Specific Plan (NHSP). **Recommended Action: Approval** (Senior Planner)

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

In response to Vice Chair Leonard, Senior Planner Robles explained that the number of permitted animal units was recorded for this lot in the event that a future resident may want to keep animals on the property, adding that a primary animal keeping area is not required in the NHSP.

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 Henderson/Wright to adopt Resolution 2013-35, to approve Conditional Use Permit 2013-09, to allow a detached accessory building consisting of a 1,000 square-foot recreational vehicle (RV) garage at 1115 Big Pine Lane.

AYES: Hedges, Leonard, Henderson, Wright

Motion Passed

ABSENT: Jaffarian (late arrival)

Under discussion: Vice Chair Leonard noted that since a PAKA is shown on the plan, even though it is not required, the plan should also show a path accommodating access to the PAKA; Director King stated that since a PAKA is not required in the NHSP, access to it does not need to be shown.

- B. Conditional Use Permit 2013-07 (S&S Venues CA, LLC):** A request to allow the service of alcohol for on-site consumption in conjunction with a full-service restaurant at

2895 Hamner Avenue in the C-G (Commercial General) zone. **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department, in conjunction with **Agenda Item 6.A**. He explained that the code change needed will be reviewed by the City Council at its meeting on November 6, 2013. He stated that the parking requirement is based on the indoor-service area only as the outdoor seating is not considered a full-time seating due to potential inclement weather. Staff recommends approval on both counts.

Commission Member Henderson noted his concern with the parking situation stating that the outdoor seating should be taken into consideration, adding that the corral should be placed facing Fourth Street instead of Hamner Avenue.

Vice Chair Leonard concurred with the parking concern, stating that to his knowledge horse racing does take place in both the day and night time. He suggested that a condition be added to have the wagering shut down at 6:00 p.m. He asked about the lighting as it is not shown on the plan.

In response to Commission Member Wright, Director King stated that if wagering is not approved there is a potential that the upscale restaurant may not happen. Director King handed out a copy of the restaurant's menu to show that it will be upscale, which would be a great addition to Norco.

In response to Chair Hedges, Director King explained that the outdoor seating is conditioned to be approved by the Sheriff's Department, which is requiring a high barricade to avoid the passing of alcoholic beverages. Chair Hedges also noted her concerns with the placement of the corral, suggesting that it be relocated off of Fourth Street.

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

Philip Palderamos, representative for S & S Venues CA, LLC: Mr. Palderamos stated that the company is looking forward to investing in Norco and opening a high-class establishment which will reflect the western theme of the City.

In response to Chair Hedges, Mr. Palderamos explained how the wagering portion of the project will run, noting that the usual racing schedule occurs Wednesday to Sunday, peak hours are from 11:30 a.m. to 4:30 p.m., there are evening races from Alamitos between 6:30 p.m. to 9:00 p.m., which is a much slower time of the day for racing. Mr. Palderamos stated that the wagering portion of the project is fully managed by the California Horse Racing Board (CHRB), noting that they manage over 37 locations in the State, including five mini satellite locations, with no issues at any of the locations.

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

Discussions ensued relating to the parking concerns of the Commission; it was decided to add a condition that if parking becomes an issue, the outdoor seating will be closed and the site plan is to be brought back to the Planning Commission for review, and that the corral be moved away from Hamner Avenue.

M/S Wright/Henderson to adopt Resolution 2013-40, to approve Conditional Use Permit 2013-07, to allow the service of alcohol for on-site consumption in accordance with a full-service restaurant approved with Site Plan 2013-19 at 2895 Hamner Avenue.

AYES: Hedges, Leonard, Henderson, Wright

Motion Passed

ABSENT: Jaffarian (late arrival)

C. Conditional Use Permit 2012-10, Modification 1 (Sessions): A request to allow for an increased height above 20 feet for an approved accessory building at 3535 California Avenue in 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. She noted that the Planning Commission has discretion to allow the 20'6" height requested. Staff recommends approval at the 20' height.

Vice Chair Leonard noted his concern with the height.

Commission Member Henderson clarified that the height addition requested is actually an additional 6" based on the size of the building, which is allowed at 20' per Code, even though the original request had been approved at 14'.

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

Dale Sessions, Applicant: Mr. Sessions provided insight as to the height request, noting that it is more for an architectural look.

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

M/S Wright/Henderson to adopt Resolution 2013-41, to approve Conditional Use Permit 2012-10, Modification 1, to allow an increase in the building height from 14 feet to 20 feet at 3535 California Avenue, at the maximum height of 20'.

AYES: Hedges, Leonard, Henderson, Wright

Motion Passed

ABSTAIN: Jaffarian (due to his late arrival)

D. Zone Code Amendment 2013-15 (City): A City-initiated proposal to amend Title 18 (Zoning) Chapter 18.64 (Housing Development Overlay zone) to adjust the density allowances in accordance with General Plan Amendment 2013-01A (Housing Element Update). **Recommended Action: Adopt Resolution 2013-37 recommending that City Council approves Zone Code Amendment 2013-15** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department, at the same time as Agenda Item 4.A.

M/S Wright/Leonard to adopt Resolution 2013-37, recommending that the City Council of the City of Norco approve Zone Code Amendment 2013-15, amending Chapter 18.63 (Housing Development Overlay Zone) with any related cross-references in other chapters, as needed, to adjust the Density Allowances to be consistent with the Housing Element 2014-2021.

AYES: Hedges, Leonard, Henderson, Wright

Motion Passed

ABSENT: Jaffarian (late arrival)

6. BUSINESS ITEMS:

- A. **Site Plan 2013-19 (S&S Venues, CA LLC):** A request for approval of site plan and architecture improvements to convert a former bank/office building into a full-service restaurant in conjunction with Conditional Use Permit 2013-07: **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department, at the same time as **Agenda Item 5.B.**

M/S Wright/Henderson to adopt Resolution 2013-39, to approve Site Plan 2013-19, to allow the conversion of an existing office/bank building to a restaurant building at 2895 Hamner Avenue. As amended to relocate the corral away from Hamner Avenue, add a phrase to Condition 14 noting that if parking becomes an issue the outdoor seating is to be closed until it can be resolved.

AYES: Hedges, Leonard, Henderson, Wright

Motion Passed

ABSENT: Jaffarian (late arrival)

- B. **Site Plan 2013-17 (Omni Norco, LLC):** A request for approval of site plan and architecture improvements for the construction of 50,000 square-foot office building at 517 West Parkridge Avenue in the Commercial District of the Gateway Specific Plan: **Recommended Action: Approval** (Planning Director)

Planning Director King presented the staff report on file in the Planning Department. He provided a verbal report of the following recommendations by the Streets, Trails, and Utilities Commission (STUC), a right-in/right-out only driveway off of Hamner Avenue, and to add a four-way stop at the Parkridge Avenue/Cota Street connection to the Parkridge driveway. He stated that a western theme was recommended by staff, although it is not required within the Gateway Specific Plan (GSP) the architect has incorporated the recommendation into the plan. Staff recommends approval.

Commission Member Jaffarian stated, on behalf of the Architectural Review Board, that the architecture surpasses what was anticipated.

Chair Hedges invited the appearance of those wishing to speak.

Ted Hoffman, representing STUC: Mr. Hoffman provided insight to the recommendations made by the Commission

Director King shared a discussion with the City of Corona regarding an adjoining project concerning the developers to co-ordinate a decorative wall along the project border", which will meet the design required by the City of Corona.

Kip Dubbs, representing the applicant: Mr. Dubbs stated that for the record, he had not been aware of the shared wall with the adjoining Corona project, which will be multi-residence. He gave an overview of the project's history since its inception. He stated the importance of the left turn-in from northbound Hamner Avenue into a secured access employee parking lot; as such he requested that it remains.

The traffic study engineer provided his input on the study done for this project. He also noted that the left turn lane from northbound Hamner Avenue would be used only in the peak morning hours by employees only.

Chair Hedges brought discussions back to the Commission.

The Commission agreed to remove the left turn-in off of Hamner Avenue, add a four-way stop at Parkridge Avenue/Cota Street/project driveway, and add a pork chop in driveway off of Hamner Avenue to keep it as a right-in/right-out only entrance.

M/S Wright/Jaffarian to adopt Resolution 2013-38, to approve Site Plan 2013-07, to allow for the development of a 50,000 square-foot office building on 4.64 acres located on the northeast side of Parkridge Avenue North of the extension of Cota Street, as amended, remove the left turn-in off of Hamner Avenue, add a four-way stop at Parkridge Avenue/Cota Street/project driveway, and add a pork chop in driveway off of Hamner Avenue for a right-in/right-out only entrance.

AYES: Unanimous

Motion Passed

- C. **Site Plan 2013-20 (Sanchez):** A request for approval to allow an accessory building consisting of a 256 square-foot freestanding patio cover at 4332 Pedley Avenue located within the A-1-20 (Agricultural Low-Density) zone. **Recommended Action: Approval** (Senior Planner)

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

M/S Wright/Henderson to adopt Resolution 2013-34, to approve Site Plan 2013-20, to allow an accessory building consisting of a 256 square-foot freestanding patio cover at 4332 Pedley Avenue.

AYES: Unanimous

Motion Passed

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

➤ City Council Minutes of September 4, 2013 **Received and Filed**

Director King gave an overview of a legal decision presented to the City Council at its meeting of October 2, 2013, regarding the Salley Site Plan modification.

8. PLANNING COMMISSION:

- a. Oral Reports from Various Committees: **NONE**
b. Request for Items on Future Agenda (within the purview of the Commission):

Director King provided an update on two building without permits issues.

- c. Presentation to Commission Member Robert Wright for his service to the City of Norco on the Planning Commission and the Streets and Trails Commission.

Chair Hedges recognized retiring Commission Member Wright for his many years of service for the City of Norco on both the Streets and Trails Commission and the Planning Commission. A City Seal tile plaque was presented to thank him for all his efforts and dedication to the City.

9. ADJOURNMENT: Chair Hedges adjourned the meeting at **8:56 PM**

Respectfully submitted,

Steve King
Secretary / Planning Commission

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: November 13, 2013

SUBJECT: Conditional Use Permit 2012-03 (Planck/International 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.

SUMMARY: The application for Conditional Use Permit 2012-03 has been withdrawn by the applicant and therefore the public hearing is cancelled.

CITY OF NORCO STAFF REPORT

TO: Honorable Chair and Members of the Planning Commission

FROM: Steve King, Planning Director

DATE: November 13, 2013

SUBJECT: **Zone Code Amendment 2013-03 (City of Norco):** A city-initiated proposal to amend Title 18 "Zoning" of the Norco Municipal code, Chapter 18.02 – Definitions", Section 18.31.08 - "Yard Requirements – Walls, Fences and Structures in Setback Areas" and Section 18.38.22 -"On-site Location of Parking Facilities", to address/revise the definitions of vehicles and trailers, and to address vehicle and trailer parking in residential zones.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2013-19, as amended, recommending approval of Zone Code Amendment 2013-03 to the City Council.

SUMMARY: Zone Code Amendment (ZCA) 2013-03 is a city-initiated proposal to amend Title 18 (Zoning) of the Norco Municipal Code (NMC) to address or revise the definitions pertaining to recreational vehicles, trailers, and parking areas, and to address the regulation of on-site parking in residential zones.

BACKGROUND: The City Council directed the Planning Commission to review regulations and make recommendations it deemed necessary regarding on-site vehicle parking in residential areas with a focus on front and side yard parking, especially for large vehicles and trailers.

The NMC currently reads:

Section 18.31.08 Yard Requirements--Walls, Fences, and Structures in Setback Areas, Subsection (9).

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

18.38.22 On –Site Location of Parking Facilities.

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

Agenda Item 4.B.

There are two inherent problems, the first being that no provision is made for driveway parking in the prohibition of front and side yard parking where typically driveways are in the front or side setbacks; and the second being that the prohibition of side yard parking for recreational vehicles is inconsistent: being allowed in one section if the lot is not a corner lot, but then being altogether prohibited by the other section regardless of how the lot sets on the street.

After discussion and revisions over several meetings the Planning commission at its meeting on March 3, 2013 recommended a Zone Code Amendment to address these issues and a couple others it determined necessary:

- revise the definition for vehicles;
- allow vehicle parking in the front yard subject to certain criteria/restrictions;
- restrict recreational vehicles (RV's) and boat parking, to vehicles that are registered to the property owner/resident where the RVs and boats are being stored, to avoid storage yards on residential properties; and
- explore an application procedure for review on a case-by-case basis to allow the parking of RVs, trailers and boats in the front yard, for non-conforming small lots.

At its meeting of August 21, 2013 the City Council discussed the various items included in the recommended Zone Code Amendment and remanded it to the Planning Commission with direction that only parking in the front and side yards be addressed. The City Council wanted all of the other issues taken out including any prohibition of the parking of recreational vehicles and trailers in the front yard, and any regulation that could require an owner to have to obtain a special parking permit for the parking of such a vehicle in either yard.

ANALYSIS: There are currently two definitions for recreational vehicles in the Zoning Code included in Section 18.02.04 – “Specific Definitions”, Items (65) “Recreational Vehicles” and (79) “Trailer” which are proposed to be amended as follows. Text proposed to be removed is ~~crossed-out~~ and text proposed to be added is underlined.

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

~~(a) Contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.~~

~~(b) Contains 400 square feet or less of gross area measured at maximum horizontal projections and does not exceed 40 feet in length.~~

~~(c) (a) Is built on a single chassis.~~

~~(d) (b) Is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.~~

~~(e) (c) Requires licensing and registration by the State Department of Motor Vehicles.~~

(79) Trailer. A vehicle designed for carrying persons or property (including livestock) on its own structure and for being drawn by a motor vehicle that is not a commercial truck as identified in Chapter 10.16 – “Commercial Vehicles/Trucks” of the Norco Municipal Code. This definition of trailer does not include commercial trailers also identified in Chapter 10.16.

So that it would read as follows:

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

- (a) Is built on a single chassis.
- (b) Is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.
- (c) Requires licensing and registration by the State Department of Motor Vehicles.

(79) Trailer. A vehicle designed for carrying persons or property (including livestock) on its own structure and for being drawn by a motor vehicle that is not a commercial truck as identified in Chapter 10.16 – “Commercial Vehicles/Trucks” of the Norco Municipal Code. This definition of trailer does not include commercial trailers also identified in Chapter 10.16.

In addition it is recommended that the definition of a designated parking area be added:

(18.b) Designated Parking Area. An area set apart by surfacing or physical borders.

Regarding parking in front yards staff had contacted different cities and most cities allowed vehicle parking in the front yard including RVs and boats, provided they did not overhang into the public right-of way. No height limitation was codified for vehicles parking in the front yard for these cities.

Based on the direction received from City Council the following changes to the zoning text are proposed as indicated. Section 18.32.22 is proposed to be revised as follows:

18.38.22 On –Site Location of Parking Facilities of Vehicles in Residential Zones

On-site parking of vehicles in residential zones, facilities for residential uses shall not be permitted to occupy any portion the driveway or designated parking area of a required front yard or any portion of a required side yard. In no instance shall any vehicle extend onto the public right-of-way.

Section 18.38.22 would read:

18.38.22 On–Site Parking of Vehicles in Residential Zones

On-site parking of vehicles in residential zones shall be permitted to occupy the driveway or designated parking area of a required front yard or any portion of a required side yard. In no instance shall any vehicle extend onto the public right-of-way.

Section 18.31.08 Yard Requirements--Walls, Fences, and Structures in Setback Areas, Subsection 9 (first paragraph only) is proposed to be revised as follows:

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

Attachment: Resolution 2013-19 (amended)

RESOLUTION NO. 2013-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO RECOMMENDING TO THE CITY COUNCIL THAT ZONE CODE AMENDMENT 2013-03 BE APPROVED TO AMEND TITLE 18 "ZONING" OF THE NORCO MUNICIPAL CODE, CHAPTER 18.02 - DEFINITIONS", SECTION 18.31.08 - "YARD REQUIREMENTS - WALLS, FENCES AND STRUCTURES IN SETBACK AREAS" AND SECTION 18.38.22 -"ON-SITE LOCATION OF PARKING FACILITIES", TO ADDRESS/REVISE THE DEFINITIONS PERTAINING TO VEHICLES, AND TO ADDRESS VEHICLE PARKING IN RESIDENTIAL ZONES. ZONE CODE AMENDMENT 2013-03

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2013-03 to address/revise definitions pertaining to vehicles, and to address vehicle on-site parking in residential zones; and

WHEREAS, said 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, said Zone code Amendment was scheduled for public hearing on June 12, 2013 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the Planning Commission adopted Resolution 2013-19 recommending that the City Council approve Zone Code Amendment 2013-03; and

WHEREAS, said item was duly submitted to said City's City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, said Zone Code Amendment was scheduled for public hearing with the City Council on August 21, 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 City Council held a public hearing and received both oral and written testimony pertaining to said amendment; and

WHEREAS, the City Council remanded consideration of Zone Code Amendment 2013-03 to the Planning Commission to address only the issue of parking in the front and side yard setback areas in residential zones; and

WHEREAS, said 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, said Zone Code Amendment was scheduled for public hearing on September 11, 2013 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, said Zone Code Amendment was continued to November 13, 2013; and

WHEREAS, the Planning Commission adopted Resolution 2013-19, as revised, recommending that the City Council approve Zone Code Amendment 2013-03; and

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

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

I. FINDINGS:

- A. The proposed Zone Code Amendment is necessary to address/revise the definitions pertaining to vehicles, and to address on-site vehicle parking in residential zones.
- B. The proposed Zone Code Amendment will clarify the location of on-site vehicle parking in the residential zones.
- C. The proposed Zone Code Amendment does not hinder the General Plan goals and policies of preserving the City's small plot agricultural/animal-keeping/equestrian lifestyle.
- D. The proposed Zone Code Amendment is categorically exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines pursuant to Class 5 (Minor Alterations in Land Use Limitations).

- II. DETERMINATION: NOW THEREFORE, the Planning Commission for the City of Norco assembled November 13, 2013 does hereby recommend to the City Council of the City of Norco that Zone Code Amendment 2013-03 be adopted, thereby amending the Norco Municipal Code as follows:

Chapter 18.02 – “Definitions”, Section 18.02.04 – “Specific Definitions” Item (65) “Recreational Vehicles” and Item (79) “Trailer” are hereby amended to read as follows:

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

- (a) Is built on a single chassis.
- (b) Is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.
- (c) Requires licensing and registration by the State Department of Motor Vehicles.

(79) Trailer. A vehicle designed for carrying persons or property (including livestock) on its own structure and for being drawn by a motor vehicle that is not a commercial truck as identified in Chapter 10.16 – “Commercial Vehicles/Trucks” of the Norco Municipal Code. This definition of trailer does not include commercial trailers also identified in Chapter 10.16.

Chapter 18.02 – “Definitions”, Section 18.02.04 – “Specific Definitions” is hereby amended to include Item (18.b) “Designated Parking Area” as follows:

(18.b) Designated Parking Area. An area set apart by surfacing or physical borders.

Chapter 18.38 – “General Provisions – Off Street Parking and Loading”, Section 18.38.22 – “On-Site Location of Parking Facilities” is hereby amended to read as follows:

18.38.22 On –Site Parking of Vehicles in Residential Zones

On-site parking of vehicles in residential, shall be permitted to occupy the driveway or designated parking area of a required front yard or any portion of a required side yard. In no instance shall any vehicle extend onto the public right-of-way.

Chapter 18.31 – General Provisions-Yards, Setbacks and Height Exceptions, Section 18.31.08 Yard Requirements--Walls, Fences, and Structures in Setback Areas, Subsection 9 (first paragraph only) is hereby amended as follow:

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

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

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission

**.CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: November 13, 2013

SUBJECT: Conditional Use Permit 2013-10 (Shank): A request for approval to allow a detached accessory building consisting of a 1,620 square-foot storage garage at 2615 Corydon Avenue located within the A-1-20 zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2013-44, approving Conditional Use Permit 2013-10.

Conditional Use Permit 2013-10 is a request for approval to allow an accessory building consisting of a 1,620 square-foot storage garage at 2615 Corydon Avenue located within the A-1-20 zone (ref. Exhibit "A" – Location Map). The property consists of about .51 acres/22,215 square feet and is developed with a single family residence (ref. Exhibit "B" – APN Map and Exhibit "E" – Aerial and Site Photo).

Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. The site plan, floor plan and building elevations for the proposed building are attached (ref. Exhibit "C" – Site Plan and Floor Plan, and Exhibit "D" – Building Elevations). The proposed building is wood framed with a stucco exterior and with a composition shingle roof to match the existing house. Access to the garage is proposed from side yard.

The following is required of accessory buildings:

- The minimum setback of 5 feet from side and rear interior property lines, 25 feet from an exterior (corner side) property line when access is taken from the side yard and garage door faces the street, and 10 feet from any other structure is required for accessory buildings. **The proposed building will meet these requirements. (Note: the side yard setback for the proposed structure noted at 6 feet on the site plan may need to be increased to 10 feet per the requirements the Building Code.)**
- The maximum height of any accessory structure that exceeds 864 square feet is 20 feet, or as approved by the Planning Commission. **The structure is proposed to have a maximum height of about 21 feet 3 inches, as measured from existing grade to the ridge (peak) of the roof, which can be approved at the discretion of the Planning Commission.**
- The maximum lot coverage of all structures shall be not more than 40% of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less). **The subject property is approximately 22,215 square feet, with a pad of about 21,108 square feet.**

RESOLUTION NO. 2013-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO APPROVING A CONDITIONAL USE PERMIT TO ALLOW A DETACHED ACCESSORY BUILDING CONSISTING OF A 1,620 SQUARE-FOOT STORAGE GARAGE AT 2615 CORYDON AVENUE LOCATED WITHIN THE A-1-20 ZONE. (CONDITIONAL USE PERMIT 2013-10)

WHEREAS, an application to the City of Norco, California has been submitted for a conditional use permit under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code by SCOTT SHANK for property located at 2615 Corydon Avenue (APN 129-345-034); 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 November 13, 2013 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

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

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

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

I. FINDINGS:

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

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

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

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

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

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled November 13, 2013 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "C" – Site Plan and Floor Plan and Exhibit "D" – Building Elevations (to be modified for height) dated September 24, 2013 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of this permit.
4. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. No occupancy of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.

6. The applicant shall obtain building permits and pay all applicable fees before beginning construction of the structure on the subject property.
7. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.
8. A home occupation business shall not be permitted from the subject building.
9. The subject building shall complement the existing house in color.
10. This approval is for an accessory storage garage. It is hereby established that it shall be grounds for revocation of this conditional use permit if the property owner has:
 - A. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or
 - B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.
11. Building permits for this accessory building are issued within the confines of this Conditional Use Permit. Any violation of a condition resulting in a revocation of this Conditional Use Permit may result in an order to remove the accessory building at the owner's expense.
12. The maximum height of the building shall be 20 feet as measured to the peak of the roof.

Resolution No. 2013-44
Page 4
November 13, 2013

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on November 13, 2013.

Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

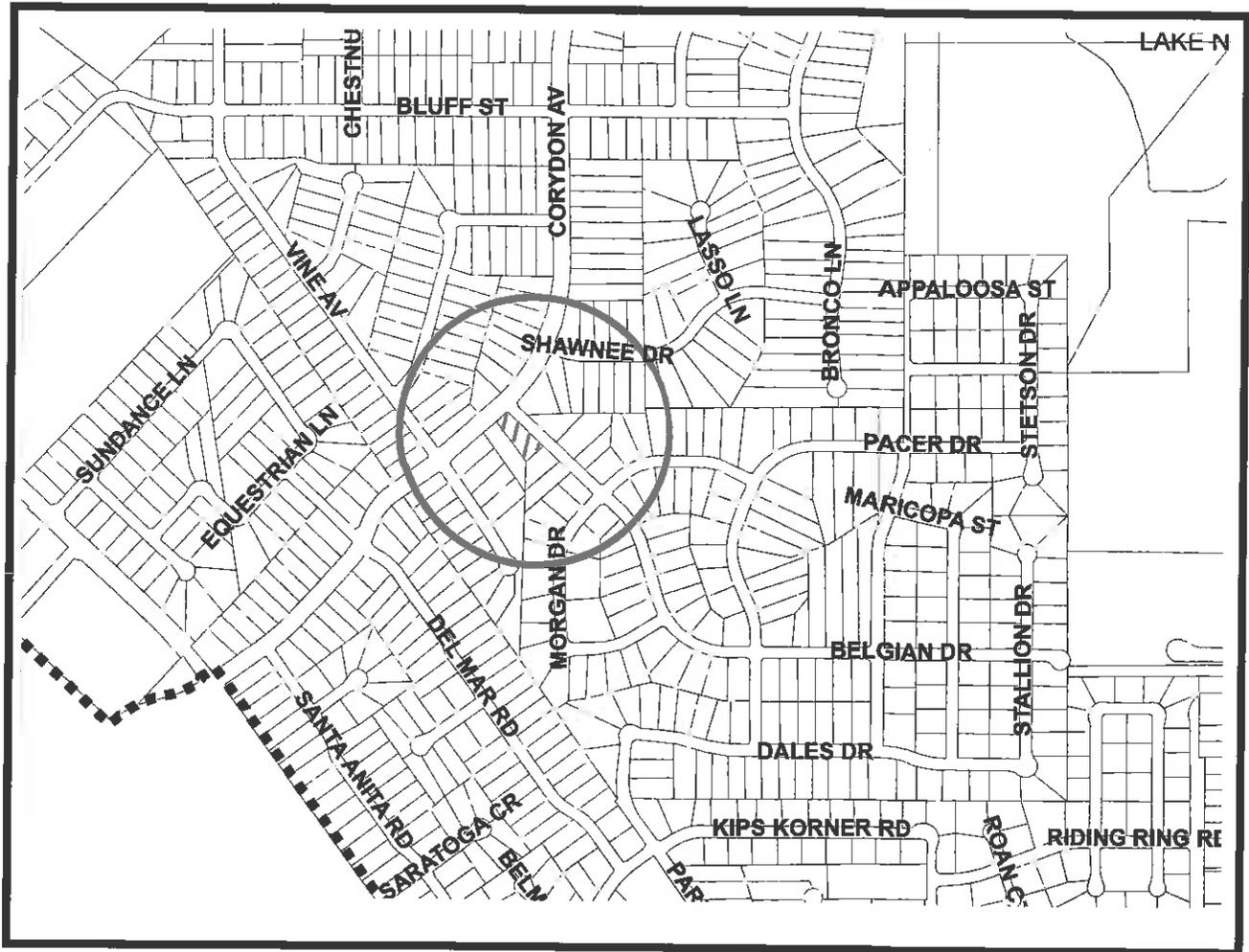
I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on November 13, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale



PROJECT: Conditional Use Permit 2013-10
APPLICANT: Scott Shank
LOCATION: 2615 Corydon Avenue

Exhibit "A"

APN MAP

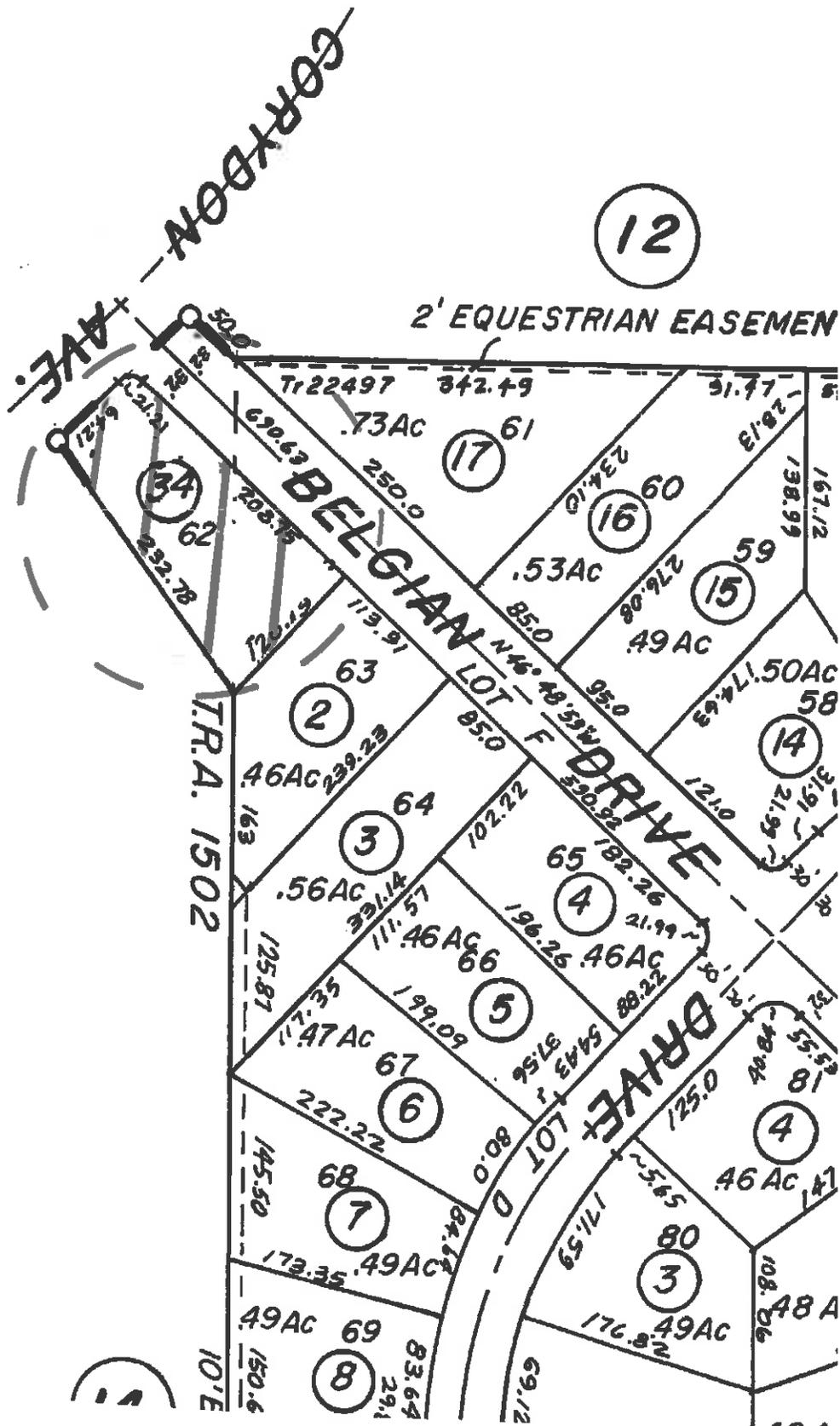


Exhibit "B"

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: November 13, 2013

SUBJECT: Conditional Use Permit 2013-11 (Rafiq): A request for approval to allow an increase in the number of students allowed for an existing tutoring center located at 1161 Hidden Valley Parkway, Unit 103, within the Norco Hills Specific Plan (NHSP), Neighborhood Commercial District.

RECOMMENDATION: Adopt Resolution 2013-43 approving Conditional Use Permit 2013-11.

SUMMARY: This project is a request for approval to allow an increase in the number of students allowed for an existing tutoring center located at 1161 Hidden Valley Parkway, Unit 103, which is part of a neighborhood shopping center located at the northwest corner of Hidden Valley Parkway and El Paso Drive (ref. Exhibit "A" – Location Map).

SITE DESCRIPTION: The project site (1161 Hidden Valley Parkway) is an irregular-shaped area consisting of about 73,616 square feet and is currently developed with a 15,198 square-foot multi-tenant commercial retail building (ref. Exhibit "B" – APN Map). This property and the adjacent property noted on the APN Map, which is currently developed with a 16,784 square-foot CVS Pharmacy, make up the neighborhood commercial center located at northwest corner of Hidden Valley Parkway and El Paso Drive. The center was approved with shared driveways, drive aisles, parking, and landscaping (ref. Exhibit "C" – Existing Site Plan and Exhibit "E" – Aerial Photo). A total of 139 on-site parking spaces exist for the entire center.

BACKGROUND: The applicant is currently using suite #103 (1,290 square feet) at 1161 Hidden Valley Parkway for the tutoring business [(U.S. Best Tutors LLC) ref. Exhibit "D" – Existing Floor Plan]. The business is currently classified as an office because the applicant agreed to a maximum of four students at any given time. Per Building Code requirements, the office classification could remain as long as the applicant maintained the four student limit. Per zoning requirements, an office is a permitted use in the NHSP Neighborhood Commercial District.

The existing tutoring center provides services for both K-12 and college level students. The current hours of operation are from 3:00 p.m. to 8:00 p.m. Monday thru Thursday, closed on Fridays, and by appointment only between 10:00 a.m. to 6:00 p.m. on Saturdays and Sundays.

The tutoring business owner expressed the intent of having more than four students and was therefore, informed that this would require a change in the occupancy classification/use from

office to an educational classification/use per the Building Code. An increase in the number of students would also change the land use from office to a private school, which requires approval of a conditional use permit in the NHSP.

PROJECT DESCRIPTION: This conditional use permit application is a request for approval to allow up to 30 students at any one time. The student grade levels to be tutored will remain the same but the operating hours are proposed to increase. The hours of operation are proposed from 9:00 a.m. to 8:00 p.m. Monday thru Thursday, and 10:00 a.m. to 6:00 p.m. Friday thru Sunday (ref. Exhibit "F" – Anticipated Tutoring Center Schedule for up to 30 Students). All tutoring sessions are one hour.

No exterior building and site improvements are proposed. Interior Improvements may be required per the Building Code, to accommodate the change of occupancy classification.

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.

ANALYSIS: The subject property is located in the NHSP Neighborhood Commercial District. The proposed use is consistent with uses in the NHSP that require approval of a conditional use permit, such as private schools, which provide instruction in a class setting.

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 neighborhood center was in compliance with all development standards (i.e., setbacks access, parking, landscaping, architecture, trash enclosures, etc.) required in the NHSP. For this project, it needs to be determined if the existing parking spaces (139 spaces) are sufficient to accommodate the proposed use.

The parking requirement for a private high school and college is one parking space for every ten students plus one and one-half for each classroom. The floor plan for the tutoring business indicates one main study area and a study room/testing area (for a total of two classrooms). Using the parking ratio for private school, a total of six parking spaces would be required for a maximum of 30 students.

The parking ratio for commercial retail, offices, take-out food and services (such as salons) is one parking space for every 250 square feet of gross floor area. The parking ratio for restaurants is one parking space for every 100 square feet of gross floor area. The following is the parking requirement for existing uses:

Use	Square feet	Required parking
CVS Pharmacy/retail	16,784	67
Multi-Tenant Commercial Retail building consisting of offices and services and take-out food (minus the tutoring business suite and an existing restaurant)	13,908	56
Existing Restaurant (Shino Japanese Restaurant)	1,500	15
Existing Tutoring Center (with a maximum of four students and considered an office)	1,290	5
Total Required (for existing and subject use)		143

The following is the parking requirement for both existing and proposed use:

Use	Square feet	Required parking
CVS Pharmacy/retail	16,784	67
Multi-Tenant Commercial Retail building consisting of offices and services and take-out food (minus the tutoring business suite and existing restaurant)	13,908	56
Existing Restaurant (Shino Japanese Restaurant)	1,500	15
Tutoring Suite (with proposed 30 students)	1,290	6
Total Required (for existing and subject use)		144

As noted, there are 139 on-site parking spaces. There is an existing short fall of five parking spaces, which is primary due to the existing restaurant. This restaurant was allowed in the center with a parking analysis which demonstrated that the shortfall could be accounted for due to the different hours of operation with the existing businesses, prior to the Tutoring Center.

A total of six parking spaces would be required for up to 30 students, which would increase the parking requirement by one. However, because there is already a shortfall, staff is recommending that the center be limited to 20 students. This would require that five parking spaces be provided, thus not increasing the parking demand that is already existing.

Staff is recommending that the project if approved, not allow overlapping in the hourly sessions, and that conditions state that no outdoor tutoring instruction is allowed at any time.

Any improvements to the interior of the existing suite 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 and conditioned, the project meets the minimum requirements and standards for development and uses in the NHSP.

The project as conditioned does not require any waivers from site development standards and parking requirements, and as such, the project is not expected to adversely affect adjoining land uses and growth or development in the area. The proposed use as conditioned can be operated in a manner that is compatible/complimentary with the surrounding uses and existing businesses within the center, and should not have any significant effects.

The property is adequate to allow for full development and/or use 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 with a maximum of 20 students 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 tutoring center with a maximum of 20 students. As conditioned, the use can be operated in a manner that is complementary to the existing businesses within the center. Staff is recommending that the Commission adopt Resolution 2013-43, approving Condition Use Permit 2013-11.

/adr

Attachments:

Resolution 2013-43

Exhibit "A" – Location Map

Exhibit "B" – Assessor's Parcel Map

Exhibit "C" – Existing Site Plan

Exhibit "D" – Existing Floor Plan

Exhibit "E" – Aerial

Exhibit "F" – Anticipated Tutoring Center Schedule for Up to 30 Students

RESOLUTION 2013-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT TO ALLOW AN INCREASE IN THE NUMBER OF STUDENTS TO 20 STUDENTS FOR AN EXISTING TUTORING CENTER AT 1161 HIDDEN VALLEY PARKWAY, UNIT 103 LOCATED WITHIN THE NORCO HILLS SPECIFIC PLAN, NEIGHBORHOOD COMMERCIAL DISTRICT. CONDITIONAL USE PERMIT 2013-11

WHEREAS, FAWAD RAFIQ 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 tutoring center on property generally described as:

Parcel 2 of Parcel Map No. 30218 in the City of Norco, County of Riverside, State of California recorded in Book 201, Pages 1 and 2 of Parcel Maps, records of Riverside County;

More generally described as irregular-shaped area of about 1.69 acres, having a frontage on the south side of Thoroughbred Lane of about 476 feet, a frontage on the north side of El Paso Drive of about 431 feet, a frontage on the east side of Hidden Valley Parkway of about 84 feet, and being further identified as 1161 Hidden Valley Parkway (Assessor's Parcel Number of 122-631-004); 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 November 13, 2013; and

WHEREAS, at the time set at 7 p.m. on November 13, 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 SP (Specific Plan) and the Specific Plan 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 use is proposed within an already existing neighborhood commercial center. 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 November 13, 2013 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in

Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "C" – Existing Site Plan, and Exhibit "D" – Existing Floor dated October 1, 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 the required building permit/certificate of occupancy to change the classification from office to educational to allow up to 20 students in the subject suite/unit, and shall comply with all tenant improvements required with the change in classification.
6. The applicant shall obtain permits for any 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.
7. This is not an approval to begin any new tenant improvements work or allow more than four students at one time to occupy the subject building. No work shall commence and no occupancy beyond four students shall be allowed until the City of Norco has issued required building permits and all other appropriate permits (i.e., business license, certificate of occupancy, etc.).
8. 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.

9. 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.

10. A maximum of 20 students shall be allowed at any one time. A modification of this permit to be approved by the Planning Commission, is required to allow any increase in the number of students and/or an expansion of the use into an additional suite.

11. No overlapping in the hourly sessions shall be allowed.

12. No outdoor instruction is allowed with the approval of this permit.

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

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

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. 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.

18. 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.

#

Resolution 2013-43
Page 6
November 13, 2013

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on November 13, 2013.

Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

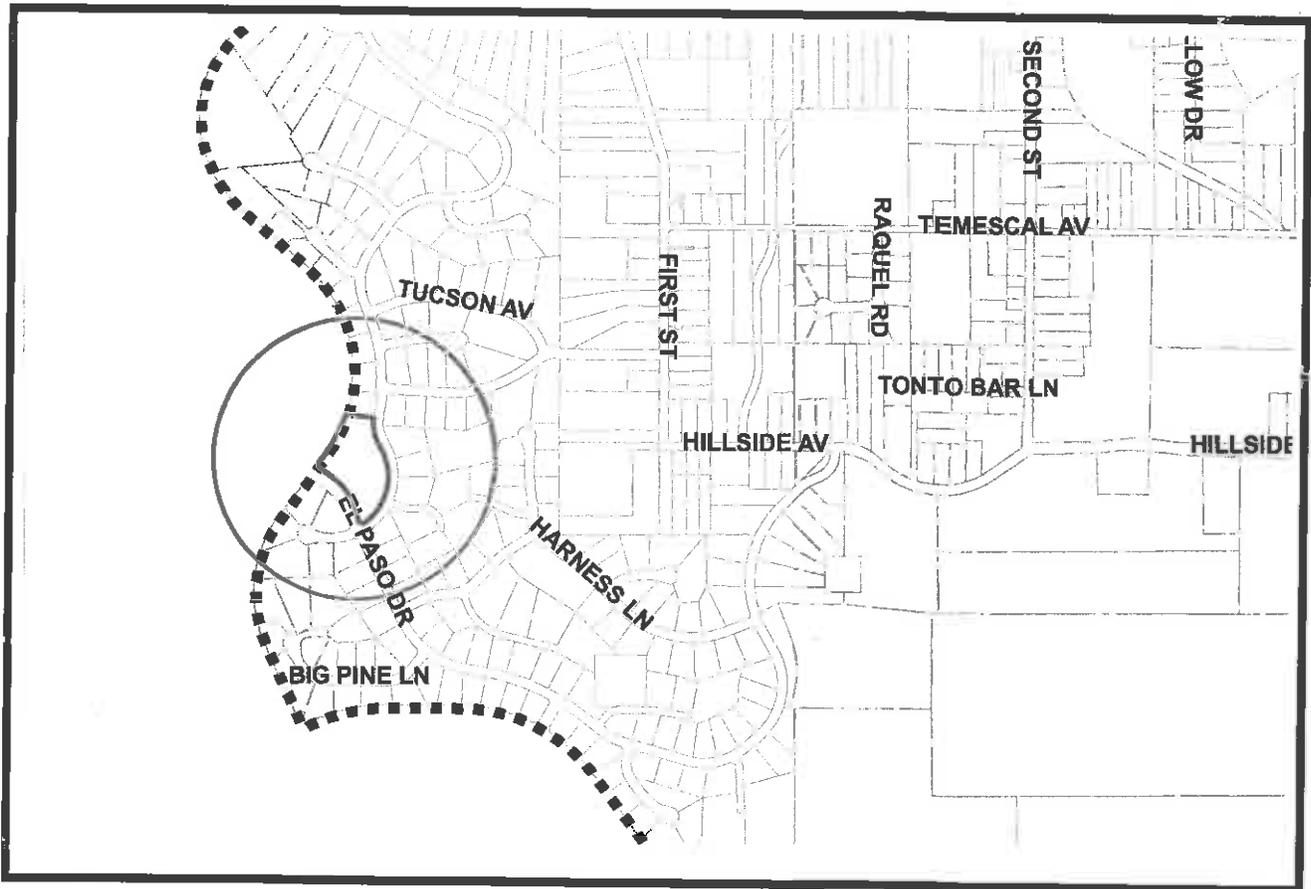
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held on November 13, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale



PROJECT: Conditional Use Permit 2013-11
APPLICANT: Fawad Rafiq
LOCATION: 1161 Hidden Valley Parkway

Exhibit "A"

ASSESSOR'S PARCEL MAP

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

T.R.A. 015-007

122-20

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN HEREON. THE ASSessor'S OFFICE SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS, NOR FOR ANY DAMAGE TO PERSONS OR PROPERTY, ARISING FROM THE USE OF THIS MAP, UNLESS IT IS PROVEN THAT THE SAME WAS CAUSED BY NEGLIGENCE ON THE PART OF THE ASSessor'S OFFICE.

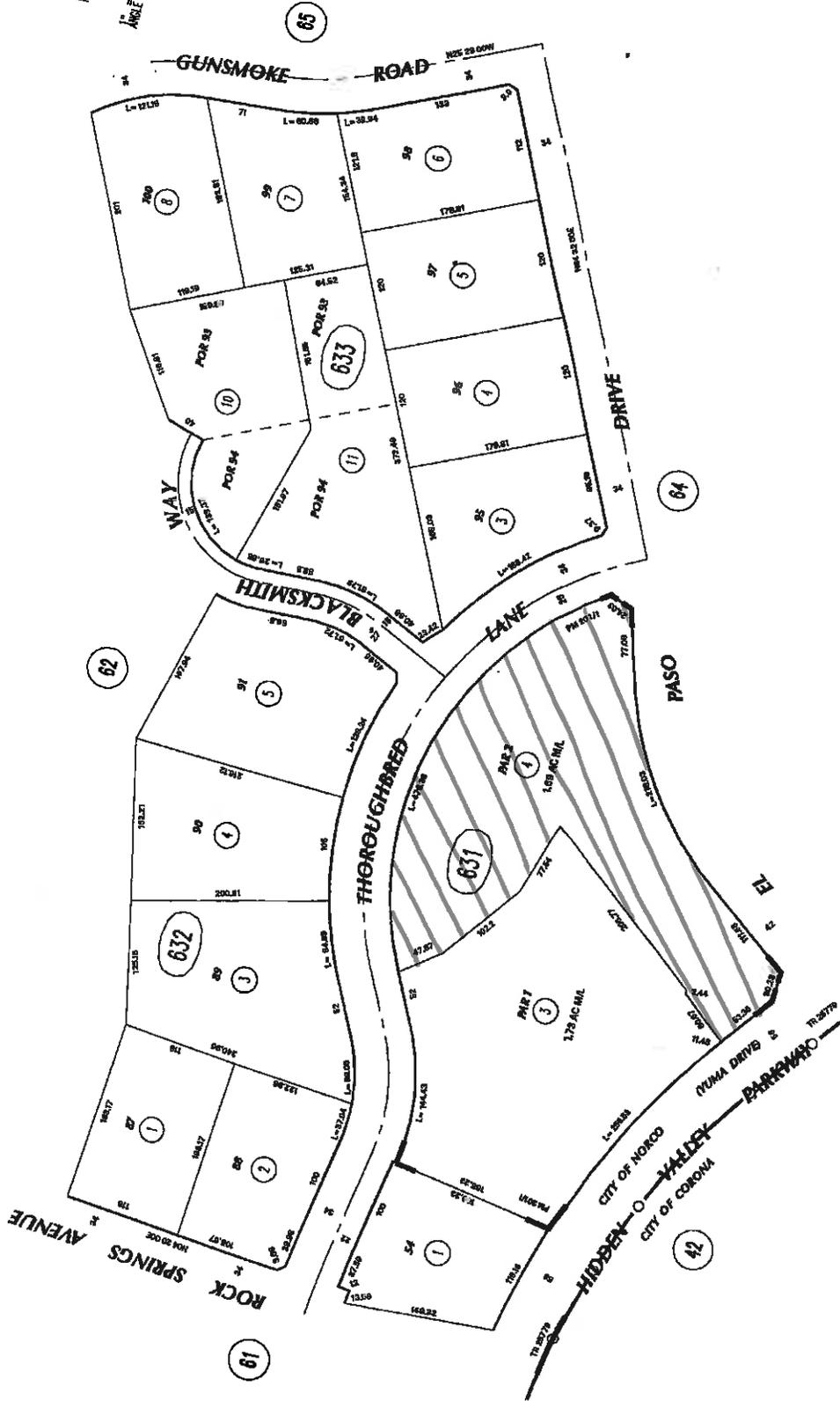
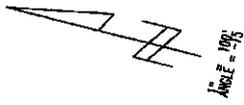
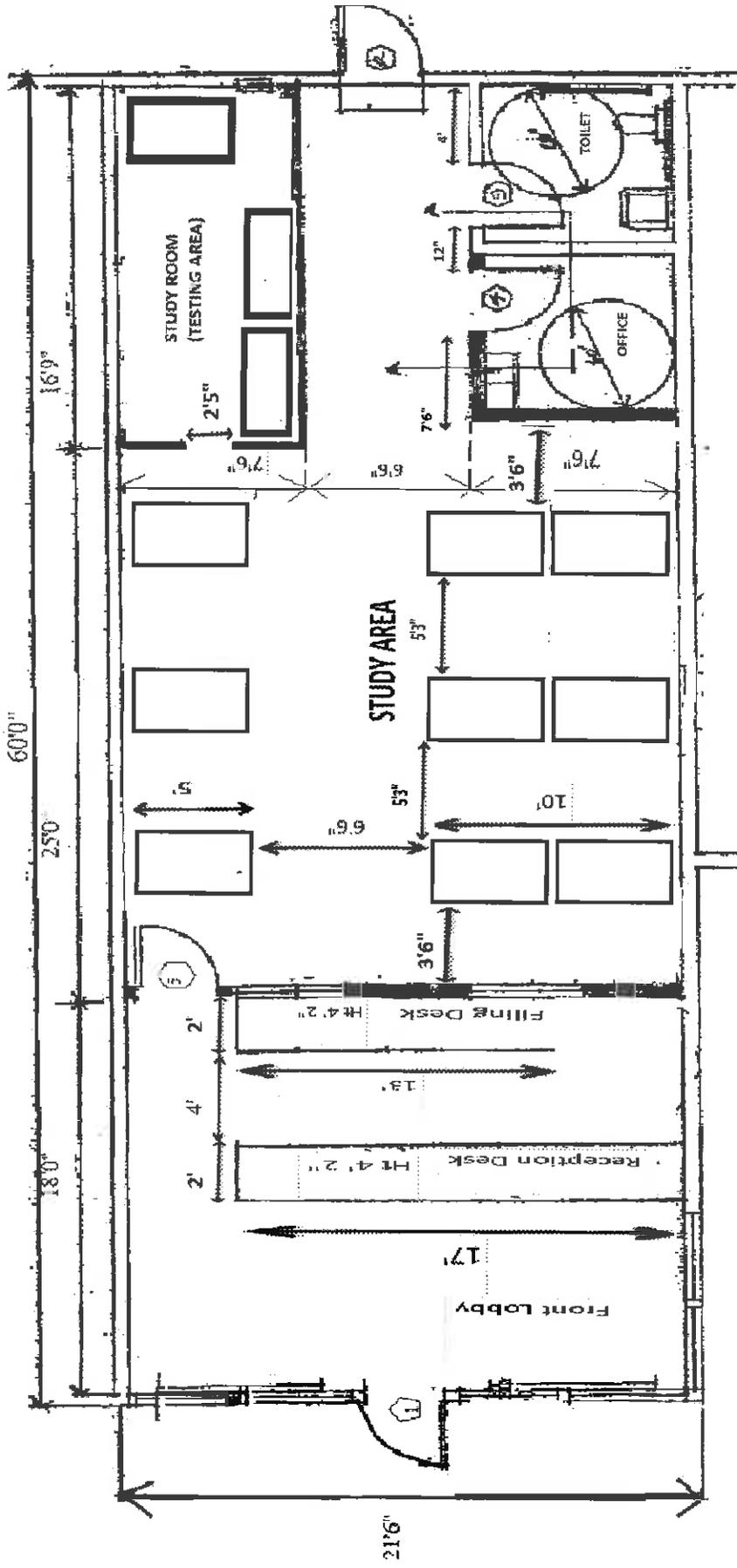


Exhibit "B"



FLOOR PLAN & DESIGN LAYOUT

Scale 1:7.5
(inches)

Length	width	height
5'	2.5'	27.5"

DOOR SCHEDULE

LOCATION	SIZE	EXISTING
1 FRONT ENTRY	3' x 7'	yes
2 BACK EXIT	3' x 7'	yes
3 TOILET RM	3' x 6'8"	yes
4 OFFICE	3' x 6'8"	yes
5 STUDY AREA	3' x 6'8"	yes

EXHIBIT "D"
10/1/13

U.S. Best Tutors, LLC
 1161 Hidden Valley Pkwy, Ste. 103, Norco, 92860
 Office: 951-479-1557
 Cell: 951-220-0645

Tutoring center timings and expected number of students per hour

	9 am -10 am	10 am -11 am	11 am - 12 pm	12pm - 1 pm	1pm - 2 pm	2pm -3 pm	3 pm-4 pm	4 pm - 5 pm	5pm - 6 pm	6pm -7 pm	7pm -8pm
Monday	5	10	10	10	10	15	20	30	30	30	30
Tuesday	5	10	10	10	10	15	20	30	30	30	30
Wednesday	5	10	10	10	10	15	20	30	30	30	30
Thursday	5	10	10	10	10	15	20	30	30	30	30
Friday	5	5	10	10	10	10	15	15	15	15	30
Saturday	5	5	10	10	10	10	15	15	15	15	15
Sunday	5	5	10	10	10	10	15	15	15	15	15

EXHIBIT "F"
 10/1/13

CITY OF NORCO STAFF REPORT

TO: Chair and Members of the Planning Commission

FROM: Planning Division

PREPARED BY: Steve King, Planning Director

DATE: November 13, 2013

SUBJECT: Conditional Use Permit 2013-12 (Brother's Towing): A Request to Expand the Operation of a Non-Conforming Use for an Existing Tow Company to Expand the Area of the Business and to Allow the Parking of Tow Trucks as Needed for the Operation of the Business at 1674 Elm Drive.

RECOMMENDATION: Adopt Resolution 2013-47 approving Conditional Use Permit 2013-12.

BACKGROUND: Brother's Towing currently operates at 1674 Elm Drive on .74 acre (ref. Exhibit "A" – Location Map) from the following timeline of approvals:

May 10, 2000: Site Plan 2000-06 was approved by the Planning Commission.

- A tow company was a permitted use in the C-3 zone without a conditional use permit at the time.
- Approval was for the rear half of the property in question since a tire company already existed on the front half of the property.
- Block wall requirement removed and replaced with chain-link fence with slats and landscaping barrier.
- Approval was only for temporary storage and limited to 25 vehicles maximum. The approval did not include the storage of tow trucks on-site. Dispatch from the site and delivery to the site was limited to flatbed trucks and small tow trucks.

June 7, 2000: On appeal by the City Council, the City Council upheld the Planning Commission approval with the following:

- Condition 10 revised: vehicles only "involved in wrecks" would have to be drained of fluids prior to placement on-site.
- Condition 23 was kept that required that an existing gate adjacent to Caltrans property be removed.

July 30, 2003: Site Plan 2000-06, Modification No. 1 approved by Planning Commission based on the letter request submitted by the applicant (ref. Exhibit "B" – Letter dated July 12, 2003). The applicant had requested a storage period from 90 to 120 days but the condition was modified to increase only up to 90 days.

- Planning Commission Resolution 2003-52 replaced the original approval resolution (PC Resolution 2000-19)
- The amount of time that vehicles could be stored was increased for up to 90 days and the maximum number of vehicles that could be stored was increased to 50.
- A condition was changed to allow for the parking of one tow truck (light duty) on-site, but the condition prohibiting large tractors was kept intact.

August 20, 2003: On appeal by the City Council, the City Council sent the item back to the Planning Commission for clarification of the requirements.

September 10, 2003: Planning Commission reaffirmed its decision from July 30, 2003.

October 1, 2003: On appeal by the City Council the City Council upheld the action of the Planning Commission with the following:

- The action to uphold included the added stipulation that only Class A (light duty) tow trucks be used at this site.

ANALYSIS: When Site Plan 2000-06 was originally approved the request was to use the back half of the property for the towing operation as it was behind an existing tire company and the back half was not being used. Since that time the tire company has left and Brother's Towing has control of the entire site. As mentioned, the project was originally approved with a site plan approval (no CUP) as it was a permitted use in the C-3 zone that existed at the time. Since that time the Commercial General (C-G) zone has replaced the C-3 zone and a towing company is not a permitted use. The use is now therefore a non-conforming use. To expand a non-conforming use, per the Norco Municipal Code, a conditional use permit has to be approved.

The California Department of Highway Patrol (CHP) approves towing companies for its rotation list under four different categories based on the types of trucks that can be used in the towing operation:

- Class A: Light duty towing trucks (above 14,000 lbs.)
- Class B: Medium duty towing trucks (above 19,500 lbs.)
- Class C: Heavy duty towing trucks (at least 33,000 lbs.)
- Class D: Super heavy duty towing trucks (at least 50,000 lbs.)

Below is a list of towing companies currently operating in Norco and what types of towing trucks they can use in their service agreements (SA) with the CHP.

Brother's Towing: SA allows all classes of vehicles for all of its locations in Riverside County. By its SA with Caltrans Brother's Towing could operate all types of tow trucks out of the Norco location but the conditions of approval currently limit it to Class A.

J & M Towing: SA allows towing with all classes of trucks. There is no limitation from the conditions of approval on the types of towing vehicles that can be used.

Norco Auto Towing: SA allows towing with Class A, B, or C trucks.

Hamner Towing: SA allows towing with all classes of trucks.

Advanced Towing: SA allows towing with Class A, B, or C trucks.

The CHP does not specify the required area for the impound yard, or the number of vehicles that must be stored. The requirement is that "adequate" area exists in the impound yard. When questioned regarding the size of the Brother's Towing storage yard with the original approval (half the lot), CHP indicated that it was adequate. It was also stated that no complaints had been received regarding this aspect of the project from customers relating to the storage of their vehicles.

The CHP noted that the service area required for the operation of an impound yard is eight miles from the storage facility. To operate within the service agreement, the operator must be able to respond to CHP calls 24 hours a day, seven days week, within the maximum response time of 20 minutes. To be in compliance with the service agreement, the tow operator shall have a minimum of four tow trucks available to respond in twenty minutes in this service area of eight miles. The CHP did note that the tow vehicles do not have to be stored on the storage site.

When the project was originally approved the approval was based on the concept that the use is considered an interim use of the property until such time as a commercial venture becomes feasible for the site. Now that the use is non-conforming the interim nature of the use is reinforced. Site improvements were kept to a minimum including a chain-link fence and slats with landscaping as a buffer, as opposed to a block wall. The assumption being that with more investment into site improvements the more permanent a use becomes. The project site borders the rear of existing homes to the south (on Spencer Drive) and to homes across Elm Drive to the north. All of the homes are also non-conforming uses and considered interim until commercial development can occur. There are no open code cases on the towing business.

The request to expand the operation over the entire site and to allow the parking of all tow trucks for the operation of the business was not considered to be an expansion that would make the use more permanent at this site. As such new conditions were not

added to enhance access, street improvements, site buffering, or site improvements. Elm Drive is a private drive and not maintained by the City.

Conditional Use Permit 2013-12 will replace Site Plan 2000-06 including Modification 1 to allow expansion over the entire property and allow the storage of tow trucks necessary for the operation of the business to occur. The resolution to approve the CUP would supersede the resolution to approve Site Plan 2000-06 that allowed Brother's Towing to locate at this site initially. Resolution 2013-47 incorporates conditions from Site Plan 2000-06 with appropriate amendments as needed.

The CUP is only applicable to the current operation at this location and is not transferrable to a different company.

Attachments: Resolution 2013-47
 Exhibit "A" – Location Map
 Exhibit "B" – Letter from Applicant dated July 12, 2003
 Exhibit "C" – Landscape and Irrigation Plan

RESOLUTION 2013-47

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF NORCO, GRANTING WITH CONDITIONS, A CONDITIONAL USE PERMIT TO EXPAND A NON-CONFORMING USE (BROTHER'S TOWING APPROVED BY SITE PLAN 2000-06 MODIFICATION 1) TO EXPAND THE ARE OF THE BUSINESS AND TO ALLOW THE PARKING OF TOW TRUCKS ON-SITE NEEDED FOR THE OPERATION OF THE BUSINESS AT 1674 ELM DRIVE WITHIN THE C-G ZONE. CONDITIONAL USE PERMIT 2013-12; SITE PLAN 2000-06, MODIFICATION NO. 1

WHEREAS, an application has been submitted to the City of Norco, California, under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code, by BROTHER'S TOWING OF NORCO, on property generally described as:

The easterly 270 feet of Lot 2 in Block 25, Riverside Orange Heights, Tract No. 2, as shown by map on file in Book 7, page 54 of Maps, Records of Riverside County, California.

More generally described as a rectangular-shaped area of about .79 acres, located on the south side of Elm Drive, east of Hamner Avenue, having a width of approximately 121 feet and a maximum depth of 360 feet.

WHEREAS, said application for Conditional Use Permit 2013-12 has been duly submitted to said City of Norco Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set at 7 p.m. on November 13, 2013, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92960, said petition was heard by the Planning Commission for the City of Norco; and

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

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

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

I. FINDINGS:

A. The proposal does comply with all applicable requirements of a non-conforming use in the Norco Municipal Zoning Code. The nature of the proposed land use as a vehicle towing and impound storage yard has not been incompatible with surrounding residential uses that are also non-conforming and can continue to operate as a non-conforming use as conditioned, 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 existing use and adjoining land uses are zoned and planned for commercial development and can continue to operate as regulated by the provisions of non-conforming uses in the Norco Municipal Code. The proposed use, when operated in compliance with the conditions of approval, will be compatible with surrounding properties and therefore will not have an adverse effect on adjoining properties. Furthermore, the proposed use and adjoining residential uses are non-conforming and considered interim uses of the property.

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. The subject property is accessed from Hamner Avenue, which is a major arterial.

E. The City of Norco, acting as the Lead Agency, has determined that the proposed project is categorically exempt from environmental assessment, as it is a continuation of a project which has been previously approved by the City.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled on November 13, 2013 that the aforesaid application for a conditional use permit is granted, subject to conditions, as provided for in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. This Resolution (Resolution 2013-47) supersedes Planning Commission Resolution 2003-52 and Conditional Use Permit 2013-12 supersedes Site Plan 2000-06 and Modification 1 to the Site Plan.
2. Approval is based on Exhibit "C" (Landscape and Irrigation Plan), dated "Received" October 17, 2013, and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
3. The recorded owner of the property shall submit to the Planning Division, for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
4. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions.
5. This permit allows Brother's Towing use of the entire .79 acre known as 1674 Elm Drive as an impound yard and for the parking of tow trucks necessary for the operation of the business.
6. The property owner shall maintain the required trash enclosure, keep the trash bins inside the enclosure, and ensure that no debris is littering the trash enclosure area
7. Chain link fencing with slats, with landscaping planted along the fences shall be provided and maintained along the project boundaries of the storage area for screening purposes.
8. All storage areas shall be screened so as not to be visible from any public right-of-way or adjoining property.
9. The impound/storage and parking areas to the rear of the office shall be surfaced with a crushed rock material and be maintained in a weed-free condition.
10. Vehicles that have been involved in a wreck, shall be drained of fluids prior to being stored on site to avoid leakage of hazardous materials and contamination. The applicant shall be responsible for contamination resulting from discharge of vehicle fluids onto the site.
11. No signage is approved with this application.

12. The applicant shall provide a landscaping plan which indicates 5% of the total lot in landscaping. The landscaping plan shall be submitted to the Planning Division for approval.
13. All landscaped areas shall be provided with a water conserving automatic irrigation system. A detailed landscaping and underground irrigation plan, which utilizes drought resistant plants, shall be submitted to the Planning Division for approval. Such plans shall indicate plant and tree types and sizes, and the location and dimensions of all landscaped areas and irrigation lines. Trees to be planted shall be minimum 15-gallon container or 24 inch planter box trees, whichever is the largest that can sustain a transfer. Shrubs to be planted shall be minimum five-gallon containers. Inside dimensions of any designated landscaped 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.
14. No crushing, dismantling, or repairing of automobiles shall be permitted with this permit.
15. No outdoor lighting shall be permitted unless a lighting plan has been approved by the Planning Division.
16. 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.
17. No outdoor storage of vehicles shall be permitted outside the identified storage areas.
18. Storage of vehicles shall be allowed for a maximum of 90 days and limited to 50 vehicles.
19. The parking of tow trucks shall be allowed within the designated storage areas. Storage of tow trucks shall not be permitted in front of the office building or outside of the screening fences.
20. All tow trucks parked on-site shall be maintained in an operational condition.
21. Customer/employee parking area shall be paved and striped, to include required handicapped accessible parking designation.

22. Access to the vehicle storage and truck parking areas shall be through the main front gate adjacent to the office. No other access to the vehicle storage area shall be allowed.
23. Elm Drive shall be kept clear of towing vehicles and vehicles associated with the operation of the towing business, to avoid disruption of access on Elm Drive.
24. This permit shall not be transferable. In the event of sale of the property or the business, this permit shall be null and void. Any violation of the law or conditions of approval may cause immediate revocation proceedings of this permit to begin.
25. 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.
26. The owner/operator of the business, regardless of any changes in ownership, shall provide a self-audit of compliance with the conditions of approval to the Planning Commission on a form or in a manner determined by the Planning Division, and inclusive of the payment of any fees as may be set by the City Council. Said report shall demonstrate that the project is in compliance with all the conditions of approval and shall be submitted for review no later than six months from the approval date of this CUP and then by the end of the year every year thereafter starting the following December 31st. The owner/operator shall be responsible for all staff and attorney fees that may be incurred in the enforcement of the terms of the conditions of approval, whether they are annual inspections or compliance hearings.

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

###

APPROVED AND ADOPTED by the Planning Commission at a regular meeting held on November 13, 2013.

Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

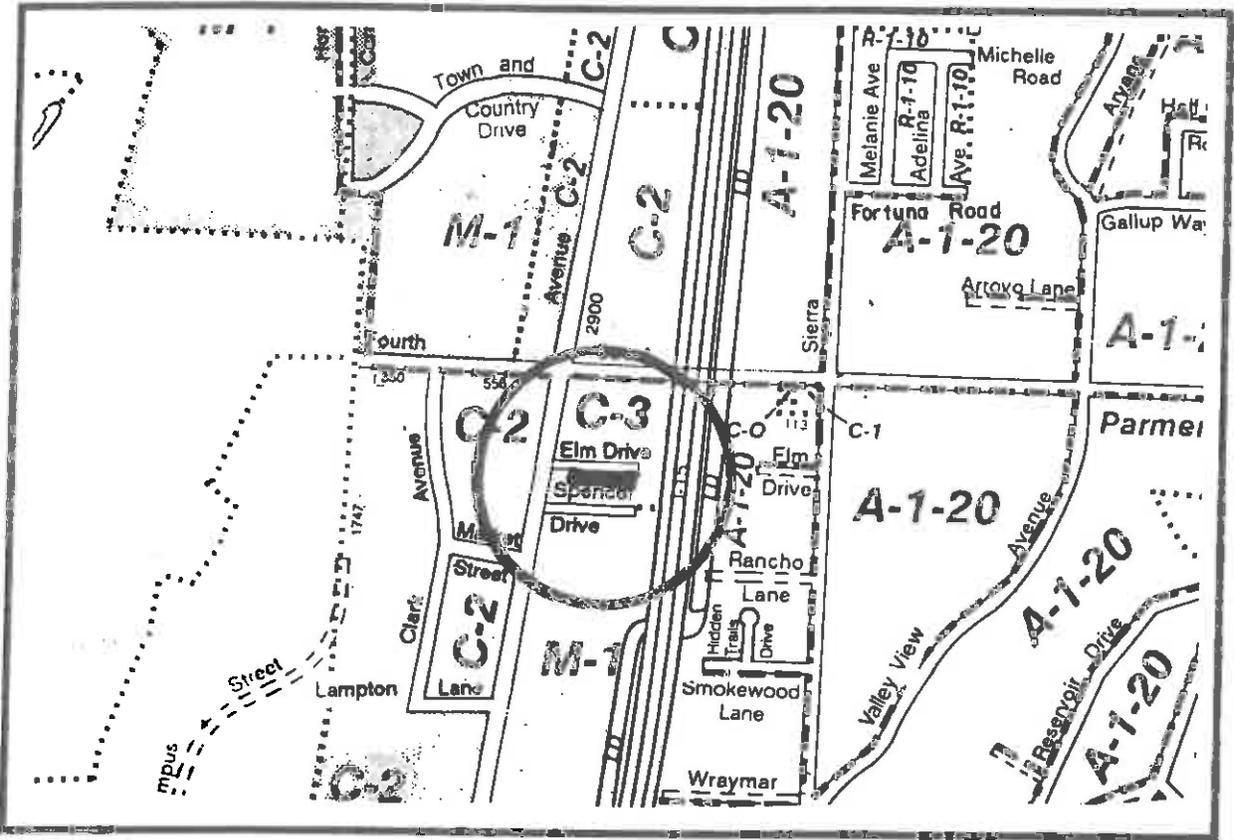
Steve King, Secretary
Planning Commission
City of Norco, California

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 November 13, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission

LOCATION MAP



Map Not to Scale



PROJECT:	Conditional Use Permit 2013-12
APPLICANT:	Brother's Towing
LOCATION:	1674 Elm Drive
DATE:	November 13, 2013

Exhibit "A"



Serving the Entire Inland Empire

18916 Seaton Ave.
Perris, CA 92570

Ph: (909) 943-0741
FAX: (909) 657-1634

July 12, 2003

City of Norco
ATTN: James E. Daniels, AICP
2870 Clark Ave.
Norco, CA 92860

RE: Conditions of Approval Letter Dated June 27, 2003

Dear Mr. Daniels

I am responding to you in writing as you requested at our meeting on July 7, 2003, regarding the letter we received from you on June 29, 2003. Please be advised that Brother's Towing owns no large trailers that are stored at our Norco facility and any trailers that are sited in your letter are not under the control of Brother's Towing. As far as tow trucks stored at the facility, it is not our practice or our intention to do so, however you had indicated that it might not be a problem to change this provision if the need did arise to store a tow truck overnight as long as it was within our storage facility, and so I am now asking in writing that your department might consider the waiving of this condition. As far as the motor home and camper trailer, these vehicles were stored at our facility and the owners did not pick them up, legal liens were initiated on the vehicles in question and they are now the property of Brother's Towing. They have been removed from the facility and at no time were they ever used for habitability.

Regarding the amount of vehicles that are stored at our location. Please be advised that our facility has the space to house over 50 vehicles at any given time without creating any need to go outside our screened storage area. We would also ask that you consider waiving this condition as well.

Light & Heavy Duty Towing • Local & Long Distance

EXHIBIT "B"

Corona
(909) 279-8555

Temecula
(909) 695-0628

Perris
(909) 940-6414

Riverside
(909) 924-3481

Fontana
(909) 427-0741

Chiriaco Summit
(760) 227-3288

In the second paragraph of your letter the Planning Commission has limited our company to a maximum of five days storage on any vehicle stored at our facility, please be advised that some of the vehicles that are stored at our facility are done so by public agencies, and on some occasions they ask that a vehicle be stored for 30 days. Please also note that it takes 30 to 90 days to properly and legally lien a vehicle that might be abandon by the vehicles owner. With this information we ask that the restriction for short-term storage be removed from our conditions of approval or changed from 5 days to 90 or 120 days.

Brother's Towing is dedicated to being a positive presence in the City of Norco and we are confident that we can work out the concerns outlined in this letter. Please feel free to contact me direct on my cell phone at (909) 239-1559 with any questions or further concerns the City of Norco might have regarding Brother's Towing. Thank You for your cooperation on these issues.

Respectfully,

A handwritten signature in black ink, appearing to read "Tim Blackburn", written in a cursive style.

Tim Blackburn
Vice President
Brother's Towing Inc.

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Steve King, Planning Director

DATE: November 13, 2013

SUBJECT: Conditional Use Permit 2013-13 (Norco Retail Group): A request to allow a temporary modular unit for use as a construction office and interim sales office for an existing RV rental business located at 2185 Hamner Avenue in the Norco Auto Mall Specific Plan.

RECOMMENDATION: Adopt Resolution 2013-48 approving Conditional Use Permit 2013-13.

SUMMARY: This project is a request for approval to allow a temporary modular unit to use as a construction office and interim sales office for an existing RV rental business located at 2185 Hamner Avenue in the Norco Auto Mall Specific Plan - Area "D" (ref. Exhibit "A" – Location Map).

BACKGROUND: On February 27, 2013, the Planning Commission approved Site Plan 2013-03 to allow the remodel of an existing 18,140 square-foot building with a 3,000 square-foot addition for a new retail outlet/store (Tractor Supply) at 2185 Hamner Avenue in the Auto Mall Specific Plan. The new store and related parking area would only cover approximately half of the site which is 4.52 acres total (which consists of two legal lots). The remainder portion would be for a future development that was not a part of the project and would have to be approved by the Planning Commission under a separate application.

Before Site Plan 2013-03 was approved, the site was being use for Recreational Vehicle (RV) rental business. The Commission was informed that the current businesses would vacate the site once construction for the new store would begin. However, the property owner has made provision for the RV rental business to stay until future development of the site that would not be used by the Tractor Supply development.

The RV rental business is an existing non-conforming use on the property. Area "D" was recently approved for the Norco Auto Mall specific Plan, but did not make provision for RV rentals. Per the Zoning Code, a non-conforming use shall not be enlarged, altered, or moved to another portion of the lot unless approved by a conditional use permit.

PROJECT DESCRIPTION: This conditional use permit application is a request to allow the existing RV rental business to stay using a temporary 1,440 square-foot modular unit to be placed on the site to serve as a temporary office for the RV rental place. The modular unit is also intended to serve as a construction office for the Tractor Supply project. The modular unit is proposed to be installed on the south side of the project site, away from the construction area for the Tractor Supply business (ref. Exhibit "B" – Proposed Site Plan). RV

RESOLUTION 2013-48

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT TO ALLOW AN EXISTING RECREATIONAL (RV) BUSINESS TO REMAIN AND THE INSTALLATION OF A 1,440 SQUARE-FOOT TEMPORARY MODULAR UNIT TO BE USED AS AN OFFICE FOR THE RV BUSINESS AND A CONSTRUCTION PROJECT AT 2185 HAMNER AVENUE, LOCATED WITHIN THE NORCO AUTO MALL SPECIFIC PLAN. CONDITIONAL USE PERMIT 2013-13

WHEREAS, HC&D ARCHITECTS INC., 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 on property generally described as:

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

More generally describe as an irregular-shaped area of about 4.52 acres, having a frontage of about 336 feet on the east side of Hamner Avenue, and an average depth of about 586 feet, and being further described as 2195 Hamner Avenue; and

WHEREAS, 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 November 13, 2013; and

WHEREAS, at the time set at 7 p.m. on November 13, 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 working in the neighborhood thereof, by reason that the Norco General Plan designates the site as SP (Specific Plan) and the Norco Auto Mall Specific Plan 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 proposed use will be temporary and an extension of an existing use. 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 2.

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled on November 13, 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 "B" – Proposed Site Plan dated October 30, 2013, and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
 2. The 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 installation of the modular unit and the unit shall comply with building and safety requirements.
 6. This is not an approval to commence work or to install the temporary modular unit. No work shall commence and the modular unit shall not be installed until the City of Norco has issued required 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. All work shall comply with the latest editions of the California Codes.
10. The subject unit shall be fully compliant with the American with Disabilities Act (ADA). This includes parking and exterior path of travel.
11. 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.
12. The applicant shall comply with all requirements from Building and Safety, Planning, Fire and all other applicable departments and agencies.
13. Said approval shall become null and void unless building permits for the modular unit authorized by this approval have been issued within 30 days after the granting of such approval and pursued diligently to completion. Provided, however, that the Planning Director may extend approvals for up to 30 days, 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.
14. 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.

15. This approval is for one year. The modular unit shall be removed, and the RV rental business shall cease after one year. Any extensions would have to be approved by the Planning Commission.

#

Resolution 2013-48
Page 6
November 13, 2013

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on November 13, 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 November 13, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

NORCO AUTO MALL SITE PLAN 2013-03

	Area A (Underlying Zone: C-G)	27.22 Acres
	Area B (Underlying Zone: M-1)	15.43
	Area C (Underlying Zone: C-G)	1.81
	Area D	39.42
		<hr/>
		83.88

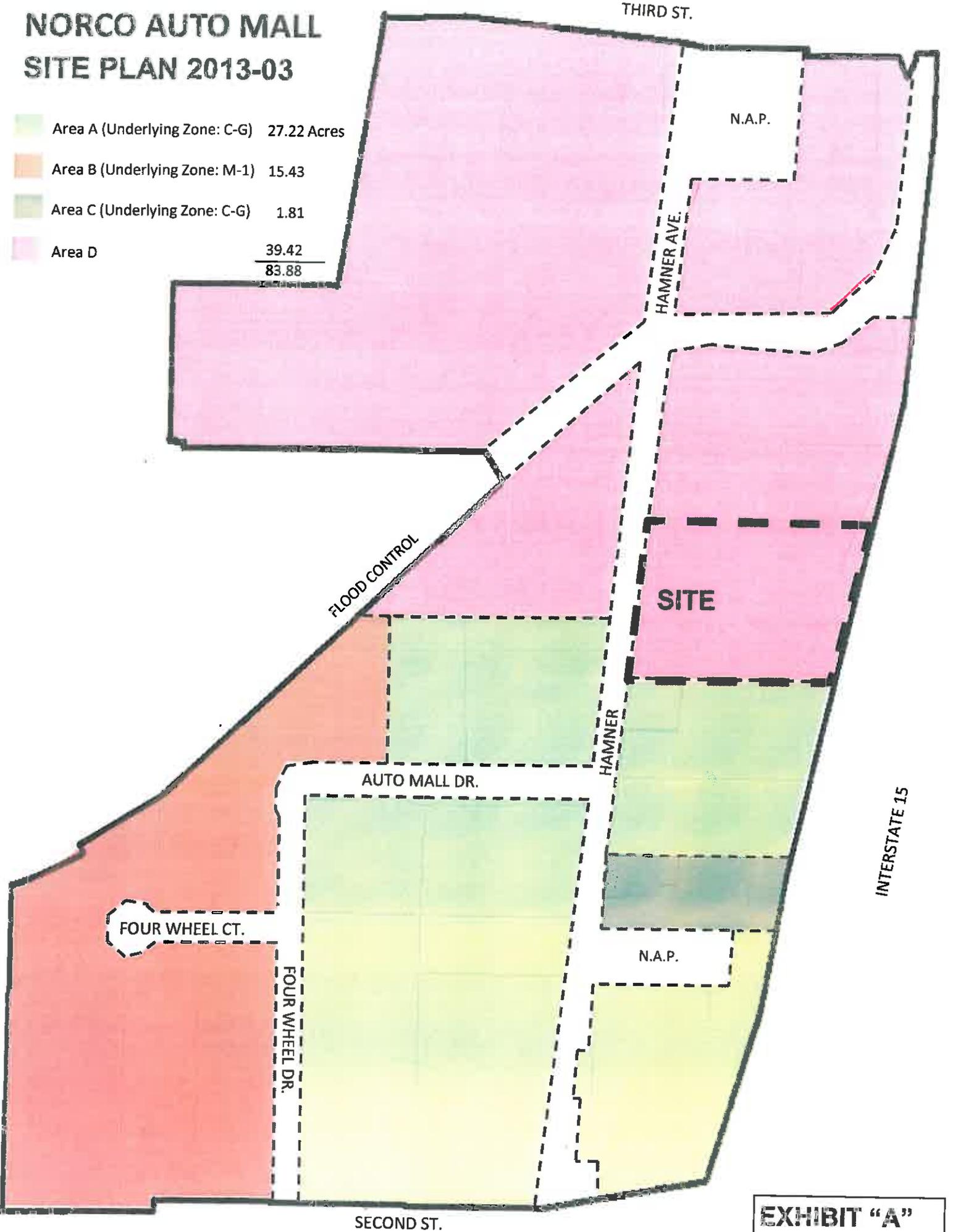


EXHIBIT "A"

CITY OF NORCO STAFF REPORT

TO: Chair and Members of the Planning Commission

FROM: Planning Division

PREPARED BY: Steve King, Planning Director

DATE: November 13, 2013

SUBJECT: Zone Code Amendment 2013-16 (City of Norco): Amending Section 18.30.46 "Second Units"; and Section 18.24.06 (Permitted Uses M-1 Zone) to the Norco Municipal Code.

RECOMMENDATION: Adopt Resolution 2013-49 recommending that the City Council approves Zone Code Amendment 2013-16.

SUMMARY: Zone Code Amendment 2013-16 is the final implementation measure of the 2008-2014 Housing Element Update that was certified by the state last year and is needs to be adopted in order to receive the final certification of the 2014-2021 Update from the Department of Housing and Community Development (HCD).

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 action already accomplished was the placement of the Housing Development Overlay zone over properties where the policies of the Housing Element could be implemented. The placement of HDO zone met that requirement.

A second measure was the adoption of a density bonus ordinance, which is a state requirement, and which was accomplished on October 4, 2013 by the City Council based on recommendation of the Planning Commission. The final measure is a zone code amendment to revise the second unit requirements of the City to match what we are required to do anyway by state law and to add regulations for transitional and emergency housing, all state requirements.

To finish the certification of the Housing Element Update for the 2014-2021 planning period these measures need to be accomplished. As Planning Commission will recall HCD issued a pre-certification letter on the 2014-2021 update that will be finalled once this final measure has been accomplished.

Section 18.30.46 regulates second units and there are two amendments needed to bring those requirements consistent with state requirements. The first is that the approval needs to occur at staff level and not require an approval by the Planning Commission. The **second** is that a requirement that a second unit be attached to the

main dwelling is seen as a constraint to the development of housing and is not accepted by HCD. Currently Section 18.30.46 (2,3) reads:

- (2) Definition: For the purposes of this section, second unit shall mean a subordinate dwelling unit with complete and independent living facilities attached to or contained within a primary single-family dwelling.
- (3) Development Requirements: A single second unit is permitted on any lot which is zoned or designated to permit residential uses provided the following is met:
 - (a) A Minor Site Plan is approved pursuant to all requirements contained in Chapter 18.40 (Site Plan Review).

Consequently staff is proposing the following changes/additions to Section 18.30.46:

- (2) Definition: For the purposes of this section, second unit shall mean a subordinate dwelling unit with complete and independent living facilities that can either be attached to or contained within a primary single-family dwelling or detached from the primary dwelling with a maximum 10-foot separation between the two buildings.
- (3) Development Requirements: A single second unit is permitted on any lot which is zoned or designated to permit residential uses provided the following is met:
 - (a) A Minor Site Plan is approved at staff level, after approval of the proposed architecture by the Architectural Review Subcommittee (ARC), pursuant to all requirements contained in Chapter 18.40 (Site Plan Review).
- (6) Progress Report: Upon approval of a Second Unit the Planning Commission shall be provided a housing attainment progress report.
- (7) Conflict Resolution: When an applicant for a second unit and City staff are in disagreement over consistency of the proposed structure to the intent of this Section of the Code, the matter shall be resolved on appeal to the Planning Commission.

It is also a state requirement that cities provide for transitional and emergency shelter housing for the temporary homeless. The Housing Element update states that the Code will be amended to allow these uses as permitted uses in the M-1 zone. Emergency shelter and transitional housing provides for temporary housing services for homeless persons, or persons transitioning primarily from a homeless situation. Again, as with affordable housing requirements, the state does not require jurisdictions to provide the housing, but only that provisions be made so that the housing can be provided by others.

Staff is proposing the following change to the M-1 zone (Section 18.24.06):

Table 1: Permitted Uses

Permitted Use	M1 Zone
Other Uses	
<u>Emergency Housing for Homeless</u>	
<u>Emergency Housing, Transitional Housing, and Supportive Housing for a maximum residency of one-year that does not involve drug or alcohol rehabilitation. These uses can incorporate the use of single-room occupancy residences.</u>	p

Attached: Resolution 2013-49

RESOLUTION 2013-49

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CODE AMENDMENT 2013-16 AMENDING SECTION 18.30.46 "SECOND UNITS" AND SECTION 18.24.06 "PERMITTED USES M-1 ZONE." ZONE CODE AMENDMENT 2013-16.

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2013-16, an amendment to Norco Municipal Code Title 18 (Zoning Code), to amend regulations regarding second units, and emergency and transitional housing; 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 November 13, 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 November 13, 2013 does hereby recommend to the City Council

of the City of Norco that Zone Code Amendment 2013-16, be adopted, thereby amending the Norco Municipal Code as follows:

Section 18.30.46 Second Units

- (2) Definition: For the purposes of this section, second unit shall mean a subordinate dwelling unit with complete and independent living facilities that can either be attached to or contained within a primary single-family dwelling or detached from the primary dwelling with a maximum 10-foot separation between the two buildings.
- (3) Development Requirements: A single second unit is permitted on any lot which is zoned or designated to permit residential uses provided the following is met:
 - (a) A Minor Site Plan is approved at staff level, after approval of the proposed architecture by the Architectural Review Subcommittee (ARC), pursuant to all requirements contained in Chapter 18.40 (Site Plan Review).
- (6) Progress Report: Upon approval of a Second Unit the Planning Commission shall be provided a housing attainment progress report.
- (7) Conflict Resolution: When an applicant for a second unit and City staff are in disagreement over consistency of the proposed structure to the intent of this Section of the Code, the matter shall be resolved on appeal to the Planning Commission.

Section 18.24.06 Permitted Uses (M-1 Zone)

Table 1: Permitted Uses

Permitted Use	M1 Zone
Other Uses	
<u>Emergency Housing for the Homeless</u>	
<u>Emergency Housing, Transitional Housing, and Supportive Housing for a maximum residency of one-year that does not involve drug or alcohol rehabilitation. These uses can incorporate the use of single-room occupancy residences.</u>	p

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

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: November 13, 2013

SUBJECT: Site Plan 2013-22 (White): A request for approval to allow an 816 square-foot addition to an existing detached accessory storage barn located at 3181 Shadow Canyon Circle located within the A-E (Agricultural Estate) Zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2013-42 approving Site Plan 2013-22.

Site Plan 2013-22 is a request for approval to allow an 816 square-foot addition to an existing detached accessory storage barn located at 3181 Shadow Canyon Circle located within the A-E Zone (ref. Exhibit "A" – Location Map and Exhibit "B" – APN Map). The property consists of .54 acres/23,522 square-feet and is developed with a single family residence. The addition is proposed on the back of an existing 1,344 square foot storage barn located towards the rear of the property (ref. Exhibit "E" – Aerial and Site Photos).

Accessory buildings 864 square-feet or less require site plan approval by the Planning Commission. The site plan, floor plans and building elevations for the proposed addition are attached (ref. Exhibit "C" – Site Plan and Floor Plans and Exhibit "D" – Building Elevations). The addition is proposed to match the existing wood framed building in materials and color.

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

- The minimum setbacks of 5 feet from side and rear interior property lines, 15 feet from an exterior property line, and 10 feet from any other structure is required for accessory buildings. **The proposed building addition 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 building addition is proposed with a maximum height of about 19 feet 7 inches as measure from finished grade to the peak of the roof.**
- 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 25%, which takes into account the existing and proposed structures.**

Animal-keeping is allowed in the A-E zone, however; a contiguous open animal area was not required for properties in the A-E Zone.

The existing accessory building consists of different roof planes, with the highest being at about 23 feet tall as measured from finished grade to the tallest peak. The addition is proposed at about 19 feet 7 inches feet, as measured from finished grade to the peak of the roof, which then goes down to 18 feet 6 inches to tie into the existing building, and to be in

RESOLUTION 2013-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS, SITE PLAN APPROVAL TO ALLOW AN ACCESSORY BUILDING CONSISTING OF AN 816 SQUARE-FOOT ADDITION TO AN EXISTING DETACHED ACCESSORY STORAGE BARN LOCATED AT 3181 SHADOW CANYON CIRCLE LOCATED WITHIN THE A-E (AGRICULTURAL ESTATE) ZONE. SITE PLAN 2013-22.

WHEREAS, TERIL AND DARWIN WHITE 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 3181 Shadow Canyon Circle (APN 130-351-011).

WHEREAS, at the time set; at 7 p.m. on November 13, 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 November 13, 2013 that the application for Site Plan 2013-22 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 Floor Plans and Exhibit "D" – Building Elevations and dated September 30, 2013 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of 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/addition.
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 existing accessory building or the subject building addition.
9. The subject addition shall match the existing accessory storage barn in materials and color.
10. Building permits for this accessory building/addition are issued within the confines of this permit/site plan approval. Any violation of a condition resulting in a revocation of this permit/site plan approval may result in an order to remove the accessory building at the owner's expense.

Resolution 2013-42
Page 4
November 13, 2013

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on November 13, 2013.

Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

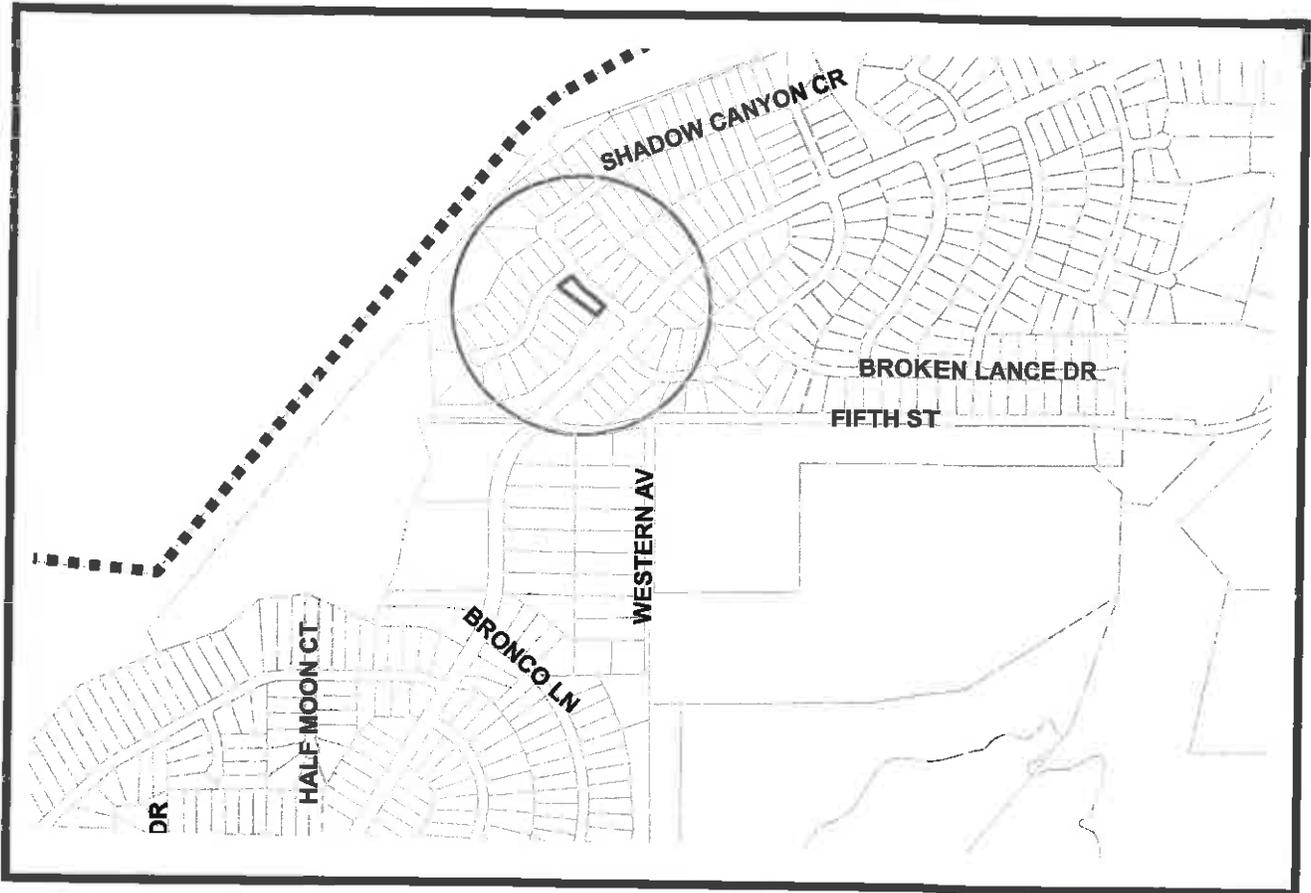
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held November 13, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale



PROJECT: Site Plan 2013-22
APPLICANT: Teri L. & Darwin C. White
LOCATION: 3181 Shadow Canyon Circle

Exhibit "A"

ASSESSOR'S PARCEL MAP

FOR SEC. 2 T3SR7W
(POR. JURUPA RANCHO)

T.R.A. 1502

13U-33

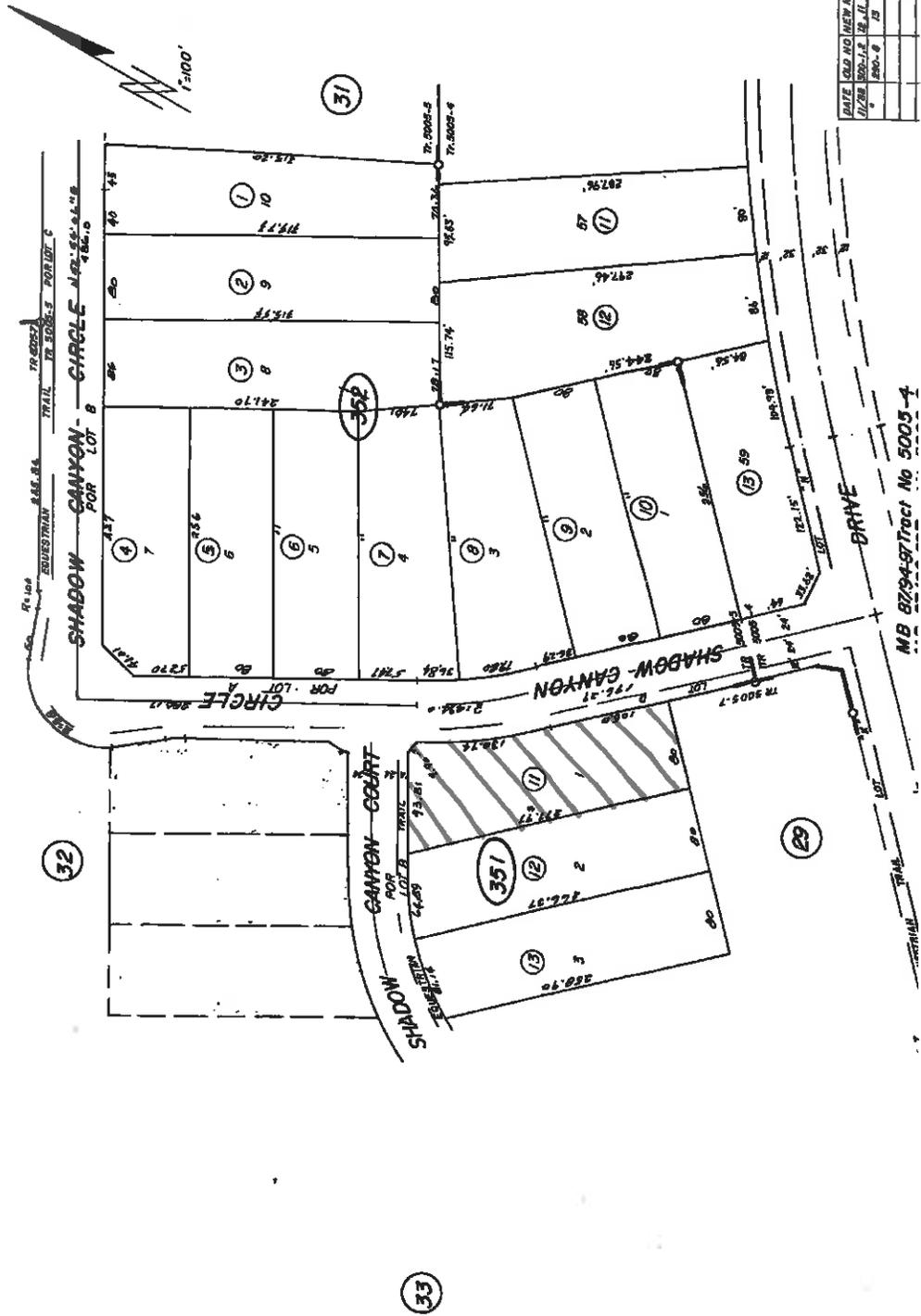


Exhibit "B"

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Chair and Members of the Planning Commission

FROM: Alma Robles, Senior Planner

DATE: November 13, 2013

SUBJECT: Site Plan 2013-23 (Tuff Shed): A request for approval to allow a detached accessory building consisting of a 384 square-foot garage at 2984 Temescal Avenue located within the A-1-20 (Agricultural Low-Density) zone.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution 2013-45 approving Site Plan 2013-23.

Site Plan 2013-23 is a request for approval to allow a detached accessory building consisting of a 384 square-foot garage at 2984 Temescal Avenue located within the A-1-20 zone (ref. Exhibit "A" – Location Map). The property consists of .38 acres/16,522 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 structure are attached (ref. Exhibit "C" – Site Plan and "D" – Building Elevations). The proposed building is prefabricated (Tuff Shed), will complement the existing house in color, and proposed to replace an existing shed on the property in approximately the same location.

The following is required of accessory buildings in the A-1-20 Zone:

- The minimum setbacks of 5 feet from side or rear property lines, 5 feet from 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 13 feet as measured to the peak of the roof.**
- The maximum lot coverage of all structures shall be not more than 40% of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less). **The subject property is approximately 16,552 square feet and the entire property has an average grade of 4% or less. The lot/pad coverage for the property is about 23% which takes into account the existing and proposed structures.**
- A contiguous open animal area must be shown on the site plan which must be rectangular in shape with a minimum of 24 feet on any side. The total open area must be equal to the allowed number of animal units multiplied by 576 square feet. **Based on the size of the property, a total of 3 animal units would be allowed which would require an open area of at least 1,728 square feet. There is an open area on the property of at least 1,728 square feet at the rear of the property where noted on the site plan. This open animal area is conducive to animal-keeping.**

Site Plan 2013-23 (Tuff Shed)

Page 2

November 13, 2013

As proposed, the project meets the minimum requirements for an accessory building of 864 square feet or less. Staff is recommending that the Commission adopt Resolution 2013-45, approving Site Plan 2013-23.

/adr

Attachments:

Resolution 2013-45

Exhibit "A" – Location Map

Exhibit "B" – APN MAP

Exhibit "C" – Site Plan

Exhibit "D" – Building Elevations

Exhibit "E" – Aerial and Site Photos

RESOLUTION 2013-45

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO GRANTING WITH CONDITIONS, SITE PLAN APPROVAL TO ALLOW A DETACHED ACCESSORY BUILDING CONSISTING OF A 384 SQUARE-FOOT GARAGE AT 2984 TEMESCAL AVENUE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW-DENSITY) ZONE. SITE PLAN 2013-23.

WHEREAS, TUFF SHED 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 2984 Temescal Avenue (APN 127-170-026).

WHEREAS, at the time set; at 7 p.m. on November 13, 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 November 13, 2013 that the application for Site Plan 2013-23 is approved, subject to the conditions provided in Section 18.40.10 of the Municipal Code of Norco, and including, but not limited to the following conditions:

1. Approval is based on Exhibit "C" – Site Plan and Exhibit "D" – Building Elevations dated October 9, 2013 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.
2. The recorded owner of the property shall submit to the Planning Division for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.
3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.
4. In the event conditions for approval by the Planning Commission or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.
5. No occupancy and/or use of any building and/or structure shall be permitted which is not in compliance with approved plans and excepting upon specific review and approval of any "as built" modifications by the Planning Director as appropriate. Provided further, that no expansion of use beyond the scope and nature described in this application which would tend to increase the projected scale of operations shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements thereof.
6. The applicant shall obtain building permits and pay all applicable fees for the subject building.
7. The applicant shall comply with all requirements from the Planning, Engineering, and Building Divisions; and the Fire and Sheriff's Departments; and all other applicable departments and agencies.

8. A home occupation business shall not be permitted from the subject building.
9. The subject building shall complement the existing house in color.
10. Building permits for this accessory building are issued within the confines of this permit/site plan approval. Any violation of a condition resulting in a revocation of this permit/site plan approval may result in an order to remove the accessory building at the owner's expense.

Resolution 2013-45
Page 4
November 13, 2013

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on November 13, 2013.

Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

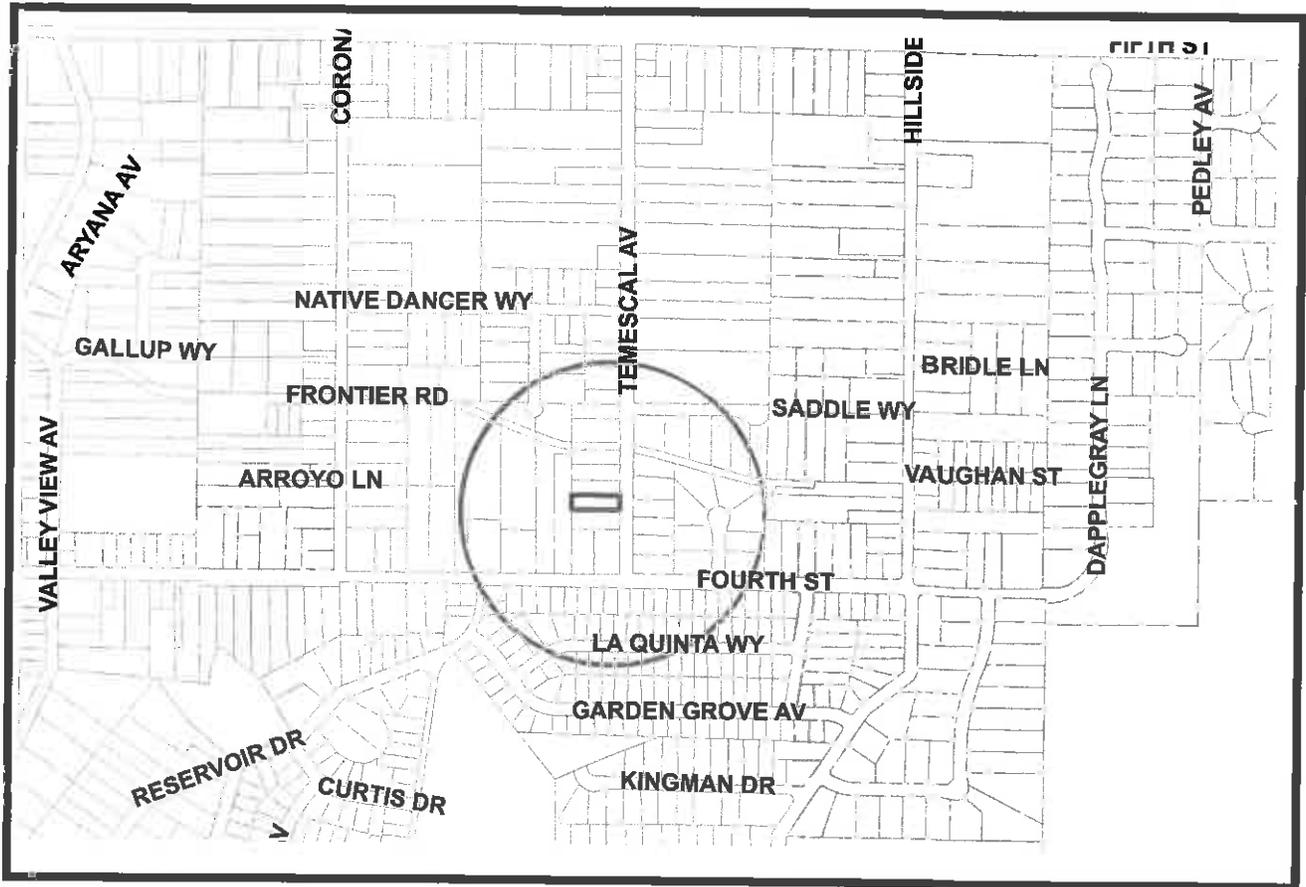
I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular adjourned meeting thereof held November 13, 2013 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

LOCATION MAP



Not to Scale



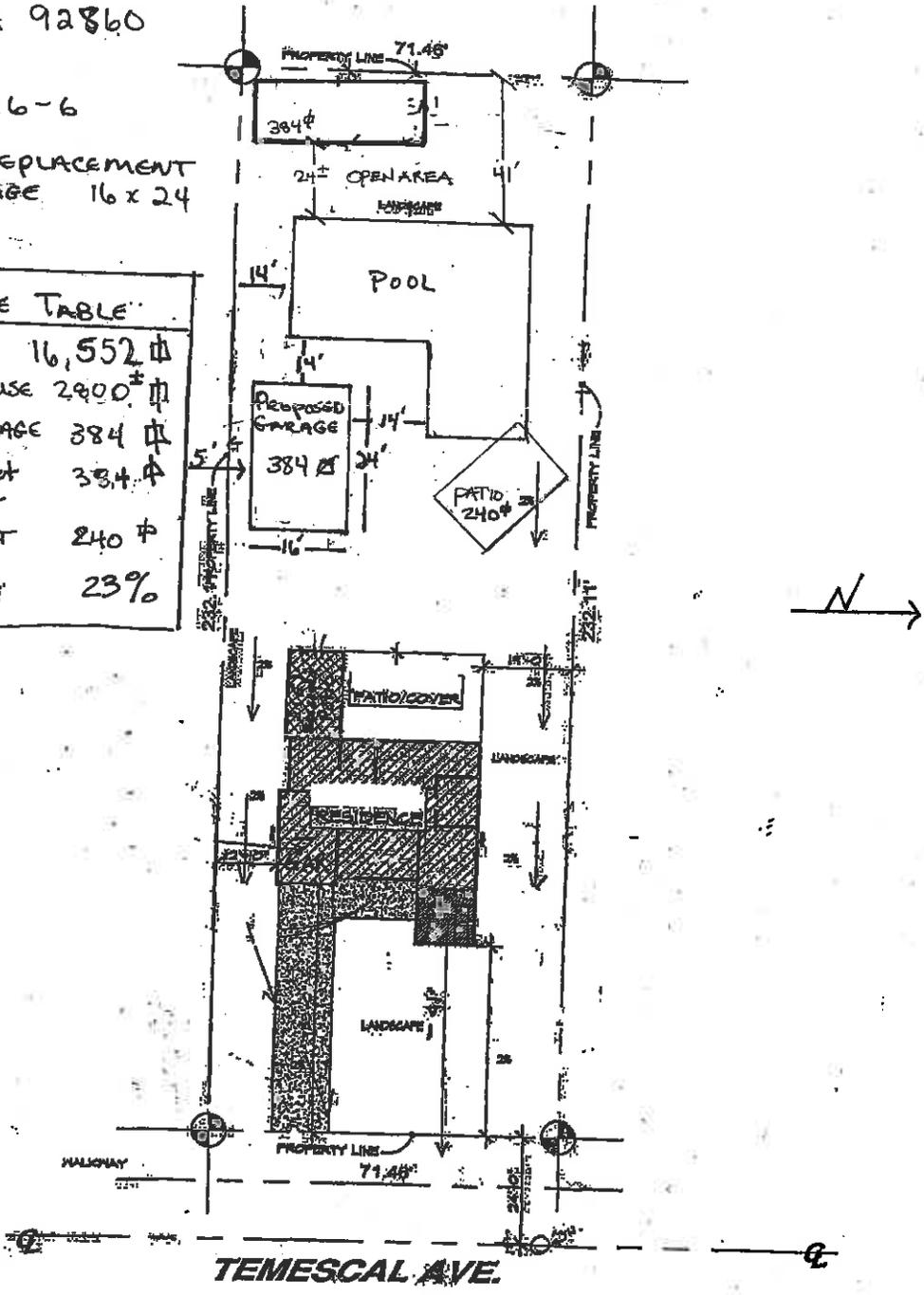
PROJECT: Site Plan 2012-23
APPLICANT: Tuff Shed
LOCATION: 2984 Temescal Ave.

Exhibit "A"

SUSAN ANDERSON (213) 200-2609
 2984 TEMESCAL AVE
 NORCO CA 92860

PARCEL #
 127170026-6
 Proposed Replacement
 RANCH GARAGE 16 x 24
 384 SQFT

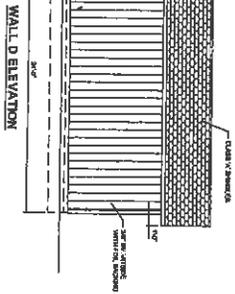
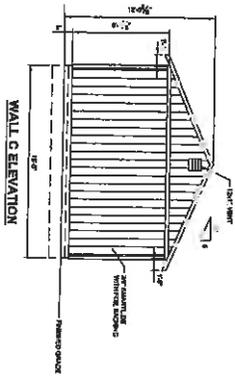
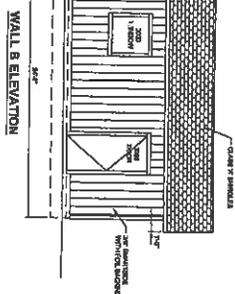
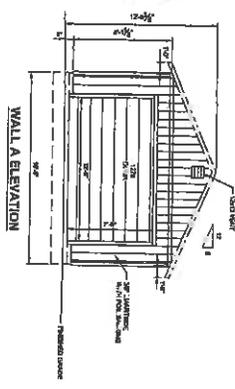
LOT COVERAGE TABLE	
Total LOT	16,552 ±
EXISTING HOUSE w/ PATIOS	2800 ±
PROPOSED GARAGE	384
EXISTING DET STRUCTURE	384
EXISTING DET PATIO	240
Lot COV	23%



10-9-13
 EXHIBIT C

ACCESSORY BUILDING
16' X 24' = 384 SQ. FT.

DRAWING INDEX
 A1 - PROJECT NOTES ELEVATIONS
 A2 - SECTIONS, DETAILS
 A3 - SECTIONS, DETAILS



PROJECT NOTES

1. GENERAL NOTES: SEE SHEET A1 FOR PROJECT NOTES.
2. FOUNDATION: SEE SHEET A2 FOR FOUNDATION DETAILS.
3. ROOFING: SEE SHEET A3 FOR ROOFING DETAILS.
4. WALLS: SEE SHEET A4 FOR WALL DETAILS.
5. FLOORING: SEE SHEET A5 FOR FLOORING DETAILS.
6. CEILING: SEE SHEET A6 FOR CEILING DETAILS.
7. PAINT: SEE SHEET A7 FOR PAINT DETAILS.
8. FINISHES: SEE SHEET A8 FOR FINISHES DETAILS.
9. MATERIALS: SEE SHEET A9 FOR MATERIALS LIST.
10. CONSTRUCTION: SEE SHEET A10 FOR CONSTRUCTION METHODS.
11. PERMITS: SEE SHEET A11 FOR PERMIT REQUIREMENTS.
12. INSULATION: SEE SHEET A12 FOR INSULATION DETAILS.
13. VENTILATION: SEE SHEET A13 FOR VENTILATION DETAILS.
14. LIGHTING: SEE SHEET A14 FOR LIGHTING DETAILS.
15. ELECTRICAL: SEE SHEET A15 FOR ELECTRICAL DETAILS.
16. PLUMBING: SEE SHEET A16 FOR PLUMBING DETAILS.
17. MECHANICAL: SEE SHEET A17 FOR MECHANICAL DETAILS.
18. SAFETY: SEE SHEET A18 FOR SAFETY REQUIREMENTS.
19. ENVIRONMENTAL: SEE SHEET A19 FOR ENVIRONMENTAL REQUIREMENTS.
20. ACCESSIBILITY: SEE SHEET A20 FOR ACCESSIBILITY REQUIREMENTS.

PRELIMINARY

STRUCTURAL DRAWINGS BY:
TUFF SHED
 IN-HOUSE DRAFTING
 DEPARTMENT
 1777 S. HARRISON STREET
 DENVER, COLORADO 80219
 (303) 733-7337

PO No. Precede Inv No. Precede
 Checked by: **SUBAN ANDERSON**
 Drawn by: **ADRIAN ANDERSON**
ACCESSORY BUILDING
16' X 24' = 384 SQ. FT.
 2504 TEMESCAL AVE.
 NORCO, CA 92060

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TUFF SHED
 Storage Buildings & Carports
 TUFF SHED, INC.
 1777 S. HARRISON STREET
 DENVER, COLORADO 80219
 (303) 733-7337

DATE: 10/9/13
 DRAWN BY: ADRIAN ANDERSON
 CHECKED BY: SUBAN ANDERSON
 PROJECT NOTES
 ELEVATIONS
 SHEET: A1 OF 5

A1

EXHIBIT "D"
 10.9.13