



**CITY OF NORCO
CITY COUNCIL REGULAR MEETING AGENDA**

**Wednesday, September 7, 2016
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 6:00 p.m.

ROLL CALL: Kevin Bash, Mayor
Greg Newton, Mayor Pro Tem
Robin Grundmeyer, Council Member
Berwin Hanna, Council Member
Ted Hoffman, Council Member

The City Council will recess to Closed Session (Section 54954) to consider the following matters:

CLOSED SESSION:

§54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation
One Case

§54956.95 – Liability Claims

Claimant: Kyle Harrington
Agency Claimed Against: City of Norco

Claimant: Kodie McAulay
Agency Claimed Against: City of Norco

Claimant: Carol Mary-Anne Batts, et al.
Agency Claimed Against: City of Norco

RECONVENE PUBLIC SESSION: 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION - §54957.1: (City Attorney)

PLEDGE OF ALLEGIANCE: Mayor Kevin Bash

INVOCATION Beacon Hill AG – Swahili Faith Community,
Associate Pastor Daniel Kitheka

PROCLAMATION: Constitution Week – September 17-23, 2016
Lisa Housing, Daughters of the American
Revolution

INTRODUCTION: Aileen Flores, Government Affair Representative,
Southern California Edison

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. CITY COUNCIL COMMUNICATIONS / REPORTS ON REGIONAL BOARDS AND COMMISSIONS
2. CITY COUNCIL CONSENT ITEMS: *All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Council, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Council or the audience request specific items be removed from the Consent Calendar. Items removed from the Consent Calendar will be separately considered under Item No.3 of the Agenda.*
 - A. City Council Regular Meeting Minutes of August 17, 2016. **Recommended Action: Approve the City Council regular meeting minutes.** (City Clerk)
 - B. Procedural Step to Approve Ordinance after Reading of Title Only. **Recommended Action: Approval** (City Clerk)
 - C. Acceptance of Bids and Approval of Purchase for Replacement of One-Ton Service Truck for the Public Works Department. **Recommended Action: Accept bids submitted for the purchase of a one-ton service truck and authorize purchase from Hemborg Ford in the amount of \$52,724.75.** (Director of Public Works)
 - D. Proposed Cancellation of the October 5, 2016 City Council Regular Meeting. **Recommended Action: Cancel the October 5, 2016 City Council regular meeting.** (City Clerk)
 - E. Fiscal Year 2015-16 Fire Hydrant and Isolation Valve Assessment, Testing and Information Management Program Results. **Recommended Action: Receive and file.** (Director of Public Works)
3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR
4. PUBLIC COMMENTS: *This is the time when persons in the audience wishing to address the City Council regarding matters not on the agenda may speak. Please complete the speaker card in the back of the room and present it to the City Clerk so that you may be recognized.*
5. DISCUSSION / ACTION ITEMS:
 - A. Proposed Temescal Avenue Traffic Calming Measures. (Director of Public Works)

At the August 3, 2016 City Council meeting, Mayor Pro Tem Newton made a request to staff to begin considering traffic control measures for all residential streets as part of any planned Capital Improvement Projects. Public Works staff has identified some traffic control measures for the upcoming Temescal Avenue pavement project and is now seeking feedback and approval for the proposed improvements.

Recommended Action: Approve the proposed traffic calming measures on Temescal Avenue between First Street and Second Street.

- B. Formation of a Committee to Review Lot Coverage Allowance (City Manager)

At the August 10, 2016 the Planning Commission adopted Resolution 2016-47 to amend Chapter 18.30 of the Norco Zoning Code regarding lot coverage allowance in the A-1 Zone. On August 17, 2017, the City Council voted to direct the City Manager to agendize discussion on forming a committee to review lot coverage allowance.

Recommended Action: Provide direction to staff.

6. PUBLIC HEARINGS:

- A. **Ordinance No. 1007, First Reading (City).** An Ordinance of the City Council of the City of Norco Amending Chapter 14.04.720 of the Norco Municipal Code, "Water Conservation Program." Code Change 2016-04. (Director of Public Works)

The proposed Ordinance revises the City's existing Chapter 14.04.720 (Water Conservation Program) of the Municipal Code to comply with the State Water Resources Control Board's (SWRCB) newly adopted requirements for all water suppliers.

Recommended Action: Adopt Ordinance No. 1007 for first reading and schedule the second reading for September 21, 2016.

- B. **Ordinance No. 1008, First Reading.** Specific Plan 91-02 Amendment 7 (City of Norco): A proposal to amend the regulations for the Equestrian Residential District of the Norco Hills Specific Plan with regards to the allowed lot and pad area coverage. (Planning Director)

The proposed specific plan amendment will make existing lots in Tract 25779 (Norco Hills) more accommodating to animal-keeping by protecting open animal areas on those lots where animal keeping is allowed and by including pools and coping areas around them as accessory structures in the lot coverage calculations. At its meeting in July 27, 2016, the Planning Commission recommended approval with the added requirement that the open animal area be at least 24 feet on each side.

Recommended Action: Adopt Ordinance No. 1008 for first reading and schedule the second reading for September 21, 2016.

7. APPEAL HEARING:

- A. Conditional Use Permit 2016-22 (Podaca): An appeal of the Planning Commission's approval of a request to allow a detached accessory building consisting of a 2,000 square-foot hobbyshop/storage building at 3596 Pedley Avenue located within the A-1-20 (Agricultural Low Density) Zone. (Planning Director)

The request for Conditional Use Permit (CUP 2016-22 was approved by the Planning Commission on August 10, 2016 but that decision has been appealed to the City Council. The subject property is located in the A-1-20 Zone, consists of about 0.62 acres/27,007 square-feet and is developed with a single-family residential use.

8. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

ADJOURNMENT

In compliance with the Americans with Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in this meeting, please contact the City Clerk's office, (951) 270-5623, at least 48 hours prior to the meeting to make reasonable arrangements to ensure accessibility. Staff reports are on file in the City Clerk's Office. Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be available for public inspection at the City Clerk's Counter in City Hall located at 2870 Clark Avenue during normal business hours. The meeting is recorded.



**CITY OF NORCO
CITY COUNCIL REGULAR MEETING MINUTES**

**Wednesday, August 17, 2016
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 6:00 p.m.

ROLL CALL: **Present:**
Kevin Bash, Mayor
Greg Newton, Mayor Pro Tem
Robin Grundmeyer, Council Member
Berwin Hanna, Council Member
Ted Hoffman, Council Member

The City Council recessed to Closed Session (Section 54954) to consider the following matter:

CLOSED SESSION:

§54956.8 - Conference with Real Property Negotiator:

Property: APNs 131-112-015, 131-112-016, 131-112-009

City Negotiator: City Manager Andy Okoro

Under Negotiation: Price and Terms

RECONVENE PUBLIC SESSION: 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION - §54957.1: (City Attorney)

City Attorney John Harper indicated that there was no reportable action from Closed Session.

PLEDGE OF ALLEGIANCE: Council Member Ted Hoffman

INVOCATION: Father Michael Gabriel, St. Anthony & St. Abahoub Coptic Orthodox Church

BUSINESS APPRECIATION HONOREE: Sparky's Electric

Mayor Bash and Economic Development Advisory Council Chair Patrick Malone presented Sparky's Electric with a certificate of appreciation for their generosity and sponsorship of community events.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. CITY COUNCIL COMMUNICATIONS / REPORTS ON REGIONAL BOARDS AND COMMISSIONS:

Council Member Grundmeyer:

- No report given

Council Member Hanna:

- Will be attending a Northwest Mosquito Abatement and Vector Control District meeting on August 18th. The meeting will include discussion about yellow fever and Zika virus.

Council Member Hoffman:

- Attended an after-event briefing for the National Day of the American Cowboy event which took place last month. Next year's event will take place July 22, 2017.
- Attended a Veteran's Memorial Committee meeting. Commented on the Rebuilding Warriors presentation of a service dog to U.S. Air Force Veteran Trish Ellis this Saturday, August 20 at 10:00 a.m. at the Veteran's Memorial.
- Commented on the Norco Mounted Posse PRCA Rodeo this weekend, August 19-21 at Ingalls Park.
- Thanked Lt. Eric Briddick and City staff for a successful National Night Out event on August 9th.

Mayor Pro Tem Newton:

- Attended a Chino Basin Desalter Board meeting on August 4th. The Board approved professional service agreements and discussed land acquisitions.

Mayor Bash:

- Attended a meeting of the Oversight Committee for Measure GG. Reported on various upgrades for Norco schools. Informed the public that the Oversight Committee will present its annual report to the Corona-Norco Unified School District Board Members on September 6 at 7pm.

2. CITY COUNCIL CONSENT ITEMS:

Mayor Pro Tem Newton pulled Item 2.C. Council Member Grundmeyer pulled Item 2.F.

M/S HOFFMAN/BASH to approve the remaining Consent Calendar items as presented. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- A. City Council Regular Meeting Minutes of August 3, 2016. **Action: Approved the City Council regular meeting minutes.** (City Clerk)
 - B. Procedural Step to Approve Ordinance after Reading of Title Only. **Action: Approved.** (City Clerk)
 - C. Recap of Actions Taken by the Planning Commission at its Meeting Held on August 10, 2016. **Pulled for discussion.** (Planning Director)
 - D. Acceptance of Bids and Award of Contract for the Sixth Street Cape Seal Project. **Action: Accepted bids submitted for the cape seal application and striping improvements located on Sixth Street between Sierra Avenue and California Avenue, awarded a contract to Pavement Coatings Co in the amount of \$242,500 and authorized the City Manager to approve contract change orders up to 10 percent of the total bid amount.** (Director of Public Works)
 - E. Award of Contract for Design Services for the Hillside Avenue and Winchester Drive Waterline Improvement Project, Temescal Avenue, Cole Street and Triple Crown Circle Waterline Improvement Project, Valley View Avenue Waterline Improvement Project and Vine Street, Driftwood Place and Half Moon Court Waterline Improvement Project. **Action: Awarded a contract to KWC Engineers in the amount of \$280,100 and authorized the City Manager to approve contract change orders up to 10 percent of the total contract amount.** (Director of Public Works)
 - F. **Resolution No. 2016-56, Declaring Level 1 Water Conservation Measures. Pulled for discussion.** (Director of Public Works)
 - G. Award of Contract for Design Services for the Hamner Avenue Waterline Improvement Project. **Action: Awarded a contract to Armstrong & Brooks Consulting Engineers in the amount of \$87,165 and authorized the City Manager to approve contract change orders up to 10 percent of the total contract amount.** (Director of Public Works)
3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR
- 2.C. Recap of Actions Taken by the Planning Commission at its Meeting Held on August 10, 2016. (Planning Director)

Mayor Pro Tem Newton referenced item 4.C. Zone Code Amendment 2016-04, a proposal to amend Chapter 18.30 regarding lot coverage allowance in the A-1 zone. The Planning Commission recommended approval by the City Council. Mayor Pro Tem Newton indicated that he would like the public hearing postponed to allow staff, two Council Members, and two Planning Commission Members the opportunity to discuss this issue further. The Council concurred.

M/S NEWTON/BASH to ask the Planning Commission to withdraw its recommendation of approval to the City Council for Zone Code Amendment 2016-04; and to direct the City Manager to agendize discussion on forming a committee to discuss lot coverage allowance. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

M/S BASH/NEWTON to receive and file the Recap of Actions taken by the Planning Commission at its meeting held on August 10, 2016. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

**2.F. Resolution No. 2016-56, Declaring Level 1 Water Conservation Measures.
(Director of Public Works)**

Council Member Grundmeyer asked Director Blais to explain what this change means for the residents and the City. Director Blais indicated that the City is currently at Level 3, which requires a minimum mandatory conservation of 30%. The State's mandate for the City was higher, at 36%. Director Blais reported that the City actually achieved a conservation rate of 25% during the Level 3 conservation period. At this time, the State has recognized that there were some agencies that could not meet the conservation mandates and the need for some alternatives. The State is recommending that if an agency can self-certify sufficient water supplies to meet demand, then the conservation mandate can be reduced to zero. Level 1 keeps the City at emergency conservation mode, but at a voluntary 10% conservation rate. The City will continue to ask residents to conserve water.

M/S BASH/GRUNDMEYER to adopt Resolution No. 2016-56, declaring Level 1 water conservation measures. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

4. PUBLIC COMMENTS:

Pat Overstreet complimented the City for the contractor selected to trim trees on Sixth Street. Ms. Overstreet also noted that the sycamore trees on Hidden Valley Parkway are in need of water. Ms. Overstreet asked the Council to enhance the gateway entrances to the City.

Council Member Hoffman thanked Commissioner Geoff Kahan and Parks and Recreation Department staff for their work on the Concerts in the Park series.

5. LEGISLATIVE MATTER:

- A. **Ordinance No. 1006, Second Reading. Zone Code Amendment 2016-02 (City):** A proposal to amend Chapter 18.37 of the Norco Municipal Code to revise the requirements for temporary signs. (City Clerk)

M/S BASH/NEWTON to adopt Ordinance No. 1006 for second reading. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: HANNA

6. DISCUSSION / ACTION ITEM:

- A. Approval of the 2016 City of Norco Strategic Plan. (City Manager)

City Manager Okoro reported that in March of this year, he initiated a process to update the City's Strategic Plan in order to set clear priorities that are essential to achieving the mission and vision of the City over the next three years. On May 21, 2016, a facilitated workshop that included staff, Council Members, Commission Members, Economic Development Advisory Council (EDAC) Members and residents was held and participants agreed on revised mission and vision statements for the City along with five broad strategic priorities for the City. Staff was charged to develop "Action Plans" that are necessary to achieve the strategic priorities that were established during the workshop. Staff completed the development of the Action Plans and has presented the Draft Strategic Plan to all City Commissions and EDAC. All Commissions and EDAC have unanimously recommended that the City Council approve the Strategic Plan for implementation.

City Manager Okoro discussed the changes made to the City's Mission and Vision Statements. Mr. Okoro expanded on the five strategic directions, which are: infrastructure, community outreach, financial stability, economic development and public safety.

City Manager Okoro presented Strategic Direction #1: Infrastructure – establish funding for planning, maintenance, replacement and development of infrastructure, and the four Action Plans related to this Direction, which are: 1) Present revenue measure in special election and implement results; 2) Implement plan to adjust water and sewer rates; 3) Retain the services of grant writer to assist staff in evaluating and soliciting grants for maintaining, improving and replacing various infrastructure and equipment; and 4) Revise General Fee Schedule to include user fee for replacement of facilities that are used to provide user services.

Council Member Grundmeyer referenced the timeline in Action Plan #1; specifically asking if conducting public education and outreach by October 2017 prior to conducting a special

election for a tax measure is enough time to provide information to the public before voting. City Manager Okoro indicated that public outreach and education will begin several months prior and continue until the election. In regards to Action Plan #3, Council Member Grundmeyer suggested having staff handle smaller grants and that the larger grants be handled by a grant writer on contingency or pay for performance.

Mayor Pro Tem Newton commented on Action Plan #1 related to the contract consultant for the proposed revenue measure and asked what is being budgeted for the consultant. City Manager Okoro indicated that any of the Action Plans that require an expenditure of monies not under the City Manager's approval authority, will come to the City Council for approval. In regards to the revenue measure consultant, Mr. Okoro stated that most cities that have been successful with the process have typically engaged consultants. The role of the consultant, for example, will be to conduct outreach such as interviews and polling residents.

In response to Council Member Hoffman, City Manager Okoro indicated that even if the City would have had a regular municipal election in 2017, there are still costs associated with having a measure on the ballot. Also in response to Council Member Hoffman, Mr. Okoro stated that the consultant will also assist in structuring the revenue measure as either a general tax or specific tax, based on the feedback from the outreach.

Council Member Hoffman commented on Action Plan #2 and asked that the Streets, Trails and Utilities Commission be a part of the process. City Manager Okoro noted that when the results of the study are received, the Commission will be presented with the information. Council Member Hoffman commented on Action Plan #4 regarding revisions to the General Fee Schedule and cautioned that the fees not be revised to where the City would lose tenants or renters. City Manager Okoro noted that staff recognizes any revenue generated from the fee schedule is minimal and would not solve funding issues. Deputy City Manager Brian Petree added that during the revision process to the fee schedule, staff will also conduct a market comparison.

City Manager Okoro presented Strategic Direction #2: Community Outreach – Engage with the community through excellent customer service, communication and programs, and the ten Action Plans related to this Direction, which are: 1) Complete customer service training for all full-time and part-time employees; 2) Create means to communicate internally across departments to improve employee knowledge of City programs and foster consistency of information provided to the public; 3) Complete succession planning for selected City positions; 4) Complete salary surveys for all City positions to ensure City competitiveness in recruitment and retention of employees; 5) Implement programs to improve communication with residents over a broad spectrum of issues and services; 6) Modernize records management through use of effective technology; 7) Using secure IT solutions, implement systems that would provide residents and businesses with direct access to City information and documents such as financial information, agenda reports, administrative policies, fee estimate, land use processing guidelines, forms, etc.; 8) Increase public safety education programs such as UNLOAD, neighborhood watch, business watch, Cops with Clergy, Coffee with a Cop, fire prevention programs, code enforcement, etc.; 9) Complete citizen survey to gauge citizen perception of quality of life, sense of safety and to solicit input for ways to improve quality of life; and 10) Educate

residents about the historical and cultural resources of the community, fostering interest in historic preservation and Norco's rich heritage.

In reference to Action Plan #8, Council Member Hanna asked if any more Neighborhood Watch programs are being started in the City. Lieutenant Briddick indicated that over the past 6-12 months, several new neighborhood watch programs have emerged and new ones continue to be created.

In reference to Action Plan #5, Council Member Grundmeyer suggested the use of an electronic survey as well as finding ways to improve on the current notification process.

City Manager Okoro stated that staff has been discussing ways to improve the notification process as well as how online surveys can be conducted. One of challenges is to get more residents to sign up through the e-mail subscription program and providing as much contact information as possible.

Mayor Bash asked what the status is of the City of Norco Mobile App, which is listed under Action Plan #5. Mr. Okoro indicated that the process started several months ago but unfortunately the individual that the City engaged to work on this project has not made the amount of progress the City wanted at this point. The application programmer has been given a new deadline. If it cannot be met, new options will be pursued.

In reference to Action Plan #6, Council Member Hoffman asked if modernizing records management is affordable. City Clerk Link indicated that the current records management program is underutilized. The goal is to make the most use of the current program, which is of minimal cost to the City.

Mayor Pro Tem Newton referenced Action Plan #9, which is to complete a citizen survey to gauge citizen perception of quality of life, with a completion date of December 31, 2018. Mayor Pro Tem Newton asked if the completed date would have to be moved up to coincide with Strategic Direction #1, Action Plan #1 regarding the outreach for the revenue measure. City Manager Okoro said that the citizen survey is intended for a different purpose than the survey for the revenue measure. The surveys can be conducted at different times.

City Manager Okoro presented Strategic Direction #3 Financial Stability – Assure financial stability by identifying new revenue sources and continuing prudent financial management, and the seven Action Plans related to this Direction, which are: 1) Complete action items 1-5 on Strategic Direction #1 regarding new revenues. Tax Measure should be structured as general revenue with enabling legislation to earmark certain percentage for infrastructure and certain percentage for general City services; 2) Complete rate study for water, sewer and recycled water; 3) Review of outstanding City debt for opportunities to refinance and achieve debt service savings; 4) Create long-term financial management plan for General Fund, Water Fund and Sewer Fund; 5) Complete overhead cost allocation studies; 6) Complete analysis regarding potential pre-payment of unfunded pension liabilities for savings through issuance of pension obligation debt, complete analysis regarding options available to reduce retiree healthcare costs; and 7) Develop naming rights policy for City facilities and expand use of Horsetown USA logo to include royalties or fixed annual fee.

Council Member Hanna referenced Action Plan #7 and asked if the funds would go towards the operation of Ingalls Park. In response, by direction of the City Council, staff can designate the funds specifically for Ingalls Park. Initially, however, the funds will go to the City's General Fund.

City Manager Okoro presented Strategic Direction #4: Economic Development – Increase transient occupancy tax (TOT) and sales tax revenues by attracting new businesses, retaining existing businesses, attracting tourism, and the eight Action Plans related to this Direction, which are: 1) Attract and secure entitlements for two (2) new brand name hotels with minimum of 80 rooms each; 2) Attract and secure commitments from two (2) full-service restaurants that suit local needs; 3) Attract and secure commitments from two (2) national retail chains that suit local needs; 4) Develop new marketing material to promote local opportunities to restaurants, retail and lodging developers, develop database to track contacts and outreach to same developers; 5) Work with SilverLakes Equestrian and Sports Park to ensure that all taxable sales at the park are reported using Norco as the point-of-sale; 6) Develop easy to understand written procedures for permit/development processing to assist businesses with understanding of City processes; 7) Complete key street improvements on City's major business corridor – Hamner Avenue, Sixth Street; and 8) Increase effectiveness of Code Enforcement by making sure that every code case is closed within twelve months or is being handled by a City prosecutor.

In regards to Action Plan #3, Council Member Hoffman suggested that staff attract more interactive businesses, such as a shooting range. Council Member Hoffman said that if the City is branding itself as a destination city, it should have activities for visitors and residents to do.

In reference to Actions Plans #2 and #3, Mayor Pro Tem Newton suggested removing the business examples provided or list generic names.

In response to Mayor Pro Tem Newton's comments about Action Plan #5, City Manager Okoro indicated that this is similar to special events at Ingalls Park. The City also wants to be sure that the ongoing relationship that SilverLakes has with organizations such as CalSouth, have the City of Norco designated as the point-of-sale.

Mayor Pro Tem Newton also referenced Action Plan #8 and asked if there could be a financial goal attached to this Plan. City Attorney Harper stated that the current goal of the City is to recover the City's cost and there be a net zero cost to the City.

Mayor Bash noted that for this Strategic Direction, the presence of the Norco Area Chamber of Commerce is needed. Mayor Bash suggested the expanded presence of both the Chamber and the City on social media publicizing businesses, grand openings, and projects.

City Manager Okoro presented Strategic Direction #5: Public Safety – Improve the quality of life by enhancing public safety services, and the Action Plans relating to this Direction, which are: 1) Increase contracted daily patrol hours from 60 hours to 80 hours to contend with increase in crime and calls for service; 2) Implement a dedicated traffic team consisting of two deputies to deal with increase in traffic and related issues; 3) Add one

full-time Sheriff's Community Service Officer to the front lobby of the Sheriff's Office to provide full business hours access for residents and visitors; 4) Complete analysis and provide recommendations for implementation on how to secure public facilities and buildings – City Hall, Ingalls Park, senior Center, Public Works Yard; 5) Complete all actions necessary to update City Emergency Operations Plan including training, development of checklist, communication protocols with residents and staff.

Council Member Hoffman suggested adding Action Plan #7 to Strategic Direction #5, which would outline working with the Riverside County Board of Supervisors, Riverside County Sheriff, Riverside County Fire/CalFire, and Riverside Sheriff's Association to work on contract rates and services. City Manager Okoro indicated that this is an item of significant concern for many contract cities. Contract cities have attended meetings of the Riverside County Board of Supervisors and met with Riverside County Sheriff's Department regarding controlling costs.

In response to Council Member Grundmeyer, City Manager Okoro stated that the progress of the Strategic Plan as a whole will be reviewed on a bi-annual basis with the City Council. Staff will meet quarterly to review progress.

Council Member Hoffman noted that the work of the Ad-Hoc Committee on Infrastructure Needs and Funding Options is incorporated in the Strategic Plan. Mr. Hoffman suggested making a note of their contributions in the final Strategic Plan document.

M/S HANNA/BASH to approve the 2016 City of Norco Strategic Plan. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Council Member Hoffman invited the public to visit Ingalls Park to see the recent improvements including the newly-installed public art.

Council Member Grundmeyer invited the public to attend the Norco Fair over Labor Day weekend and support the youth by attending the junior livestock show and auction.

In response to Mayor Bash, City Manager Okoro indicated that a report will be coming before the City Council regarding an urban forest program.

Mayor Bash expressed concerns about the traffic signal at California Avenue and Sixth Street. In response, Director Blais explained that the east and west bound traffic on Sixth Street at California Avenue must yield to oncoming traffic to turn onto California Avenue. The light is no longer a protected turn.

Mayor Bash requested agenda discussion about updating the Municipal Code regarding commercial vehicle exemption permits.

M/S BASH/NEWTON to agenda discussion on updating the Municipal Code regarding commercial vehicle exemption permits. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Deputy City Manager Petree noted that Norco High School football kicks off next Friday with the Brothers in Arms Charity game.

Director Blais stated that a report on traffic calming measures, specifically related to speed humps and speed tables, will be presented to the Council at workshop in September. Also, in regards to traffic calming measures for the Capital Improvement Project on Temescal Avenue, a proposal for improvements will be presented to Council at the September 7th meeting. The City Council directed Director Blais to present the traffic calming proposal for Temescal Avenue to the Streets, Trails and Utilities Commission prior to bringing it to City Council.

ADJOURNMENT

Mayor Bash adjourned the meeting at 9:29 p.m.

Cheryl L. Link, CMC, City Clerk

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Terrence Piorkowski, Superintendent of Public Works
Chad Blais, Director of Public Works 

DATE: September 7, 2016

SUBJECT: Acceptance of Bids and Award of Purchase for Replacement of One-Ton Service Truck for the Public Works Department

Recommendation: Accept bids submitted for the purchase of a one-ton service truck and authorize purchase from Hemborg Ford in the amount of \$52,724.75.

SUMMARY: Staff is recommending that Council approve and authorize the purchase of a 2017 one-ton service truck to be used in the maintenance of the City's streets, trails, water, and sewer system. The truck has a gross vehicle weight rating of 10,000 pounds, which will allow City crews to utilize the vehicle to perform multiple operational tasks. The vehicle will be purchased from Hemborg Ford of Norco, California who provided the lowest sealed bid.

BACKGROUND/ANALYSIS: Public works staff is recommending the purchase of one truck with fiscal year 2016-2017 funds available in the Vehicle Replacement Fund. The Public Works Department utilizes this type of vehicle to perform daily maintenance tasks including water distribution infrastructure maintenance and repair, sewer pump and station maintenance, sign maintenance and installation, and maintenance of water production and treatment facilities.

On June 20, 2016 a Request for Quote was mailed by United States Postal service to multiple area car dealerships and the State's vehicle purchase program. On August 2, 2016, bids were received for the purchase of a one-ton service truck. Following is the bid summary:

<u>Bidder</u>	<u>Total Bid Amount (Includes Tax)</u>
Hemborg Ford, Norco	\$52,724.75
Downtown Ford Sales, Sacramento	\$53,927.75
Lake Chevrolet, Elsinore	\$54,000.00
Fairview Ford, San Bernardino	\$60,485.51

All vendors that supplied bids would supply the vehicle in accordance with the minimum specification without significant variation.

This truck is intended to replace the City's existing 2004 Chevy C2500 which was initially scheduled to be replaced during fiscal year 2012-2013. However, the department deferred the replacement of the vehicle.

The cost for replacement includes safety warning lights that are in compliance with the State of California, Title 13 requirements. The safety lighting does include an LED light bar with directional arrow oriented to the rear of the vehicle, front, side and rear mounted LED warning lamps, side and rear mounted work lights, and does include a 5-year warranty for replacement of the LED elements. These bids also include the installation of a customized utility bed with hydraulic lift gate, sliding tool drawers and internal bin lighting for nighttime repair work.

FISCAL IMPACT: An amount not to exceed \$53,000.00 including tax, shipping and State of California licensing fee from the Vehicle Replacement Fund 128.

Attachment(s): Bidder List
Hemborg Ford Quote

City of Norco

FY 2016-17 Vehicle Purchase

New One-Ton Chassis Cab with Utility Service Body and Emergency Lighting

Deadline: August 2, 2016 @ 2:00 P.M.

Company Name / Address	BID
Hemborg Ford 1900 Hamner Avenue Norco, CA 92860	\$ 52,724.75
Downtown Ford Sales 525 N 16th Street Sacramento, CA 95811	\$ 53,927.75
Lake Chevrolet 31201 Auto Center Drive Lake Elsinore, CA 92530	\$ 54,000.00
Fairview Ford 292 North G Street San Bernardino, CA 92410	\$ 60,485.51



CITY of NORCO

CITY HALL • 2870 CLARK AVENUE • NORCO CA 92860 • 951.735.3900 • F 951.735.0186

Chassis Cab Manufacturer -- Ford

Body Manufacturer -- Harbor Truck Body

Emergency Lighting Manufacturer - Whelen

List all variances from general specification --

3.73 E Locker Replaces 4.10 Limited Slip.
10,000 GVWR Replaces 9900 GVWR
8 FT Box Length Bio Storage for 9 FT
XTR HVY ALT. Added NO charge

Equipment Cost Breakdown

Sales Tax	\$ 3905.53
Total Delivered Purchase Cost Including Tax and Delivery Charges (Grand total)	\$ 52724.75
Please write your complete, delivered bid pricing including tax and delivery in the space below.	
Example -- <i>One Hundred Fifteen Dollars and Twenty Seven Cents</i>	
<i>Fifty two thousand seven hundred twenty four + 75/100</i>	
Grand Total	
Signature of Vendor Representative	<i>K. Kordik</i>
Print Name of Vendor Representative	<i>KARL KORDIK</i>
Name of Vendor	<i>Hemlock Ford</i>
Date	<i>7-7-16</i>

* 1% Terms offered if paid within 10 days of Delivery. Discount equals \$527.20 OFF OF TOTAL. 10 Day equals 10 calendar days NOT working

Harbor Truck Bodies, Inc.
 255 Voyager Ave.
 Brea, CA 92821
 (800) 433-9452 (714) 996-0411
 FAX (714) 996-0695

1 66644 06/23/17 FLH01

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HEMBORG FORD
 DEALER # 71G151
 1900 HAMNER AVE
 NORCO, CA 92860

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 DEALER # 71G151
 1900 HAMNER AVE
 NORCO, CA 92860

06/23/16	HARBOR		2/10, NET-30
KARL	12/31/44 WHSE1 FORD - LA - SOUTH2		SOUTHERN CALIF
FORD-060-R-SRW	FORD F350/F450/F550-REGULAR CAB GAS ENGINE VIN - + + CITY OF NORCO + + -----	1	
BID10F3	HARBOR WILL NOT BE HELD RESPONSIBLE FOR ANY ITEMS NOT LISTED ON THIS QUOTE. -----	1	
HT108-1541D	TRADEMASTER 9'-HORE SS/VERT CS-STAIN POP 102Lx79W-CPT 15Dx41K-FL49W-60 CA SRW	1	5013.36 5013.36
SEQ	10GA HEAVY DUTY FLOOR -----	1	181.00 181.00
RK55	SHIELD, REAR CAB EXPANDED METAL -----	1	524.70 524.70
MTIE2K	TIE DOWN RECESS- 2000 lb. CAPAC INCLUDES (1) TIE DOWN MNT (1) EACH CORNER OF BED -----	4	104.28 417.12
G2-54-1542TP42	LG-1600# LIFT CAP., 49X42 PLTFM W/4"TPR MUST ORDER W/BUMPERETTE OPTION -----	1	3571.26 3571.26
6BUMPERETTE-LED	BUMPERETTE W/LED TRADEMASTER W/LIFTGATE HOLDS STOP-TAIL-TURN-BCK-UP&CLEARANCE LTS -----	1	440.22 440.22
S-MD-5PAK-15	DRAWERS MECHANICS 5PAK-15" DEEP SRW 40" HIGH ONLY-(4) 3"+ (1) 4" -250LB CAPAC FRONT COMPT C/S -----	1	1471.80 1471.80

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06/23/16	HARBOR			2/10, NET-30
KARL	12/31/44	WHSE1	FORD - LA - SOUTH2	SOUTHERN CALIF
SEO	LIKE A S747 DRAWER 5215-4-150LB + CURBSIDE HORIZONTAL		1	389.00 389.00
SEO	LED STRIP LIGHTING IN ALL COMPTS EACH DOOR INDIVIDUAL SWITCH		1	1346.00 1346.00
SEO	SET OF GATE KEY VALVE HOLDERS ON CURBSIDE REAR BACK WRAPPER		1	459.00 459.00
MSWITCH	ROCKER SWITCH, COLE HERSEY #58328-04		1	85.14 85.14
MBL09	RED LINER-9 FT STD BODY-W/NEW ORDER ONLY LINES FLOOR, BULKHEAD, SIDE WRAPPERS&TG		1	697.62 697.62
SEO	ALL INTERIOR BIN, SHELF AND DRAWER BOTTOMS TO BE SPRAY BED LINER		1	2143.00 2143.00
MCEB	CONTROLLER BRAKE TRAILER		1	341.88 341.88
MREC-V	CLASS V REC FOR BODIES: INCL 2.5" TUBE; 15,000 LB; INCL WT STICKER; W/2" INSERT		1	455.40 455.40
MHITCH01	HITCH, MULTI-KERIN K200 WITH K750 ADAPTER REQUIRES MREC, MRECIV, MRECV OR MREC-LAND		1	192.06 192.06

CONTINUED

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HARBOR

2/10, NET-30

KARL

12/31/44 WHSE1 FORD - LA - SOUTH2

SOUTHERN CALIF

M7PRONG	7 PRONG TRAILER CONNECTOR (POLLAK)	1	135.96	135.96
MBALL01	BALL CHROME FOR TRAILER-5000 LB RATING	1	59.40	59.40
SEO	WHELEN LIGHT MODEL PCC89RW SLIDE SWITCH CONTROL PANEL. SWITCHES TO BE WIRED IN THE FOLLOWING PATTERN ----- + POSITION 1 - ACTIVATES FRONT GRILL, FENDER & REAR TAIL WARNING HEADS. ALL LIGHT HEADS TO BE PROGRAMMED TO " ACTION FLASH 150" ----- + POSITION 2- ALL LIGHT HEAD ASSEMBLIES INCLUDED IN POSITION 1 PLUS FRONT & REAR LIGHT BAR CORNER LED MODULES & BED SIDE FRONT & REAR LINV2A LIGHT HEADS ----- + POSITION 3 - ALL LIGHT HEAD ASSEMBLIES & LIGHT BAR MODULES INCLUDED IN POSITION 2 PLUS ALL REMAINING FRONT & REAR FLASHING MODULES OF THE LIGHT BAR. ----- + ROCKER SWITCH 1 - ACTIVATES INTERIOR BIN LIGHTING ----- + ROCKER SWITCH 2- REAR WORK LIGHT FUNCTION OF BOTH MV6 LIGHT HEADS & PUDDLE LIGHT FUNCTIONS OF	1	691.00	691.00

CONTINUED

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HARBOR

2/10, NET-30

KARL

12/31/44

FORD - LA - SOUTH2

SOUTHERN CALIF

BOTH 5V3A LIGHT HEADS & LINSV2A LIGHT HEADS

+ ROCKER SWITCH 3-
 LEFT LIGHT BAR ALLEY LIGHT & ALLEY FLOOD LIGHT FUNCTION OF LEFT 5V3A LIGHT HEAD

ROCKER SWITCH 4-
 RIGHT LIGHT BAR ALLEY LIGHT & ALLEY FLOOD LIGHT FUNCTION OF RIGHT 5V3A LIGHT HEAD

ROCKER SWITCH 5-
 LEFT TRAFFIC ADVISOR

ROCKER SWITCH 6 -
 RIGHT TRAFFIC ADVISOR

SEO	(2) WHELEN M6 V-SERIES LIGHT HEADS MODEL # M6V2AC - LIGHTS TO BE MOUNTED HIGH ON BOTH SIDES OF REAR END PANELS LIGHT FLASH PATTERN TO BE PROGRAMMED FOR ACTION FLASH 150	1	1331.00	1331.00
SEO	(4) WHELEN V-SERIES SURFACE MOUNT WARNING LIGHTS MODEL #LINV2A LIGHT HEADS TO BE MOUNTED LOW ON BOTH SIDES OF THE BODY AT FRONT & REAR. LIGHT FLASH PATTERN TO BE PROGRAMMED FOR ACTION FLASH 150	1	1128.00	1128.00

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SOUTHERN CALIF

SEO	(2) WHELEN 500 SERIES SUPER LED LIGHT HEADS TO BE MOUNTED ON BOTH FRONT FENDER OF CAB. LIGHT FLASH PATTERN TO BE PROGRAMED FOR ACTION FLASH 150 -----	1	765.00	765.00
SEO	(2) WHELEN MODEL LINE5A & TWO LINE5C MOUNTED IN ALL FOUR CORNERS OF GRILL AREA & SYNCHRONIZED, PROGRAMED FOR FOR ACTION FLASH 150 - DIAGONAL -----	1	805.00	805.00
Y09AWHITE	PAINT FACTORY WHITE - 9-FT TRADEMASTER	1		
Z09	MOUNT 9-FT TRADEMASTER BODY	1		

22643.92
 STEPHANIE/SALES

22643.92

66644

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Cheryl L. Link, City Clerk 

DATE: September 7, 2016

SUBJECT: Proposed Cancellation of the October 5, 2016 City Council Regular Meeting

RECOMMENDATION: Cancel the October 5, 2016 City Council regular meeting.

SUMMARY: It is being proposed to the City Council that the October 5, 2016 regular meeting be cancelled due to the absence of City Council Members who will be attending the Annual League of California Cities Conference.

BACKGROUND/ANALYSIS: Mayor Bash, Council Members Hanna and Hoffman, and City Manager Okoro are scheduled to attend the 2016 Annual League of California Cities Conference in Long Beach, which begins on Wednesday, October 5, 2016. In 2014, the City Council approved the cancellation of the September 3rd meeting due to two Council Members attending the League's Annual Conference. Therefore, it is recommended that the City Council cancel its regular meeting scheduled for Wednesday, October 5, 2016.

If there are any time-sensitive items that necessitate City Council action, a special City Council meeting will be called and noticed.

FINANCIAL IMPACT: No financial impact as a result of this action.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED: Chad Blais, Director of Public Works 

DATE: September 7, 2016

SUBJECT: Fiscal Year 2015-16 Fire Hydrant and Isolation Valve Assessment, Testing and Information Management Program Results.

RECOMMENDATION: Receive and file.

BACKGROUND / ANALYSIS: The City of Norco owns and operates a potable water system designed to provide reliable high quality drinking water to its customers. The infrastructure that makes up the water system, in part, includes an estimated 125 miles of pipeline, 8,000 customer service lines and meters, 2,500 valves and 1,200 hydrants. In order to properly maintain the water system to acceptable performance levels, the Public Works Department should have standard operating procedures that outline a management plan for the testing and maintenance all of its valves and hydrants. However, to date, the Public Works Department does not have a formal and consistent annual maintenance program for valves and hydrant or funding for such a program.

To rectify this maintenance deficiency, staff conducted an evaluation of available data and determined the water system had approximately 1,200 hydrants and isolation valves that would need to be initially assessed and tested to determine their current operational condition and then make any necessary repairs to ensure the hydrant portion of the water system was 100% functional. At which point, Public Works will then initiate its new annual maintenance plan to provide annual funding for contract services that will ensure every hydrant and isolation valve for each hydrant is tested and maintained on a rotating two-year cycle (600 hydrants per year).

In September 2015, Public Works requested and received a proposal from Wachs Water Services (Wachs) to provide Assessment and Testing of Fire Hydrants and Isolation Valves for the City of Norco (see attached). Public Works decided to engage Wachs in a \$25,000 pilot program to test and assess only 200 hydrants and isolation valves in order to determine and evaluate Wachs performance and ability to provide the desired level of work and detailed report deliverables.

Wachs completed the pilot program within 30 days and staff was very pleased with the information communicated to staff on a daily basis regarding any repairs or concerns experienced in the field. In addition, the final reports prepared by Wachs were detailed in nature and the collection of GPS data gathered for each hydrant and isolation valve will provide for accurate mapping as part of the City's GIS program. Therefore, based on the success of the pilot program, the City Council approved a contract for the remaining 1,000 hydrants and isolation valves to be tested and assessed by Wachs in the amount of \$130,000.

PROGRAM RESULTS: The following is a summary of the results (statistics) from the hydrant and valve assessment conducted by Wachs.

See Attachment 1 – Hydrant Summary
See Attachment 2 – Valve Summary

FINANCIAL IMPACT: Total costs included \$150,000 for Wachs contract services and estimated \$120,000 in parts and staff time to complete the necessary repairs to the hydrants and isolation valves. There are 7 hydrants/valves that are currently out of service and are being scheduled for complete replacement over the next 60 days.

STRATEGIC PLAN IMPACT: This item is consistent and supports Strategic Direction #1 – Infrastructure – Establish funding for planning, maintenance, replacement and development of infrastructure and Strategic Direction #5 – Public Safety in the goal to “improve the quality of life by enhancing public safety services”.

Attachments: Hydrant Summary
Valve Summary



Hydrant Summary Report
9/17/15 to 8/15/16
City of Norco, CA



Total Billable Hydrants: 1368

Non-billable:

Cannot Locate	28
Private	38

Hydrant Condition:

In Service - No Repair Needed	1020	71%
In Service - Repair Needed	303	21%
Out of Service - Repair Needed	32	2%
Out of Service - Need To Replace	7	0%
Unknown (Hydrant Removed)	6	0%

Repairs Needed:

** Some hydrants may have more than one repair item*

Minor Op Nut Leak	5	Frozen Op Nut	2
Minor Nozzle Leak	4	Need To Raise	29
Nozzle Leak	4	Op Nut Missing	33
Damaged Nozzle	0	Op Nut Sheared	3
Hydrant Valve Does Not Seat	1	Spins Free	26
Does Not Drain	193	Other Repair	41

Summary Information:

Not On Map	121
Needs To Be Cleared	15
Caps Missing	18
Caps Need To Be Replaced	18
Chains Missing	13



Valve Summary Report
9/17/15 to 8/15/16
City of Norco, CA



Total Billable Valves:		1336	
Non-billable			
Cannot Locate		71	
Private		27	
Valve Condition			
Good		1249	87%
Fair		46	3%
Poor		3	0%
Inoperable (includes non-billable cannot locates)		98	7%
Unknown (Hydrant Removed)		11	0%
Left in Closed Position		41	3%
Summary Information			
Uncovered	173	Need To Raise	108
Misaligned/Damaged Box	58	Raised (asphalt	3
Realigned/Repaired Box	4	Raised (dirt, grass, etc.)	9
Frozen	6	Packing Leaks Snugg	0
Unfrozen	153	Spins Free	2
Vacuumed Out	580	Broken/Bent Stem	0
Covered Over	11	Opnut Missing/Damaged	0
Other Discrepancy	50	Position Corrected	46
Not On Map	49	Needs/Stuck Lid	12
Does Not Isolate Hydrant	40	Freed Lid	24

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

FROM: Chad Blais, Director of Public Works 

DATE: September 7, 2016

SUBJECT: Proposed Temescal Avenue Traffic Calming Measures

RECOMMENDATION: Recommend City Council approval of the proposed traffic calming measures on Temescal Avenue between First Street and Second Street

SUMMARY: At the August 3, 2016 City Council meeting, Mayor Pro Tem Newton made a request to staff to begin considering traffic control measures for all residential streets as part of any planned Capital Improvement Projects. Public Works staff has identified some traffic control measures for the upcoming Temescal Avenue pavement project and is now seeking feedback and approval for the proposed improvements.

BACKGROUND: At the August 3, 2016 City Council meeting, City Council discussed and approved the proposed street repaving capital improvement on Temescal Avenue (between First Street and Second Street). As part of the Council discussion, Mayor Pro Tem Newton made a recommendation that staff begin considering traffic control measures for all residential streets as part of any planned Capital Improvement Project. Public Works staff has reviewed existing traffic conditions on this stretch of Temescal Avenue and developed some traffic control measures that should provide some added safety for pedestrians and traffic calming for vehicle traffic (see attached exhibits).

The traffic control measures include the installation of the following:

- 1) Two (2) solar powered dynamic feedback speed signs that will be installed northerly and southerly of the school to help reduce vehicle speeds (see Exhibit 1). The estimated cost for the dynamic feedback speed signs is about \$9,000.
- 2) Four (4) solar powered rectangular rapid flashing beacons (RRFBs) on each existing pedestrian crosswalk sign located in front of the school (see Exhibit 1). These new interactive pedestrian signals will provide pedestrian activated, high intensity warning lights that notify drivers when a pedestrian is entering the crosswalk. The estimated cost for the RRFBs is \$11,000.
- 3) 3-foot delineators and 8-inch traffic domes in the painted median to divert traffic away from staging in the median and blocking the crosswalk (see Exhibit 2). The estimated cost for the delineators and domes is \$1,000.

Temescal Traffic Calming Measures

Page 2

September 7, 2016

On August 22, 2016, Public Works staff presented the proposed traffic calming measures to the Streets, Trails and Utilities Commission (STUC) for consideration and feedback. The STUC recommended the proposed traffic calming measures be forwarded to the City Council without any changes. However, the STUC did suggest additional parking enforcement in front of the school would also help for areas where no parking is not allowed but is continually ignored by drivers.

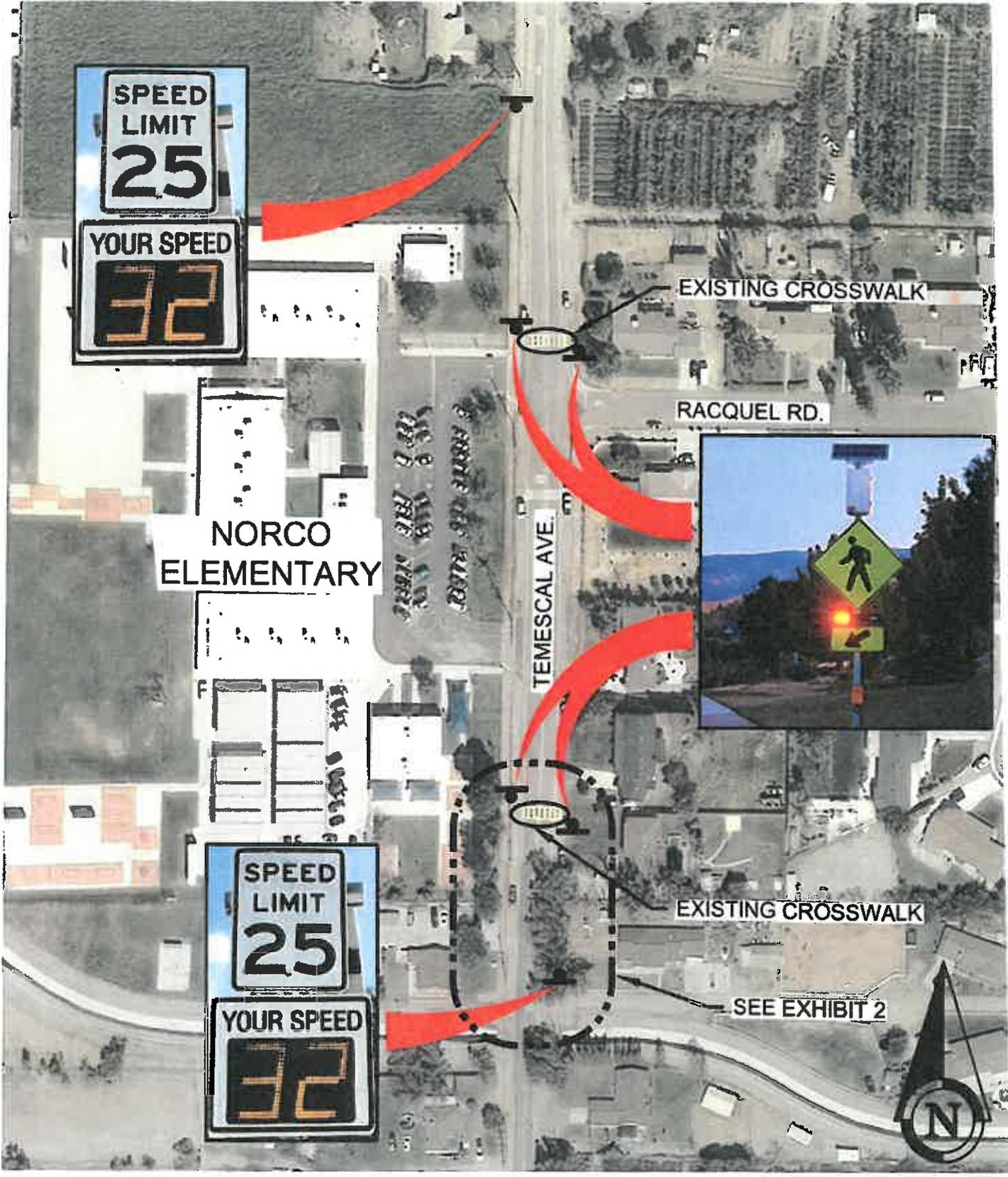
Staff is requesting the City Council approve the proposed traffic calming measures for Temescal Avenue (between First St. and Second St.).

FISCAL IMPACT: Staff is estimating the total cost for the proposed improvements would be \$21,000 and would be funded out of Street CIP Fund.

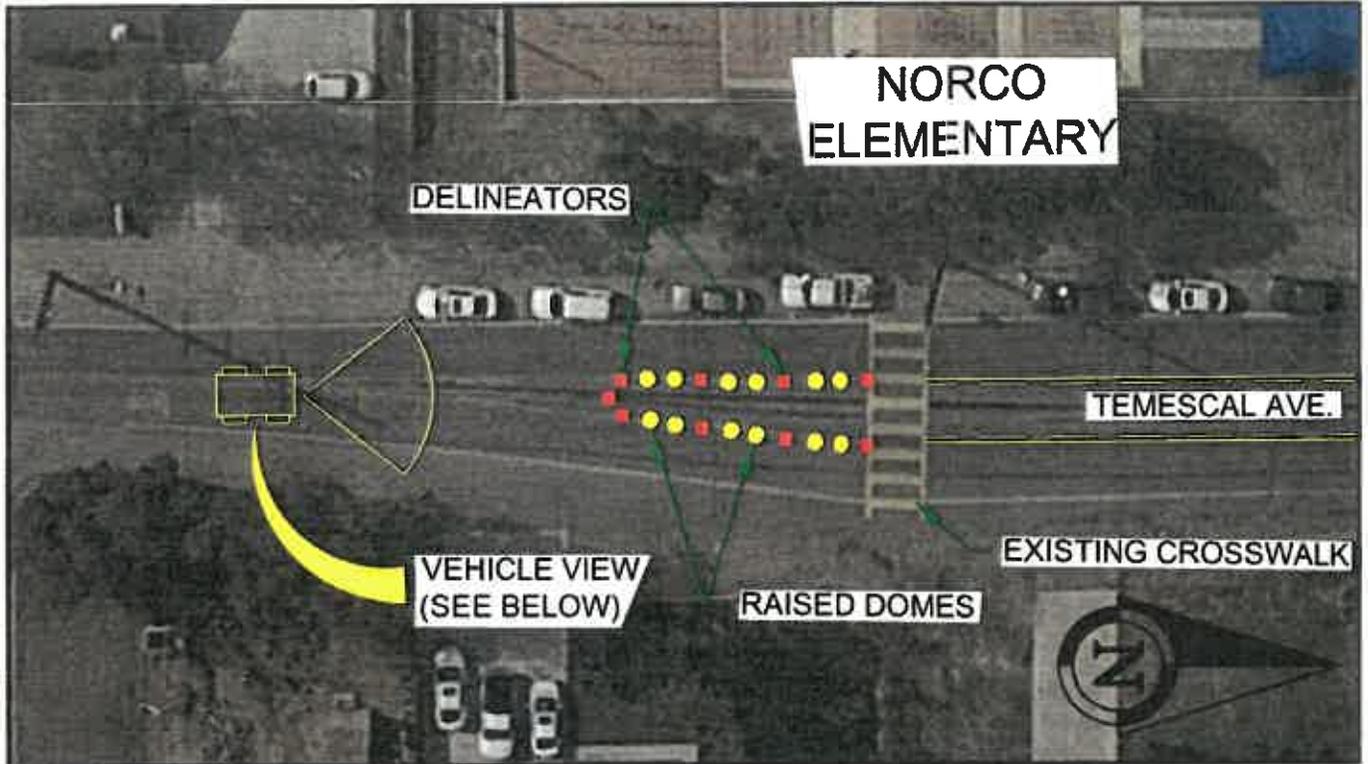
STRATEGIC PLAN IMPACT: This item is consistent and supports Strategic Direction #5 – Public Safety in the goal to “improve the quality of life by enhancing public safety services”.

Attachments: Exhibit 1
Exhibit 2

*EXHIBIT 1 IMPROVEMENTS
TEMESCAL AVENUE
(BETWEEN 1ST & 2ND STREET)*



**EXHIBIT 2 IMPROVEMENTS
TEMESCAL AVENUE
(BETWEEN 1ST & 2ND STREET)**



VEHICLE VIEW

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

DATE: September 7, 2016

SUBJECT: Formation of Committee to Review Lot Coverage Allowance

RECOMMENDATION: Discussion regarding formation of committee to review lot coverage allowance

SUMMARY: At the August 10, 2016 the Planning Commission adopted Resolution 2016-47 to amend Chapter 18.30 of the Norco Zoning Code regarding lot coverage allowance in the A-1 Zone. On August 17, 2017, in lieu of the proposed Zone code Amendment, the City Council voted to direct the City Manager to agendize discussion on forming a committee to review lot coverage allowance.

BACKGROUND: At the August 10, 2016 City the Planning Commission adopted Resolution 2016-47 recommending that the City Council approve Zone Code Amendment 2016-04. This Zone Code Amendment would have changed the current 40% maximum pad coverage of all structures in the A-1 Zone to a 30% maximum lot coverage requirement. On August 17, 2017, the City Council unanimously voted to ask the Planning Commission to withdraw its recommendation and to direct the City Manager to agendize discussion on forming a committee to review lot coverage allowance before a formal Zone Code Amendment is brought to the City Council for action.

COMMITTEE OPTIONS: The proposed review can be informally accomplished through the City Manager's Business Advisory Group process. Under this process, the City Manager would request participation with staff from two (2) Planning Commission Members and two (2) City Council Members. The City Manager's Business Advisory Group provides a forum where Council and/or Commission members works with staff in formulating solutions to complex business processes before final recommendations are brought to the City Council. This process is not subject to the open meetings requirement of the Brown Act.

Another potential option is for the City Council to for form an Ad-Hoc Committee comprising of two (2) Council Members and two (2) Planning Commission Members who would work with staff to review lot coverage requirements and the Ad-Hoc Committee would provide formal recommendation to the City Council. This process is subject to the open meetings requirements of the Brown Act.

Discussion Regarding formation of Committee
to Review Lot Coverage Allowance
Page 2
September 7, 2016

FISCAL IMPACT: This recommendation would not require additional budget appropriation.

RELATIONSHIP TO STRATEGIC PLAN: This item is consistent and supports Strategic Direction #2 – “Engage with the community through excellent customer service, communication and programs”.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Chad Blais, Director of Public Works 

DATE: September 7, 2016

SUBJECT: **Ordinance No. 1007, First Reading.** An Ordinance of the City Council of the City Of Norco, Amending Chapter 14.04.720 (Water Conservation Program) to the Norco Municipal Code. Code Change 2016-04.

RECOMMENDATION: Adopt **Ordinance No. 1007**, for first reading. Amending Chapter 14.04.720 (WATER CONSERVATION PROGRAM) to the Norco Municipal Code.

SUMMARY: The proposed Ordinance revises the City's existing Chapter 14.04.720 (Water Conservation Program) of the Municipal Code to comply with the State Water Resources Control Board's (SWRCB) newly adopted requirements for all water suppliers.

BACKGROUND/ANALYSIS: On April 1, 2015, Governor Edmund G. Brown Jr. issued an executive order that directs the State Water Resources Control Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February 2016. On June 3, 2015 the City Council adopted Ordinance No. 991 which amended Municipal Code 14.04 by adding section 14.04.700 through 14.04.790 to bring the City's conservation program into compliance with the State's mandatory water restrictions.

On May 9 2016, Governor Brown issued an executive order that directs the SWRCB to adjust and extend the emergency water conservation regulations through the end of January 2017 in recognition of differing water supply conditions for many communities. On May 18th, the SWRCB adopted a self-certification of supply reliability for three additional years of drought that each water supplier must submit to determine the level of mandatory water conservation required. The self-certification is a mathematical calculation which compares available supply with estimated customer demands during drought conditions over the next three years. Any water supplier that elects not to complete a self-certification would be automatically provided a default mandatory water conservation target (Norco's would be 32%).

On June 22, 2016, the City prepared and submitted its self-certification of supply reliability to the SWRCB that identified that Norco has sufficient supplies to meet projected customer demands over the next three years. On July 27, 2016, the SWRCB completed its review of Norco's self-certification and approved for a reduced mandatory conservation level of zero percent.

The SWRCB also formally adopted additional emergency regulations that permanently prohibit certain water wasting activities and outlines specific guidelines to ensure water conservation is promoted in commercial, industrial and Homeowners Association settings. These new mandatory requirements must now be added to the relevant section of the City's Water Conservation program, Municipal Chapter 14.04.720. The proposed Ordinance revises the City's existing Chapter 14.04.720 (Water Conservation Program) of the Municipal Code to comply with the State Water Resources Control Board's (SWRCB) newly adopted requirements for all water suppliers (see Attachment A).

FINANCIAL IMPACT: N/A

STRATEGIC PLAN IMPACT: This item supports Strategic Direction #2: Community Outreach – Engage with the community through excellent customer service, communication and programs.

Attachments: SWRCB Emergency Regulation (May 18, 2016)
Ordinance No. 1007

ADOPTED TEXT OF EMERGENCY REGULATION

Article 22.5. Drought Emergency Water Conservation.

Sec. 863. Findings of Drought Emergency.

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

(4) On November 13, 2015, the Governor issued an Executive Order that directs the State Board to, if drought conditions persist through January 2016, extend until October 31, 2016 restrictions to achieve a statewide reduction in potable usage;

(5) On May 9, 2016, the Governor issued an Executive Order that directs the State Board to adjust and extend its emergency water conservation regulations through the end of January 2017 in recognition of the differing water supply conditions for many communities;

(6) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist; and

(7) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 102, 104, 105, and 275, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks;

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;

(7) The irrigation with potable water of ornamental turf on public street medians; and

(8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

(c) ~~Immediately upon~~ Upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 864.5 or 865 of this article, shall either:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or

(2) Target potable water use reductions commensurate with those required of the nearest urban water supplier under section 864.5 or, if applicable, section 865. Where this option is chosen, these properties shall implement the reductions on or before July 1, 2016.

~~(2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through October 2016 as compared to the amount used from those sources for the same months in 2013.~~

(d) The taking of any action prohibited in subdivision (a) or (e), or the failure to take any action required in subdivision (b) or (c), is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(e)(1) To prevent the waste and unreasonable use of water and to promote water conservation, any homeowners' association or community service organization or similar entity is prohibited from:

(A) Taking or threatening to take any action to enforce any provision of the governing documents or architectural or landscaping guidelines or policies of a common interest development where that provision is void or unenforceable under section 4735, subdivision (a) of the Civil Code; or

(B) Imposing or threatening to impose a fine, assessment, or other monetary penalty against any owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in section 4735, subdivision (c) of the Civil Code.

(2) As used in this subdivision:

(A) "Architectural or landscaping guidelines or policies" includes any formal or informal rules other than the governing documents of a common interest development.

(B) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.

(C) "Common interest development" has the same meaning as in section 4100 of the Civil Code.

(D) "Community service organization or similar entity" has the same meaning as in section 4110 of the Civil Code.

(E) "Governing documents" has the same meaning as in section 4150 of the Civil Code.

(F) "Separate interest" has the same meaning as in section 4185 of the Civil Code.

(3) If a disciplinary proceeding or other proceeding to enforce a rule in violation of subdivision (e)(1) is initiated, each day the proceeding remains pending shall constitute a separate violation of this regulation.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, 4150, 4185, and 4735, Civil Code; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 864.5. Self-Certification of Supply Reliability for Three Additional Years of Drought.

(a) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's May 9, 2016 Executive Order, each urban water supplier shall:

(1) Identify and report no later than June 22, 2016, on a form provided by the Board, the conservation standard that the supplier will be required to meet under this section;

(2) Identify and report no later than June 22, 2016, on a form provided by the Board, the data and underlying analysis relied upon by the supplier to determine the conservation standard reported pursuant to this subdivision including, but not limited to identification of each source of supply the supplier intends to rely on and the quantity of water available under that source of supply given the assumptions of this section;

(3) Certify, no later than June 22, 2016, that the conservation standard reported pursuant to this subdivision is based on the information and assumptions identified in this section;

(4) Post, within two weeks of submittal to the board, the data and underlying analysis relied upon by the supplier to determine the conservation standard reported pursuant to this subdivision to a publicly-accessible webpage; and

(5) Beginning June 1, 2016, reduce its total potable water production by the percentage identified as its conservation standard in this section each month, compared to the amount used in the same month in 2013.

(b) Each urban water supplier's conservation standard pursuant to this section shall be the percentage by which the supplier's total potable water supply is insufficient to meet the total potable water demand in the third year after this section takes effect under the following assumptions:

(1) The next three years' precipitation is the same as it was in water years 2013-2015;

(2) No temporary change orders that increase the availability of water to any urban water supplier are issued in the next three years;

(3) The supplier's total potable water demand for each of the next three years will be the supplier's average annual total potable water production for the years 2013 and 2014;

(4) The supplier's total potable water supply shall include only water sources of supply available to the supplier that could be used for potable drinking water purposes;

(5) Each urban water supplier's conservation standard shall be calculated as a percentage and rounded to the nearest whole percentage point.

(c) The Board will reject conservation standards that do not meet the requirements of this section.

(d) Beginning June 1, 2016, each urban water supplier shall comply with the conservation standard it identifies and reports pursuant to this section.

(e) Compliance with the conservation standard reported pursuant to this section shall be measured monthly and assessed on a cumulative basis through January 2017.

(f) If a wholesaler and all of its urban water supplier customers agree, in a legally-binding document, those suppliers and wholesaler may submit to the board, in lieu of the individualized self-certified conservation standard applicable pursuant to section 864.5 or section 865, an aggregated conservation standard, with all supporting documentation required for individualized self-certified conservation standards by section 864.5.

(g) Each urban water wholesaler shall calculate, to the best of its ability, and no later than June 15, 2016, the volume of water that it expects it would deliver to each urban water supplier in each of the next three years under the assumptions identified in subdivision (b), and post that calculation, and the underlying analysis, to a publicly-accessible webpage.

(h) Submitting any information pursuant to this section that the person who submits the information knows or should have known is materially false is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(i) Any urban water supplier that does not comply with this section shall comply with the applicable conservation standard identified in section 865.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; Light v. State Water Resources Control Board (2014) 226 Cal.App.4th 1463.

Sec. 865. Mandatory Actions by Water Suppliers.

(a) As used in this ~~section~~article:

(1) "Distributor of a public water supply" has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.

(2) "R-GPCD" means residential gallons per capita per day.

(3) "Total potable water production" means all potable water that enters into a water supplier's distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outside the supplier's service area.

(4) "Urban water supplier" means a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(5) "Urban water wholesaler" means a wholesaler of water to more than one urban water supplier.

(6) "Water year" means the period from October 1 through the following September 30. Where a water year is designated by year number, the designation is by the calendar year number in which the water year ends.

(b) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's ~~November 13, 2015~~May 9, 2016 Executive Order, each urban water supplier that fails to identify a conservation standard as required under section 864.5, or that has a conservation standard rejected by the Board under section

864.5, shall reduce its total potable water production by the percentage identified as its conservation standard in this subdivision section. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

~~(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years' reserved supply available, may submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years' reserved supply available.~~

(32) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(43) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(54) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(65) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(76) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(87) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(98) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

~~(109)~~ Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier that does not submit a self-certification in compliance with section 864.5 shall comply with the conservation standard specified in subdivision (c), with any modifications to the conservation standard pursuant to subdivision (f) applying beginning March 1, 2016.

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis through ~~October 2016~~ January 2017.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its

potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.

(2) Submitting any information pursuant to subdivision (e)(1)(B) or (C) of this section that is found to be materially false by the Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f) In consideration of the differences in climate affecting different parts of the state, growth experienced by urban areas and significant investments that have been made by some suppliers towards creating new, local, drought-resilient sources of potable water supply, an urban water supplier's conservation standard identified in subdivision (c) shall be reduced by an amount, not to exceed eight (8) percentage points total, as follows:

(1) For an urban water supplier whose service area evapotranspiration (ET_o) for the months of July through September exceeds the statewide average evapotranspiration, as determined by the Board, for the same months by five (5) percent or more, the supplier's conservation standard identified in subdivision (c) shall be reduced:

(A) By two (2) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by five (5) percent or more but less than ten (10) percent;

(B) By three (3) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by ten (10) percent or more but less than twenty (20) percent;

(C) By four (4) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by twenty (20) percent or more.

(D) Statewide average evapotranspiration is calculated as the arithmetic mean of all urban water suppliers' service area default evapotranspiration values for the months of July through September. Default service area evapotranspiration will be based on the California Irrigation Management System (CIMIS) ET_o Zones Map zone for which the supplier's service area has the greatest area of overlap. In lieu of applying its default service area evapotranspiration, a supplier may use specific data from CIMIS stations within its service area that have at least a five-year period of record, or a three year continuous period of record, to identify a more specifically-applicable evapotranspiration

for its service area. If no CIMIS station exists within the supplier's service area, a weather station of comparable accuracy, meeting the preceding period of record requirements, may be used. To qualify for the in-lieu climate adjustment, the supplier shall submit the following data to the Board by March 15, 2016 for each station: station ID; station location; and monthly average evapotranspiration, in inches per month, for July, August, and September for either the five-year period of record or the three-year continuous period of record.

(2) To account for water efficient growth experienced in the state since 2013, urban water suppliers' conservation standards shall be reduced by the product of the percentage change in potable water production since 2013 and the percentage reduction in potable water use required pursuant to subdivision (c), rounded to the nearest whole percentage point. Change in potable water production since 2013 shall be calculated as the sum of the following:

(A) The number of additional permanent residents served since January 1, 2013, multiplied by the average residential water use per person for that supplier's service area during the months of February through October, 2015, in gallons; and

(B) The number of new commercial, industrial and institutional connections since January 1, 2013, multiplied by the average commercial, industrial and institutional water use per connection for that supplier's service area during the months of February through October, 2015, in gallons.

(C) To qualify for the growth credit the supplier shall submit to the Board the following data by March 15, 2016: the number of additional permanent residents served since January 1, 2013 and the number of new commercial, industrial and institutional connections since January 1, 2013.

(3) For an urban water supplier that supplies, contracts for, or otherwise financially invests in, water from a new local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, the conservation standard identified in subdivision (c) shall be reduced:

(A) By one (1) percentage point if the supplier's qualifying source of supply is one (1) percent or more but less than two (2) percent of the supplier's total potable water production;

(B) By two (2) percentage points if the supplier's qualifying source of supply is two (2) percent or more but less than three (3) percent of the supplier's total potable water production;

(C) By three (3) percentage points if the supplier's qualifying source of supply is three (3) percent or more but less than four (4) percent of the supplier's total potable water production;

(D) By four (4) percentage points if the supplier's qualifying source of supply is four (4) percent or more but less than five (5) percent of the supplier's total potable water production;

(E) By five (5) percentage points if the supplier's qualifying source of supply is five (5) percent or more but less than six (6) percent of the supplier's total potable water production;

(F) By six (6) percentage points if the supplier's qualifying source of supply is six (6) percent or more but less than seven (7) percent of the supplier's total potable water production;

(G) By seven (7) percentage points if the supplier's qualifying source of supply is seven (7) percent or more but less than eight (8) percent of the supplier's total potable water production;

(H) By eight (8) percentage points if the supplier's qualifying source of supply is eight (8) percent or more of the supplier's total potable water production.

(I) To qualify for this reduction the supplier must certify, and provide documentation to the Board upon request demonstrating, the percent of its total potable water production that comes from a local, drought-resilient source of supply developed after 2013, the supplier's investment in that local, drought-resilient source of supply, and that the use of that supply does not reduce the water available to another legal user of water or the environment. To qualify for this reduction an urban water supplier shall submit the required certification to the Board by March 15, 2016.

(J) Certifications that do not meet the requirements of subdivision (f)(3)(I), including certifications for which documentation does not support that the source of supply is a local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, will be rejected. Submitting a certification or supporting documentation pursuant to subdivision (f)(3)(I) that is found to be materially false by the Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(4) No urban water supplier's conservation standard pursuant to this section shall drop below eight (8) percent as a consequence of the reductions identified in this subdivision. ~~No reduction pursuant to this subdivision shall be applied to any urban water supplier whose conservation standard is four (4) percent based on subdivision (e)(2).~~

(g)(1) To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall ~~take one or more of the following actions:~~

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control; and

~~———(A) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or~~

~~———(B) Reduce by 25 percent its total potable water production relative to the amount produced in 2013.~~

(2) Each distributor of a public water supply that is not an urban water supplier shall submit a report by ~~September~~ December 15, 2016, on a form provided by the Board, that either confirms compliance with subdivision (g)(1)(A) or identifies total potable water production, by month, from December, 2015 through ~~August~~ November, 2016, and total potable water production, by month, for the same months in 2013, and any actions taken by the supplier to encourage or require its customers to conserve water.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 864.5 or section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article by the Board or an officer or employee of the Board is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 864.5 or 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

(c) Orders issued under previous versions of this ~~subdivision~~section shall remain in effect and shall be enforceable as if adopted under this version. Changes in the requirements of this article do not operate to void or excuse noncompliance with orders issued before those requirements were changed.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

ORDINANCE NO. 1007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA ADOPTING MODIFICATIONS TO THE WATER CONSERVATION PROGRAM, AND AMENDING SECTION 14.04.720. CODE CHANGE 2016-04.

WHEREAS, the City of Norco ("City") owns and operates a public water system, serves more than 3,000 customers, is considered an "urban water supplier" as defined in Water Code section 10617, and is subject to the Urban Water Management Planning Act; and

WHEREAS, California is currently in the fifth year of a significant drought resulting in severe impacts to California's water supplies and its ability to meet all of the demands for water in the state; and

WHEREAS, Governor Edmund G. Brown, Jr. declared a state of emergency on January 17, 2014, and due to continuing dry conditions, a continued state of emergency was declared on April 1, 2015; and

WHEREAS, Water Code section 1058.5 grants the State Water Resources Control Board ("SWRCB") the authority to adopt emergency regulations in years when the Governor has declared an emergency based upon water shortage conditions; and

WHEREAS, on July 15, 2014 and May 5, 2015, the SWRCB formally adopted emergency rulemaking to enact emergency regulations for urban water suppliers; and

WHEREAS, the emergency regulations adopted by the SWRCB prohibit certain types of potable water use, order all urban water suppliers to implement mandatory conservation measures, and order water suppliers with 3,000 or more service connections to provide monthly data on water production; and

WHEREAS, On May 9, 2016, Governor Brown issued an executive order that directs the SWRCB to adjust and extend the emergency water conservation regulations through the end of January 2017 in recognition of differing water supply conditions for many communities; and

WHEREAS, on May 18, 2016, the SWRCB formally adopted additional emergency regulations to permanently prohibit certain water wasting activities; and

WHEREAS, the Public Works Department is seeking City Council approval to adopt required modifications to the City's Water Conservation Program Ordinance in order to be in compliance with current SWRCB guidelines.

NOW THEREFORE, IT IS HEREBY ORDAINED by the City of Norco that the Municipal Code be amended, effective immediately, as follows:

Section 14.04.700 Declaration of Necessity and Intent.

The City of Norco water supplies are required to be put to their maximum beneficial use. Water conservation is required even in the best of times, and wasteful or unreasonable uses must be prevented. Water conservation must be practiced so that adequate and reliable water supplies are available to serve customers of the City. The provisions of Section 14.04.700 shall supercede any inconsistent provisions of the Municipal Code.

Established the following five (5) Water Shortage Response Levels to be implemented in response to worsening water shortage conditions or decreasing water supplies:

Level 1 – Water Shortage Watch. Use restrictions are based on Ordinance 397, Water Conservation, Chapter XXI, Section 14.04.650 of the Norco Municipal Code.

Level 2 – Water Shortage Caution. Use restrictions are mandatory with a conservation target of up to 20%.

Level 3 – Water Shortage Alert. Use restrictions are mandatory with a conservation target of up to 30%.

Level 4 – Water Shortage Critical. Use restrictions are mandatory with a conservation target of up to 40%.

Level 5 – Water Shortage Emergency. Use restrictions are mandatory with a conservation target of more than 50%.

During Water Shortage Response Levels 2 – 5, violations of the water use restrictions cited in this Water Conservation Program and Water Allocation Targets listed in Water Shortage Levels 4-5 set forth in Section 14.04.770.

Section 14.04.710 Application of Regulation.

These regulations shall apply to all customers, water users, and premises served by the City of Norco, wherever situated, and shall also apply to all premises and facilities owned, maintained, operated, administered, or under the jurisdiction of the City.

14.04.720 Water Conservation and Unreasonable Uses of Water.

- a. It shall be unlawful at any time for any Person to make, cause, or use or permit the use of water from the City for residential, commercial, industrial, institutional, agricultural, irrigation, governmental, or any other purpose in a manner contrary

to any mandatory provision of this resolution, or in an amount in excess of that use permitted by the Water Shortage Response Levels which are in effect pursuant to this resolution or by action taken by the City Council in accordance with this resolution. The water conservation and supply shortage response measures set forth in this ~~Section 2.0~~ section shall be in effect at all times and subject to the penalties herein.

~~b. It shall be unlawful at any time for any Person to waste water or to use it unreasonably. Unreasonable uses of water shall include, but are not limited to, the following practices:~~

- ~~1. Allowing water to flow from the Person's property onto adjacent properties or public or private roadways or streets due to excessive irrigation and/or uncorrected leaks;~~
- ~~2. Failing to repair a water leak;~~
- ~~3. Using water to wash down sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas, except to alleviate immediate safety or sanitation hazards;~~
- ~~4. Watering lawns and/or groundcovers and irrigating landscaping between the hours of 8:00 a.m. and 8:00 p.m.~~

b. To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

1. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
2. The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
3. The application of potable water to driveways and sidewalks;
4. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;
5. Watering lawns and/or groundcovers and irrigating landscaping between the hours of 8:00 a.m. and 8:00 p.m.

6. The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;
 7. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
 8. The irrigation with potable water of ornamental turf on public street medians; and
 9. The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
- c. To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.
- d. Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 864.5 or 865 of this article, shall either:
1. Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or
 2. Target potable water use reductions commensurate with those required of the nearest urban water supplier under section 864.5 or, if applicable, section 865. Where this option is chosen, these properties shall implement the reductions on or before July 1, 2016.
- e. The taking of any action prohibited in subdivision (b) or (f), or the failure to take any action required in subdivision (c) or (d), is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.
- f.(1) To prevent the waste and unreasonable use of water and to promote water conservation, any homeowners' association or community service organization or similar entity is prohibited from:

- a. Taking or threatening to take any action to enforce any provision of the governing documents or architectural or landscaping guidelines or policies of a common interest development where that provision is void or unenforceable under section 4735, subdivision (a) of the Civil Code; or
- b. Imposing or threatening to impose a fine, assessment, or other monetary penalty against any owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in section 4735, subdivision (c) of the Civil Code.

f.(2) As used in this subdivision:

- a. “Architectural or landscaping guidelines or policies” includes any formal or informal rules other than the governing documents of a common interest development.
- b. “Homeowners’ association” means an “association” as defined in section 4080 of the Civil Code.
- c. “Common interest development” has the same meaning as in section 4100 of the Civil Code.
- d. “Community service organization or similar entity” has the same meaning as in section 4110 of the Civil Code.
- e. “Governing documents” has the same meaning as in section 4150 of the Civil Code.
- f. “Separate interest” has the same meaning as in section 4185 of the Civil Code.

f.(3) If a disciplinary proceeding or other proceeding to enforce a rule in violation of subdivision f.(1) is initiated, each day the proceeding remains pending shall constitute a separate violation of this regulation.

- g. A Water Shortage Response Level shall be determined by the City Council in accordance with the provisions of the Water Conservation Program. A Water Shortage Response Level shall remain in full force and effect until otherwise determined or discontinued by resolution of the City Council.
- h. The City may declare a Water Shortage Emergency (Level 5) during any Water Shortage Response Level.

- i. During Water Shortage Response Levels Two (2) through Five (5), the water conservation and supply shortage response measures are mandatory, and violations are subject to administrative, civil, and criminal, penalties and remedies as specified in this resolution and by State law.

14.04.730 Water Shortage Response Level 1 – Water Shortage Watch Condition.

- a. A Water Shortage Response Level 1 condition is also referred to as a “Water Shortage Watch” condition. A Level 1 condition applies when the City Council requests all water users to voluntarily reduce their water use up to ten (10) percent to ensure that sufficient supplies will be available to meet anticipated demands. The City Council shall declare the existence of a Water Shortage Response Level 1 by the adoption of a resolution, and the City Manager or designee shall implement the Level 1 conservation practices,
- b. During a Level 1 Water Shortage Watch condition, the City shall increase its public education and outreach efforts to enhance awareness of the need to implement the following water conservation practices:
 1. Do not use water to wash down sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas, except to alleviate immediate safety or sanitation hazards.
 2. Adjust sprinklers and irrigation systems to avoid overspray, runoff, and waste. Customers should also avoid watering on windy days.
 3. Irrigate all landscapes before dawn, if possible, but never between 8:00 a.m. and 8:00 p.m. Use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas that are not irrigated by a landscape irrigation system.
 4. Agricultural users are requested to reduce water usage and to consult with the local Resource Conservation District as needed or industry associations in their area for appropriate water conservation measures and to implement them as soon as possible.
 5. Residents are urged to design and install water-wise landscaping utilizing native and other drought-tolerant plant materials and minimize turf areas for permanent water conservation.
 6. Developers of commercial properties are urged to design and install water-wise landscaping utilizing native and other drought-tolerant plant materials and minimize turf areas for permanent water conservation, as required by City landscape ordinances.

7. Install water-saving devices in indoor plumbing.
8. Check faucets, toilets, and pipes, both indoors and outdoors, for leaks and repair them immediately.
9. Use re-circulated water to operate decorative fountains, ponds, lakes or other similar aesthetic structures.
10. Wash motor vehicles, trailers, boats, and all other mobile equipment using a bucket or a hand-held hose with a positive shut-off nozzle, mobile high-pressure/low-volume wash system, or at a commercial site that re-circulates (reclaims) water onsite. Avoid washing during hot conditions when additional water is required due to evaporation.
11. Restaurants or other public places where food is served shall not serve drinking water to any customer unless requested by a customer.
12. Irrigation is prohibited during and for 48 hours after any measurable rainfall.
13. Operators of hotels and motels must provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

14.04.740 Water Shortage Response Level 2 – Water Shortage Caution Condition.

- a. A Water Shortage Response Level 2 condition is also referred to as a “Water Shortage Caution” condition. A Level 2 condition applies when the City Council mandates all water users to reduce their water use more than ten (10) percent and up to twenty (20) percent to ensure that sufficient supplies will be available to meet anticipated demands. The City Council shall declare the existence of a Water Shortage Response Level 2 by the adoption of a resolution, and the City Manager or his/her designee shall implement the Level 2 conservation practices.
- b. All persons using water provided from the City shall comply with Level 1 “Water Shortage Watch” water conservation practices during a Level 2 water shortage and shall also comply with the following additional conservation measures:
 1. Whether irrigated with potable or non-potable water, limit all ornamental and turf irrigation to four (4) days per week for no more than ten (10) minutes per station per day. This provision does not apply to functional turf areas such as athletic fields at schools and parks.

2. Ornamental landscape or turf that utilizes properly operating water-efficient devices which include, but are not limited to, drip/micro irrigation systems, stream rotor sprinklers, and are operated by a functional irrigation controller, may upon verification by the City or its representative, be irrigated for up to thirty (30) minutes per station on the days authorized for landscape irrigation.
3. Verification and repair of all leaks shall occur within seventy-two (72) hours of notification by the City unless other arrangements are approved by the City Manager or designee.

14.04.750 Water Shortage Response Level 3 – Water Shortage Alert Condition.

- a. A Water Shortage Response Level 3 condition is also referred to as a “Water Shortage Alert” condition. A Level 3 condition applies when the City Council mandates all water users to reduce their water use more than twenty (20) percent and up to thirty (30) percent to ensure that sufficient supplies will be available to meet anticipated demands. The City Council shall declare the existence of a Water Shortage Response Level 3 by the adoption of a resolution, and the City Manager or designee shall implement the Level 3 conservation practices.
- b. All persons using water provided from the City shall comply with Level 1 “Water Shortage Watch” and Level 2 “Water Shortage Caution” conservation practices during a Level 3 “Water Shortage Alert” condition and shall also comply with the following additional mandatory conservation measures:
 1. Whether irrigated with potable or non-potable water, limit all ornamental and turf irrigation to three (3) days per week for no more than ten (10) minutes per station per day.
 2. Ornamental landscape or turf that utilizes properly operating water-efficient devices which include, but are not limited to, drip/micro irrigation systems, stream rotor sprinklers, and are operated by a functional irrigation controller, may upon verification by the City or its representative, be irrigated for up to twenty (20) minutes per station on the days authorized for landscape irrigation.
 3. The following irrigation schedule will be implemented and enforced: odd addresses (the last digit is an odd number) may irrigate on Monday, Wednesday and Friday. Even addresses (the last digit is an even number) may irrigate on Tuesday, Thursday and Saturday. There will be no authorized landscape irrigation on Sunday.

4. An alternative three (3)-day schedule may be requested for irrigation of functional turf areas at schools and parks.
5. Vehicles may only be washed at commercial carwashes that recirculate water or by high-pressure/low-volume wash devices.
6. Potable water may not be used for construction purposes. Non-potable and/or recycled water must be utilized.
7. Verification and repair of all leaks shall occur within forty-eight (48) hours of notification by the City.

14.04.760 Water Shortage Response Level 4 – Water Shortage Critical Condition.

- a. A Water Shortage Response Level 4 condition is also referred to as a “Water Shortage Critical” condition. A Level 4 condition applies when the City Council mandates all water users reduce their water use more than thirty (30) percent and up to forty (40) percent to ensure that sufficient supplies will be available to meet anticipated demands. The City Council shall declare the existence of a Water Shortage Response Level 4 by the adoption of a resolution, and the City Manager or designee shall implement the Level 4 conservation practices identified in this ordinance.
- b. All persons using water provided by the City shall comply with Level 1 “Water Shortage Watch,” Level 2 “Water Shortage Caution,” and Level 3 “Water Shortage Alert” conservation practices during a Level 4 “Water Shortage Critical” condition and shall also comply with the following additional mandatory conservation measures:
 1. Whether irrigated with potable or non-potable water, limit all irrigation to two (2) days per week for no more than ten (10) minutes per station per day. Exemptions include:
 - a. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated. If fire protection landscaping is not sustainable by irrigation two (2) days per week, irrigation may be increased to not more than three (3) days per week;
 - b. Maintenance of existing landscaping for erosion control may be irrigated up to three (3) days per week;
 - c. Watering of livestock and other animals;

- d. Public works projects that support public health and safety; and
 - e. Actively irrigated environmental mitigation projects
2. Ornamental landscape or turf that utilizes properly operating water-efficient devices which include, but are not limited to, drip/micro irrigation systems, stream rotor sprinklers and are operated by a functional irrigation controller, may upon verification by the City or its representative, be irrigated for up to ten (10) minutes per station on the days authorized for landscape irrigation.
 3. The following irrigation schedule will be implemented and enforced: odd addresses (the last digit is an odd number) may irrigate on Monday and Thursday. Even addresses (the last digit is an even number) may irrigate on Tuesday and Friday. There will be no authorized landscape irrigation on Wednesday, Saturday, and Sunday.
- c. Upon the declaration of a Water Shortage Response Level 4 Water Shortage Critical condition, no new temporary construction meters shall be provided, no statements of immediate ability to serve or provide potable water service such as letters ("Will Serve") of water availability shall be issued. No new potable water services or meters shall be provided, except under the following circumstances:
1. A valid, unexpired building permit has been issued for a portion of a project for which construction is in progress.
 2. The project is necessary to protect the public's health, safety, and welfare as determined by the City Council; or
 3. The applicant provides substantial evidence to the satisfaction of the City of an enforceable commitment that water demands for the project will be offset by one hundred twenty-five (125%) percent prior to the provision of a new water meter(s). This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted for a period of one year or less.
- d. Upon the declaration of a Water Shortage Response Level 4 condition, the City will suspend consideration of annexations to its service area, unless the annexation increases the water supply available to the City by more than the anticipated demands of the property to be annexed

- e. To increase conservation, the City may establish a water allocation for property served. The following method will be utilized which accounts for general public health and safety.

1. Residential and Multi-family Customers

- a. The City Council will determine the Water Allocation Target percentage for residential accounts in the resolution adopting a Level 4 “Water Shortage Response.”
- b. This calculation will not apply to any residential account that uses less than ten (10) units in the billing period to ensure water is provided for public health and safety. A residential Water Allocation Target will be calculated for each account by comparing the current billing period usage to the same period in the previous year.
- c. If the residential account uses more water than the Water Allocation Target amount, a penalty will be applied as noted in Article 9.

2. Commercial Customers

- a. The City Council will determine the Water Allocation Target percentage for Commercial accounts in the resolution adopting a Level 4 “Water Shortage Response.”
- b. A Commercial Water Allocation Target will be calculated for each account by comparing the current billing period usage to the same period in the previous year.
- c. If the Commercial account uses more water than the Water Allocation Target amount, said commercial account shall be subject to the penalties set forth herein.
- d. Dedicated irrigation accounts must reduce their usage by a minimum of fifty percent (50%). The amount may be adjusted by a resolution of the Board of Directors as deemed necessary to meet water supply demands.
- e. An application may be made to the City Council for a variance from the Water Allocation Target.

14.04.770 Water Shortage Response Level 5 – Water Shortage Emergency Condition.

- a. A Water Shortage Response Level 5 condition is also referred to as a “Water Shortage Emergency” condition. A Level 5 condition applies when the City

Council declares a water shortage emergency pursuant to California Water Code section 350, et seq. or due to other increasing reductions in the City's water supplies resulting in a shortage of more than forty (40) percent. Customers are required to reduce their water consumption more than forty (40) percent to ensure that sufficient supplies will be available to meet anticipated demands. The City Council shall declare a Water Shortage Emergency in the manner and on the grounds provided in California Water Code section 350, et seq. The City Council shall declare the existence of a Water Shortage Response Level 5 by the adoption of a resolution, and the City Manager or designee shall implement the Level 5 conservation practices.

- b. All persons using water provided from the City shall comply with conservation measures required during Level 1 "Water Shortage Watch," Level 2 "Water Shortage Caution," Level 3 "Water Shortage Alert," and Level 4 "Water Shortage Critical" conditions and shall also comply with the following additional mandatory conservation measures:
- c. To increase conservation, the City may establish a water allocation for the property served. The following method will be utilized which accounts for general public health and safety.

1. Residential and Multi-family Customers

- a. The City Council will determine the Water Allocation Target percentage for residential accounts in the resolution adopting a Level 5 "Water Shortage Response."
- b. This calculation will not apply to any residential accounts that use less than ten (10) units in the billing period to ensure water is provided for public health and safety.
- c. A residential Water Allocation Target will be calculated for each account by comparing the current billing period usage to the same period in the previous year.
- d. If the residential account uses more water than the Water Allocation Target amount, said residential accounts shall be subject to the penalties set forth herein.

2. Commercial Customers

- a. The City Council will determine the Water Allocation Target percentage for Commercial accounts in the resolution adopting a Level 5 "Water Shortage Response."

- b. A Commercial Water Allocation Target will be calculated for each account by comparing the current billing period usage to the same period in the previous year.
- c. If the Commercial account uses more water than the Water Allocation Target amount, said commercial account shall be subject to the penalties set forth herein.
- d. Dedicated irrigation accounts must reduce their usage by fifty percent (50%). The amount may be adjusted by a resolution of the City Council as deemed necessary to meet water supply demands.
- e. An application may be made to the City Council for a variance from the Water Allocation Target.

14.04.780 Procedures for Determination and Notification of Water Shortage Response Level.

- a. City Manager shall monitor water shortage conditions and regulations, as well as evaluate the supply and demand for water by its customers, and shall recommend the Water Shortage Response Level to be declared by the members of the City Council by Resolution.
- b. Upon declaration by the City Council of the existence of a Water Shortage Response Level 1 "Watch" condition the City shall post notice of the condition on its website.
- c. Upon declaration by the City Council of the existence of Water Shortage Response Level 2 "Water Shortage Caution," Level 3 "Water Shortage Alert," Level 4 "Water Shortage Critical", or Level 5 "Water Shortage Emergency", the mandatory conservation measures applicable to Water Shortage Response Levels 2, 3, 4, or 5 conditions shall take effect on the tenth (10) day after the date the response level is declared or as required by State law. If the City establishes a water allocation in response to a Water Shortage Response Level 2, 3, 4, or 5 condition, it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the City customarily mails the billing statement for fees or charges for ongoing water service. The City shall also post notice on the City's website. Water allocation shall be effective on the fifth (5) day following the date of mailing or at such later date as specified in the notice.
- d. The City Council may declare an end to a Water Shortage Response Level by the adoption of a Resolution at any regular or special meeting.

14.04.790 Violations and Penalties.

- a. Any person, who uses, causes to be used, or permits the use of water in violation of Sections 14.04.700 through 14.04.760 is guilty of an offense punishable as provided herein.
- b. The City will make a reasonable effort to assist customers with compliance. Reasonable efforts include, but are not limited to, personal contact, door hanger, letter, email and via telephone whenever possible to notify customers of any violation.
- c. Each day that a violation of this ordinance occurs is a separate offense.
- d. Civil penalties shall be imposed for each violation including both water use restrictions specifically cited in this Program in Water Shortage Levels 2-5 and Water Allocation Target violations as listed in Water Shortage Levels 4-5 as follows:
 1. Twenty five dollars (\$25.00) for a first violation. Water usage between 1-20 units in excess of the Water Allocation Target during a single billing cycle shall also constitute a first violation.
 2. Fifty dollars (\$50.00) for a second violation of any provision of this resolution within one year of the date of the first violation. Water usage between 21-50 units in excess of the Water Allocation Target during a single billing cycle shall also constitute a second violation.
 3. One hundred dollars (\$100.00) for a third violation of this resolution within one year of the date of the first violation. Water usage between 51-100 units in excess of the Water Allocation Target during a single billing cycle shall also constitute a third violation.
 4. Two hundred dollars (\$200.00) for a fourth violation of this resolution within one year of the first violation. Water usage between 101-300 units in excess of the Water Allocation Target during a single billing cycle shall also constitute a fourth violation.
 5. Five hundred dollars (\$500.00) for a fifth violation of this resolution within one year of the first violation. Water usage over 300 units in excess of the Water Allocation Target during a single billing cycle shall also constitute an additional violation, in excess of four.
 6. When a civil penalty is to be imposed, the customer will be given written notice of the penalty to be imposed. Within seven (7) days after delivery of such notice, the customer may submit a written request to the City

requesting a hearing by the City Manager or designee and an opportunity to present evidence that a violation has not occurred. Within seven (7) business days after the hearing, the City Manager or designee shall render a decision in writing to the customer that requested the hearing. Upon receipt of the written decision, the customer shall have seven (7) days to appeal the decision to the City Council. The City Council shall then schedule the matter for consideration at a regular or special meeting of the City Council and render its decision, which shall be a final decision.

- e. Violation is further subject to enforcement through the installation of a flow-restricting device at the meter.
- f. In addition to the above civil penalties, each violation of this code is subject to Chapter 1.04 of the Municipal code.
- g. Willful violations of the mandatory conservation measures and water-use restrictions applicable during a Level 5 Water Shortage Emergency condition may be enforced by discontinuing service to the property at which the violation occurs.

PASSED AND ADOPTED by the City Council at a regular meeting held on September 21, 2016.

Kevin Bash, Mayor
City of Norco, California

ATTEST:

Cheryl L. Link, City Clerk
City of Norco, California

I, CHERYL LINK, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on September 7, 2016 and thereafter at a regular meeting of said City Council duly held on September 21, 2016, it was duly passed and adopted by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on September 21, 2016.

Cheryl L. Link, City Clerk
City of Norco, California

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Steve King, Planning Director 

DATE: September 7, 2016

SUBJECT: **Ordinance No. 1008, First Reading.** Specific Plan 91-02 Amendment 7 (City of Norco): A proposal to amend the regulations for the Equestrian Residential District of the Norco Hills Specific Plan with regards to the allowed lot and pad area coverage.

RECOMMENDATION: Adopt **Ordinance No. 1008** for first reading and schedule the second reading for September 21, 2016.

SUMMARY: The proposed specific plan amendment will make existing lots in Tract 25779 (Norco Hills) more accommodating to animal-keeping by protecting open animal areas on those lots where animal keeping is allowed and by including pools and coping areas around them as accessory structures in the lot coverage calculations. At its meeting in July 27, 2016, the Planning Commission recommended approval with the added requirement that the open animal area be at least 24 feet on each side.

BACKGROUND: On April 15, 2015 the City Council adopted an amendment to the A-1 zone to include pools and a five-foot coping area around them into the lot coverage calculations when addressing the allowed sizes for accessory structures. The same, however, was not done for lots in the Norco Ridge Ranch Specific Plan (NRRSP) because all of those lots already have protected and recorded primary animal-keeping areas (PAKA). The same also was not done for the Norco Hills Specific Plan (NHSP) because the lot coverage calculations are done differently in that specific plan from the way it is done in either the A-1 zone or NRRSP; and there is no requirement to preserve an open animal area in the NHSP as is required in the other two. The City Council directed the Planning Commission to investigate an amendment to the NHSP to include pools in the lot coverage analysis for those lots also.

ANALYSIS: The NHSP was designed and mass-graded to protect the hillside terrain as opposed to maximizing animal-keeping on individual lots:

C. Regulations

1. Equestrian Residential District

h. Grading

The purpose of the grading regulations is to reduce grading and minimize scarring of natural hillside areas on both private property and street right-of-way.

i. Animal Keeping

3) Facilities:

To insure that the development of animal keeping facilities do not visually detract from the physical setting of the area, the following is required:

(c) If the minimum City requirements for size, setbacks and grading for paddocks cannot be met for any reason, animal keeping units shall be prohibited on that lot.

As a result there are several properties in the NHSP that have small flat pad areas relative to large lots that contain a lot of hillside. Amendment 1 to the NHSP established the allowed animal units for each individual lot based on the amount of slope area. This is different from the procedure used in the A-1 zone where the number of animal units is based on the size of the lot regardless of sloped areas. For this reason, the lot coverage calculations for residences and accessory buildings in the NHSP are calculated separately as opposed to in the A-1 zone where they are calculated together.

In the NHSP the lot coverage for the residential structure is limited to 15% of the entire lot square-footage. However, the allowed coverage for all accessory buildings is 30% of the just the flat pad area (the residential structure square-footage is not included in the coverage calculation for accessory buildings on the flat pad).

Even as the lot coverage calculations for the residence and accessory structures are calculated separately the reality is that most of the lots would not be able to accommodate all of the allowed coverage because the flat pad area is just too small. The attached exhibit (ref. Exhibit A) shows two existing lot configurations for lots in the NHSP. The first example is just over 1.5 acres but has a lot of slope area and the second is almost 21,000 square feet but is entirely flat. Both have fairly large houses on relatively small flat pad areas.

The first example shows a situation similar to an existing lot where the lot size is 1.51 acres but the sloped portion represents almost 73% of it (47,806 s.f.). The flat pad area in this example is roughly 17,970 square feet and on that is an existing 4,200 square-foot home. There is also a pool and coping area that is about 980 square feet. The second example is similar to a lot that is entirely flat and has a 3,719 sq. ft. house on it.

In these two examples which are similar to circumstances throughout the NHSP, the allowed coverage for accessory structures (30% of the flat pad) exceeds the amount of area available in the rear yard after you remove the area of the residence and the front yard where accessory structures typically are not allowed per the NHSP. After you take out setback areas the maximum allowed areas for accessory structures is reduced to 4,124 and 6,651 square feet respectively. Those areas are the same whether you include the pool in the coverage analysis or not.

The area of a pool only becomes important when there is a requirement to protect an open animal-keeping area. That currently is not a requirement in the NHSP. For many lots it is not feasible to protect an open animal area because they were not designed and graded to accommodate animal-keeping. Out of the original 216 residential lots approved with the NHSP, 49 were designated and approved as non-animal-keeping lots through Amendment 1. Nonetheless there are lots that can accommodate animal keeping and for those the coverage of pools should be considered in the coverage analysis so that the potential for animal-keeping can be maintained.

To make the concept of including the pool coverage in lot coverage calculations effective, there should also be a standard to determine a protection area for animal-keeping on lots where it would apply. The city-wide standard generally is 576 square feet per allowed animal unit. Applying that standard to the NHSP would be based on the allowed number of animal units per lot as defined in Amendment 1. As an example, for the Example Lot 1 where 3 animal units are allowed per NHSP Amendment 1, the open animal area requirement would be 1,728 square feet or 3 times 576 square feet (shown on Exhibit A); and likewise, on Example Lot 2 where 5 animal units are allowed the protected area would be 2,880 s.f.

The proposed specific plan text amendment would be as follows:

C. Regulations
(page 23)

e. Lot Requirements

4) ~~Allowed Animal Unit Recordation~~

~~At time of subdivision, or prior to a building permit, if the lot is existing, the maximum number of animal units shall be determined per this section and recorded with the County Recorder.~~

The number of animal units on a residential lot shall be as set forth in Amendment 1 to Norco Hills Specific Plan and including as amended per Section i.3. of Chapter C (Regulations).

(page 25)

f. On-Site Development Standards

4) Distance Between Buildings

Minimum distance between buildings shall be controlled by the provision of the Uniform Building Code as adopted by reference in Title 15 of the Norco Municipal Code. A minimum distance of 35 feet shall be maintained between paddocks and habitable buildings on an adjacent property.

(page 28)

i. Animal Keeping

1) Numbers Permitted: The number of animal units on a residential lot shall be as set forth in Amendment 1 to Norco Hills Specific Plan and including as amended per Section i.3. of Chapter C (Regulations). ~~The maximum number of animal units (AU, by the Norco Municipal Code) shall be based on the average natural slope. The maximum number of animals based on an apportionment per acres shall be as follows:~~

Table 5

~~Average Natural Slope~~

~~Maximum Number of AU Per 40,000 square-foot lot*~~

~~0—9.9%~~

~~4.0~~

10—10.9%	3.00
20—29.9%	2.00
30—39.9%	1.00
40—+	0.5

~~*Note: Allowable animal units shall be permitted based on lot size rounded to nearest 5,000 square foot increment.~~

(page 29)

i. Animal Keeping

3) Facilities: ~~To insure that animal keeping facilities do not visually detract from the physical setting of the area, the following is required:~~

(a) ~~For each animal unit allowed, a minimum pad area of 240 square feet shall be provided with a finished slope not to exceed 10 percent. For each animal unit over one, there shall be provided a pad area of 100 square feet. For each animal unit over one, there shall be provided a pad area of 100 square feet. Accessory structures, which includes pools and a five-foot coping area around them, shall only be permitted such that after construction there remains on the flat pad area enough open area equal to the allowed number of animal units multiplied by 576 square feet. The flat pad area is all portions of a lot that are graded to a 4% grade or less. The cutting of pad areas beyond pad limits approved in the Tentative Map shall be subject to the administrative approval of the Planning Director. Any newly graded areas at 4% grade or less and in increments of 586 square feet will increase the number of allowed animal units respectively for that lot from the number established in Amendment 1 to this Specific Plan, which will then be taken into consideration when determining allowed coverage for accessory buildings (including pools and a five-foot coping area around them). However, in no case shall pad areas be cut from hillside areas where the ungraded slope exceeds 20 percent. The property owner shall provide a plot plan and any other information required by the Planning Director. Open animal areas shall be minimum 24 feet on each side.~~

FISCAL IMPACT ANALYSIS: n/a

STRATEGIC PLAN IMPACT: This project is consistent with the Mission and Vision Statements to protect an animal-keeping community.

Attachments: Ordinance No. 1008

Exhibit "A" – Example Lots 1 & 2, Norco Hills Specific Plan

ORDINANCE NO. 1008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING AMENDMENT 7 TO SPECIFIC PLAN 91-02 (NORCO HILLS SPECIFIC PLAN) WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO REGULATE ALLOWED LOT AND PAD COVERAGE AREAS IN THE EQUESTRIAN RESIDENTIAL DISTRICT. SPECIFIC PLAN 91-02, AMENDMENT 7.

WHEREAS, the CITY OF NORCO initiated Specific Plan 91-02 Amendment 7, an amendment to the Norco Hills Specific Plan, amending Section III Development Regulations (Chapter C: Regulations) regarding allowed lot and pad coverage in the Equestrian-Residential District; and

WHEREAS, the Specific Plan 91-02 Amendment 7 was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, the Specific Plan Amendment was scheduled for public hearing on July 27, 2016 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, hearing of said Specific Plan Amendment was duly noticed and scheduled for public hearing by the City Council at their meeting of September 7, 2016, on or about 7 p.m. in the Council Chambers of the Norco City Hall, 2820 Clark Avenue, Norco, California, 92860; and

WHEREAS, said City Council held a public hearing and received oral and written testimony pertaining to said Specific Plan Amendment; and

WHEREAS, said City Council adopted for First Reading Ordinance No. 1008 to approve Specific Plan 91-02, Amendment 7; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project is categorically exempt from California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines pursuant to Section 3.13.

NOW, THEREFORE, the City Council of the City of Norco finds as follows:

- A. The proposed Specific Plan Amendment is consistent with, and not contrary to, the Norco General Plan or the Norco Hills Specific Plan since the project establishes new regulations for lot and pad coverage consistent with the intent and purpose of the Equestrian-Residential District of the Norco Hills Specific Plan.

- B. The project (proposed amendment) has been determined to be exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines pursuant to Section 3.13.

NOW, THEREFORE, the City Council of the City of Norco does hereby ordain as follows:

SECTION 1: Specific Plan 91-02, Norco Hills Specific Plan is hereby amended as follows.

III. DEVELOPMENT REGULATIONS

C. Regulations

1. Equestrian Residential District

e. Lot Requirements

4) Allowed Animal Units Recordation

~~At time of subdivision, or prior to a building permit, if the lot is existing, the maximum number of animal units shall be determined per this section and recorded with the County Recorder.~~

The number of animal units on a residential lot shall be as set forth in Amendment 1 to Norco Hills Specific Plan and including as amended per Section i.3. of Chapter C (Regulations).

f. On-Site Development Standards

4) Distance Between Buildings

Minimum distance between buildings shall be controlled by the provision of the Uniform Building Code as adopted by reference in Title 15 of the Norco Municipal Code. A minimum distance of 35 feet shall be maintained between paddocks and habitable buildings on an adjacent property.

i. Animal Keeping

- 1) Numbers Permitted: The number of animal units on a residential lot shall be as set forth in Amendment 1 to Norco Hills Specific Plan and including as amended per Section i.3. of Chapter C (Regulations). The maximum number of animal units (AU, by the Norco Municipal Code) shall be based on the average natural slope. The maximum number of animals based on an apportionment per acres shall be as follows:

Table 5

<i>Average Natural Slope</i>	<i>Maximum Number of AU Per 40,000 square foot lot*</i>
<i>0—9.9%</i>	<i>4.0</i>
<i>10—19.9%</i>	<i>3.00</i>
<i>20—29.9%</i>	<i>2.00</i>
<i>30—39.9%</i>	<i>1.00</i>
<i>40—+</i>	<i>0.5</i>

**Note: Allowable animal units shall be permitted based on lot size rounded to nearest 5,000 square foot increment.*

- 3) **Facilities:** ~~To insure that animal keeping facilities do not visually detract from the physical setting of the area, the following is required:~~
- (a) ~~For each animal unit allowed, a minimum pad area of 240 square feet shall be provided with a finished slope not to exceed 10 percent. For each animal unit over one, there shall be provided a pad area of 100 square feet. For each animal unit over one, there shall be provided a pad area of 100 square feet. Accessory structures, which includes pools and a five-foot coping area around them, shall only be permitted such that after construction there remains on the flat pad area enough open area equal to the allowed number of animal units multiplied by 576 square feet. The flat pad area is all portions of a lot that are graded to a 4% grade or less. The cutting of pad areas beyond pad limits approved in the Tentative Map shall be subject to the administrative approval of the Planning Director. Any newly graded areas at 4% grade or less and in increments of 586 square feet will increase the number of allowed animal units respectively for that lot from the number established in Amendment 1 to this Specific Plan, which will then be taken into consideration when determining allowed coverage for accessory buildings (including pools and a five-foot coping area around them). However, in no case shall pad areas be cut from hillside areas where the ungraded slope exceeds 20 percent. The property owner shall provide a plot plan and any other~~

*information required by the Planning Director.
Open animal areas shall be minimum 24 feet on
each side.*

SECTION 2: EFFECTIVE DATE: This Ordinance shall become effective 30 days after final passage thereof.

SECTION 3: SEVERABILITY: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, and phrase, hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases hereof be declared invalid or unconstitutional.

SECTION 4: POSTING: The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall cause the same within 15 days of its passage to be posted at no less than five public places within the City of Norco.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held September 7, 2016.

Kevin Bash, Mayor
City of Norco, California

ATTEST:

Cheryl Link, City Clerk
City of Norco, California

I, CHERYL LINK, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on September 7, 2016 and thereafter at a regular meeting of said City Council duly held on September 21, 2016, it was duly passed and adopted by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on September 21, 2016.

Cheryl Link, City Clerk
City of Norco, California

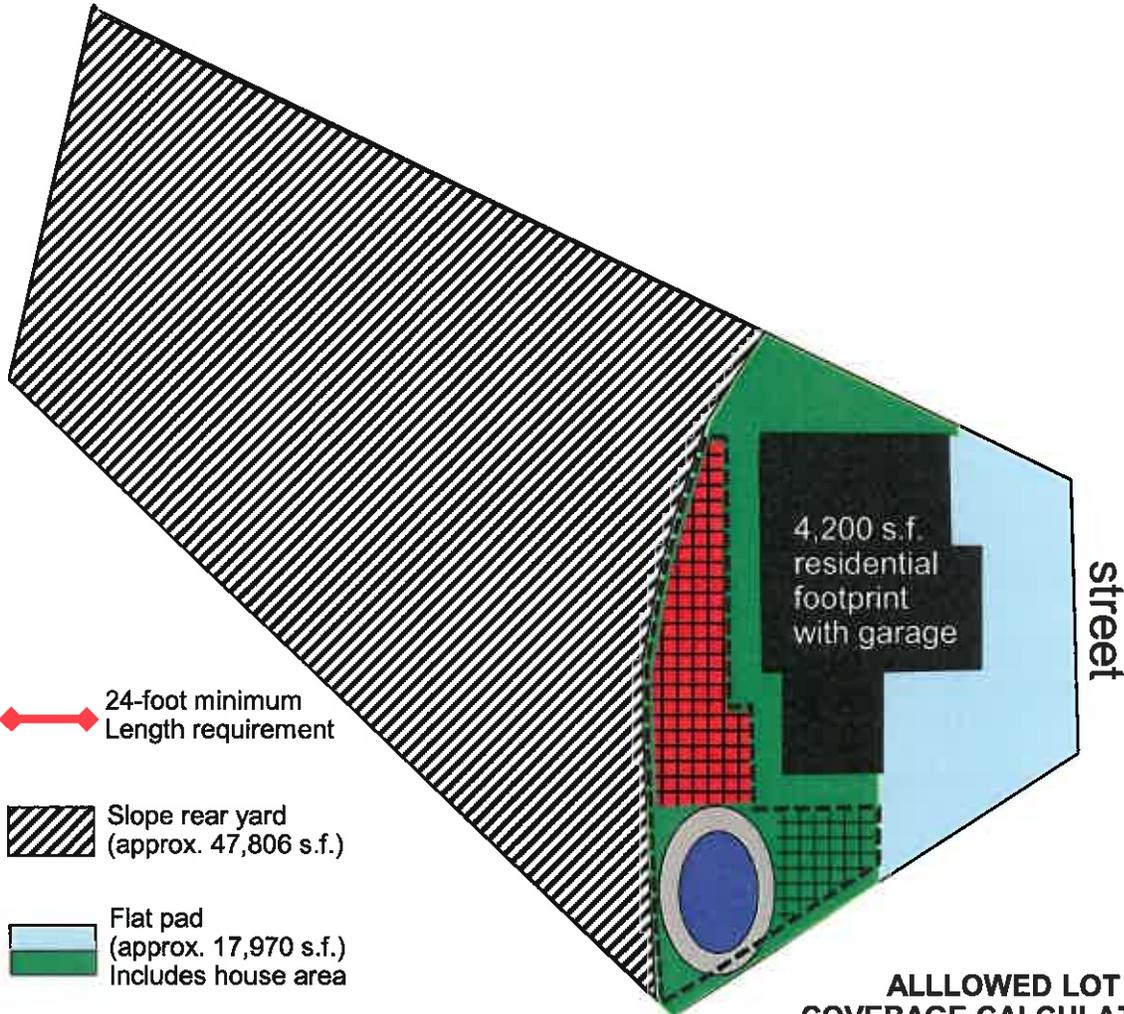
Example Lot 1 Norco Hills Specific Plan

Existing condition.

No accessory structures; existing pool.

1.51 ac. (65,776 s.f.) lot, no PAKA, extensive slope

Allowed 3 animal units



24-foot minimum Length requirement

Slope rear yard (approx. 47,806 s.f.)

Flat pad (approx. 17,970 s.f.) Includes house area

Flat pad/rear yard (approx. 6,940 s.f.) Excludes house area

Pool and coping area (approx. 980 s.f.)

ALLOWED LOT COVERAGE CALCULATIONS
ALLOWANCE PER EXISTING REGULATIONS:

Residence (15% of lot s.f.) = 9,886 s.f.
 Accessory buildings, not including pool/coping (30% of pad s.f.) = 5,391 s.f.

AVAILABLE SPACE:

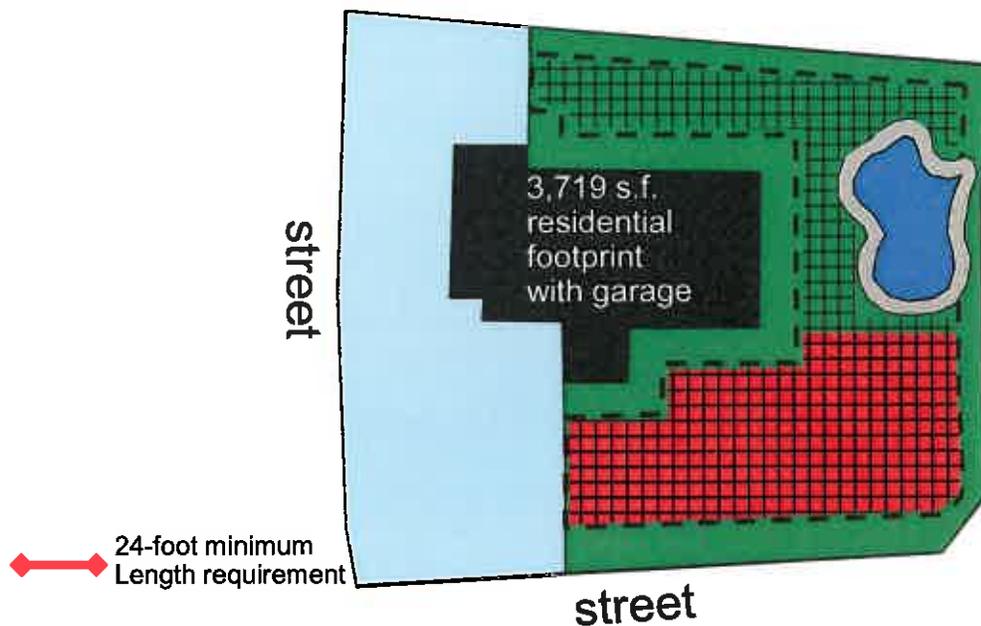
Remainder rear yard accessory building envelope after setback requirements. (4,124 s.f.)

PROPOSED REGULATIONS:

Required open animal area based on allowed number of animal units. (3 X 576 = 1,728 s.f.)

Remainder rear yard accessory building envelope after open animal area, pool, and setback requirements. (1,416 s.f.)

**Example Lot 2 Norco Hills Specific Plan
Existing condition.
No accessory structures; existing pool.
20,909 s.f. lot, no PAKA, no slope
Allowed 5 animal units**



-  Slope rear yard (no slope)
-  Flat pad (29,909 s.f., same as lot) Includes house area
-  Flat pad/rear yard (approx. 11,068 s.f.) Excludes house area
-  Pool and coping area (approx. 1,404 s.f.)

**ALLOWED LOT
COVERAGE CALCULATIONS
ALLOWANCE PER EXISTING REGULATIONS:**

Residence (15% of lot s.f.) = 4,486 s.f.
 Accessory buildings, not including pool/coping (30% of pad s.f.) = 8,973 s.f.

AVAILABLE SPACE:



Remainder rear yard accessory building envelope after setback requirements. (6,651 s.f.)

PROPOSED REGULATIONS:



Required open animal area based on allowed number of animal units. (5 X 576 = 2,880 s.f.)



Remainder rear yard accessory building envelope after open animal area, pool, and setback requirements. (2,367 s.f.)

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Steve King, Planning Director 

DATE: September 7, 2016

SUBJECT: Appeal Hearing: Conditional Use Permit 2016-22 (Podaca):
An appeal of the Planning Commission's approval of a request to allow a detached accessory building consisting of a 2,000 square-foot hobbyshop/storage building at 3596 Pedley Avenue located within the A-1-20 (Agricultural Low Density) Zone

SUMMARY: The request for Conditional Use Permit (CUP) 2016-22 was approved by the Planning Commission on August 10, 2016 but that decision has been appealed to the City Council.

BACKGROUND/ANALYSIS: The subject property is located in the A-1-20 Zone, consists of about 0.62 acres/27,007 square-feet and is developed with a single-family residential use (ref. Exhibit "A" – Location Map, Exhibit "B" – APN Map and Exhibit "C" – Aerial and Site Photos).

Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. Because approval of this accessory building has been appealed, it is now being considered by the City Council.

The site plan and building elevations for the proposed building are attached (ref. Exhibit "D" – Site Plan, Exhibit "E" – Building Elevations, and Exhibit "F" – Drawing Example). The building is proposed to be steel/metal construction with a barn red and white trim painted exterior. In an effort by the applicant to have the building look more residentially compatible, the building includes a barn style sliding door (as opposed to a roll up door), one foot eaves, a gable roof pitch, and landscaping around the structure.

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

- The minimum setbacks of 5 feet from interior and rear property lines, and 10 feet from any other structure are required for accessory buildings. **The proposed building will meet these requirements.**
- The maximum height of any accessory structure that exceeds 864 square feet is 20 feet, or as approved by the Planning Commission (in this case the City Council). **The structure is proposed with a height of 19 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 27,007 square feet, and the entire property has an average grade of 4% or less. The lot/pad coverage for the property is 17%, 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 6 animal units would be allowed which would require an open area of at least 3,456 square feet. There is an open area of over 3,456 square-feet at the rear of the property behind the proposed building, which is rectangular in shape and a minimum of 24 feet on all sides.**

As proposed, and approved by the Planning Commission, the project meets the requirements for approval of an accessory building over 864 square feet. The project was approved on a 3-1-1 (Commissioner Hedges voted no and Commissioner Azevedo was Absent) vote (ref. Exhibit "G" – Planning Commission Approval Resolution 2016-49 and Exhibit "H" – Planning Commission Excerpt, Regular Meeting August 10, 2016). A letter in opposition of the project was presented to the Planning Commission and has been attached for the City Council's review (ref. Exhibit "I" – Letter of Opposition dated August 8, 2016).

If the City Council chooses to uphold the decision of the Planning Commission to approve the project, then a roll call vote is all that is needed. If the City Council chooses to approve the request but change conditions then a new resolution needs to be adopted. A resolution for approval with the same conditions approved by the Planning Commission is attached to incorporate any changes by the City Council. If the City Council chooses to overturn the action of the Planning Commission and thereby deny Conditional Use Permit 2016-22, then a Resolution for denial is also attached.

Attachments: CC Resolution No. 2016-57 (for approval)
 CC Resolution No. 2016-58 (for denial)
 Exhibit "A" – Location Map
 Exhibit "B" – Assessor's Parcel Map
 Exhibit "C" – Aerial and Site Photos
 Exhibit "D" – Site Plan
 Exhibit "E" – Building Elevations
 Exhibit "F" – Drawing Example
 Exhibit "G" – Planning Commission approval Resolution 2016-49
 Exhibit "H" – Planning Commission Excerpt, Regular Meeting August
 10, 2016)
 Exhibit "I" – Letter of Opposition dated August 8, 2016

RESOLUTION NO. 2016-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING A CONDITIONAL USE PERMIT TO ALLOW A DETACHED ACCESSORY BUILDING CONSISTING OF A 2,000 SQUARE-FOOT HOBBYSHOP/STORAGE BUILDING AT 3596 PEDLEY AVENUE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW DENSITY) ZONE. (CONDITIONAL USE PERMIT 2016-22)

WHEREAS, ANDREW AND AMANDA PODACA submitted 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 for property located at 3596 Pedley Avenue (APN 133-270-010); and

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

WHEREAS, at the time set, at 7 p.m. on August 10, 2016 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, said Planning Commission adopted Resolution 2016-49 approving Conditional Use Permit 2016-22; and

WHEREAS, said approval by the Planning Commission was appealed to the City Council of the City of Norco; and

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

WHEREAS, at the time set, at 7 p.m. on September 7, 2016 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said appeal was heard by the City Council for the City of Norco; and

WHEREAS, at said time and place, said City Council 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 City Council of the City of Norco does hereby find as follows:

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.

NOW, THEREFORE, the City Council of the City of Norco hereby resolves as follows:

SECTION 1: the City Council of the City of Norco, California, in session assembled September 7, 2016 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "D" – Site Plan, Exhibit "E" – Building Elevations and Exhibit "F" – Drawing Example dated June 13, 2016 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. The structure shall complement the existing house in color or shall be in the color as presented and approved by the City Council.
9. A home occupation business shall not be permitted from the subject building.
10. This approval is for an accessory building consisting of a hobbyshop/storage building. It is hereby established that it shall be grounds for revocation of this conditional use permit if the property owner has:
 - A. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or
 - B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.
11. Building permits for this accessory building are issued within the confines of this Conditional Use Permit. Any violation of a condition resulting in a revocation of this Conditional Use Permit may result in an order to remove the accessory building at the owner's expense.
12. The subject building shall include a barn style sliding door (as opposed to a roll up door), one foot eaves, a gable roof pitch, landscaping around the structure, and a barn red exterior color with white trim.
13. The maximum height of the building shall be 20 feet as measured from the outside finished grade to the peak of the roof.

SECTION 2: EFFECTIVE DATE. This resolution shall become effective upon approval by the City Council of the City of Norco.

APPROVED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on September 7, 2016.

Kevin Bash, Mayor
City of Norco, California

ATTEST:

Cheryl L. Link, CMC, City Clerk
City of Norco, California

I, CHERYL L. LINK, CMC, City Clerk of the City of Norco, California, do hereby certify that the foregoing Resolution was adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on September 7, 2016 by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California on September 7, 2016.

Cheryl L. Link, CMC, City Clerk
City of Norco, California

RESOLUTION NO. 2016-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO DENYING A CONDITIONAL USE PERMIT TO ALLOW A DETACHED ACCESSORY BUILDING CONSISTING OF A 2,000 SQUARE-FOOT HOBBYSHOP/STORAGE BUILDING AT 3596 PEDLEY AVENUE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW DENSITY) ZONE. (CONDITIONAL USE PERMIT 2016-22)

WHEREAS, ANDREW AND AMANDA PODACA submitted 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 for property located at 3596 Pedley Avenue (APN 133-270-010); and

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

WHEREAS, at the time set, at 7 p.m. on August 10, 2016 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 pertaining to said application; and

WHEREAS, said Planning Commission adopted Resolution 2016-49 approving Conditional Use Permit 2016-22; and

WHEREAS, said approval by the Planning Commission was appealed to the City Council of the City of Norco; and

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

WHEREAS, at the time set, at 7 p.m. on September 7, 2016 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said appeal was heard by the City Council for the City of Norco; and

WHEREAS, at said time and place, said City Council 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 City Council of the City of Norco does hereby find as follows:

A. The requested Conditional Use Permit will adversely affect the general welfare of persons residing or working in the neighborhood thereof.

B. The requested use will adversely affect the adjoining land uses.

C. The size and shape of the site proposed for the use is not adequate to allow full development of the proposed use.

NOW, THEREFORE, the City Council of the City of Norco, hereby resolves as follows:

SECTION 1: the City Council of the City of Norco, California, in session assembled September 7, 2016 that the aforesaid application for a conditional use permit is denied.

SECTION 2: EFFECTIVE DATE. This resolution shall become effective upon approval by the City Council of the City of Norco.

Resolution No. 2016-58 (for denial)

Page 3

September 7, 2016

PASSED AND ADOPTED by the City Council at a regular meeting held on September 7, 2016.

Kevin Bash, Mayor
City of Norco, California

ATTEST:

Cheryl L. Link, City Clerk
City of Norco, California

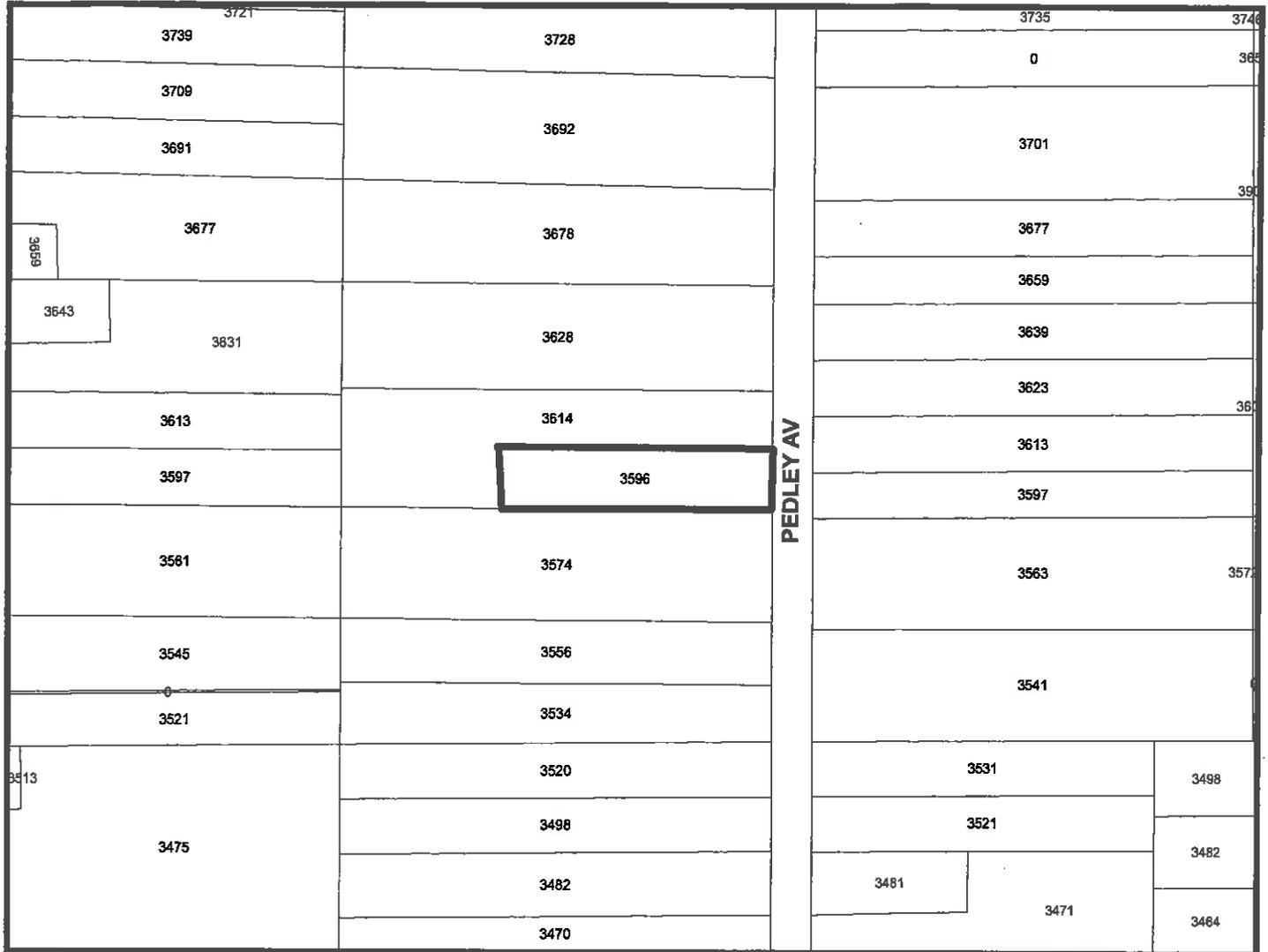
I, CHERYL L. LINK, City Clerk of the City of Norco, California, do hereby certify that the foregoing Resolution was adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on September 7, 2016 by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on September 7, 2016.

Cheryl L. Link, City Clerk
City of Norco, California

Location Map



Not to Scale



PROJECT: Conditional Use Permit 2016-22

APPLICANT: Andrew and Amanda Podaca

LOCATION: 3596 Pedley Avenue

Exhibit "A"

APN MAP

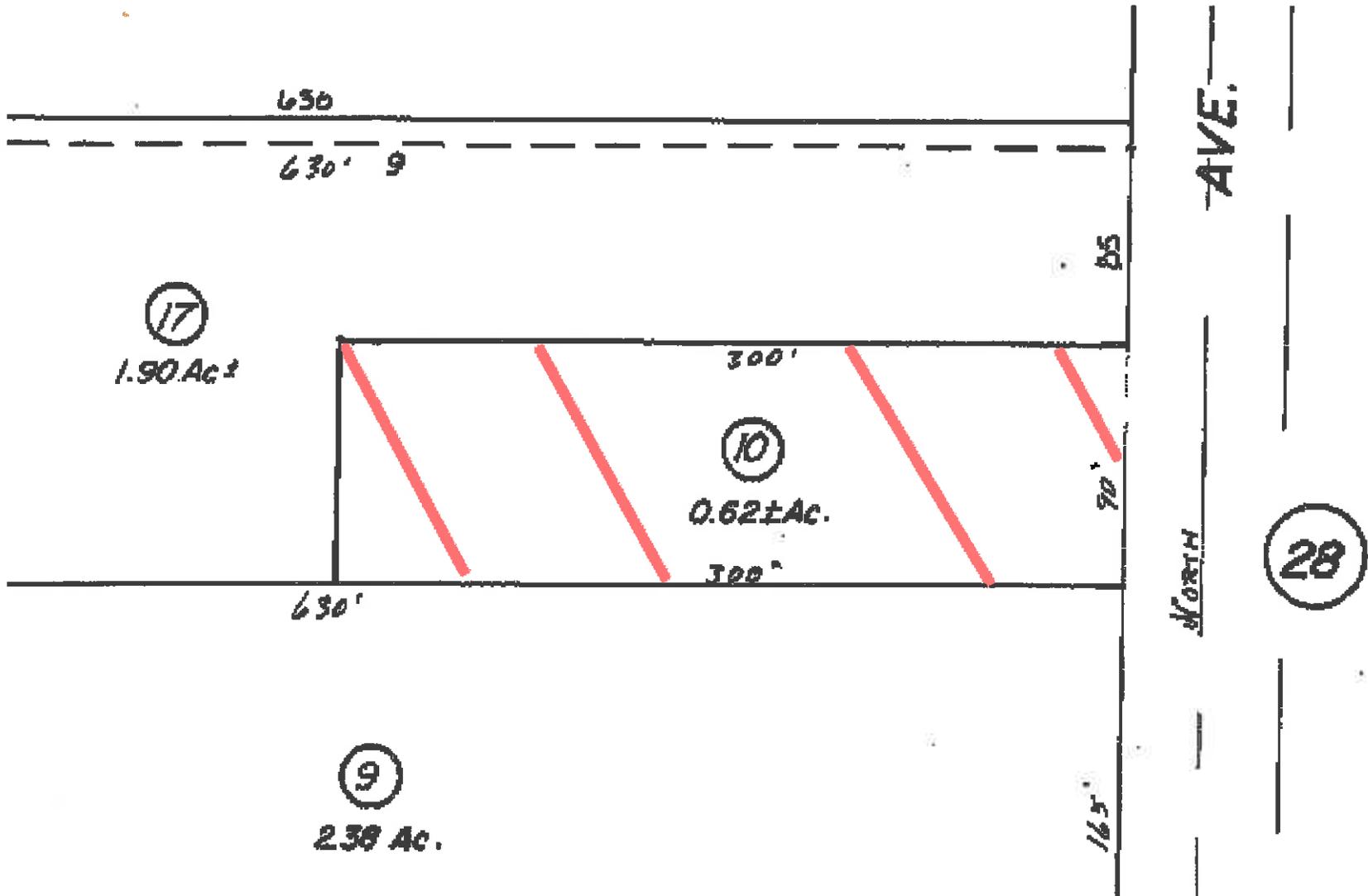


Exhibit "B"



EXHIBIT "C"
1 OF 2
CWP 2016-22

PHOTOS



Access to the back of the property

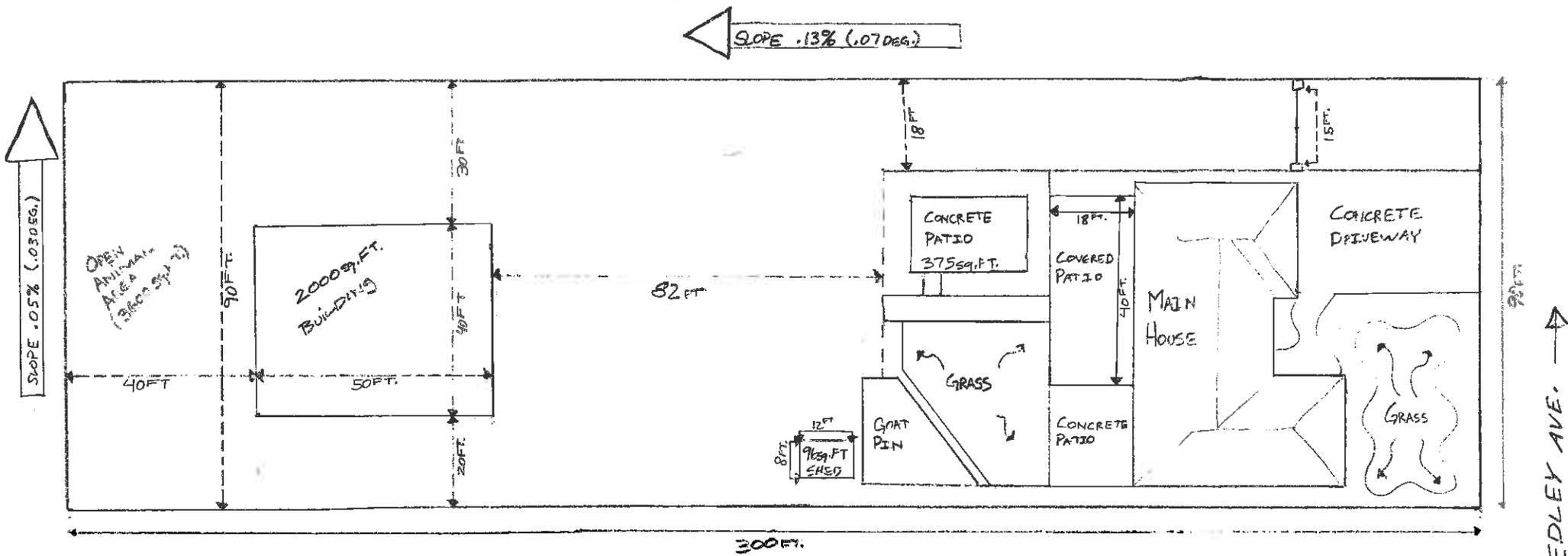


Approximate location of proposed structure



Approximate location of proposed structure

Exhibit "C"



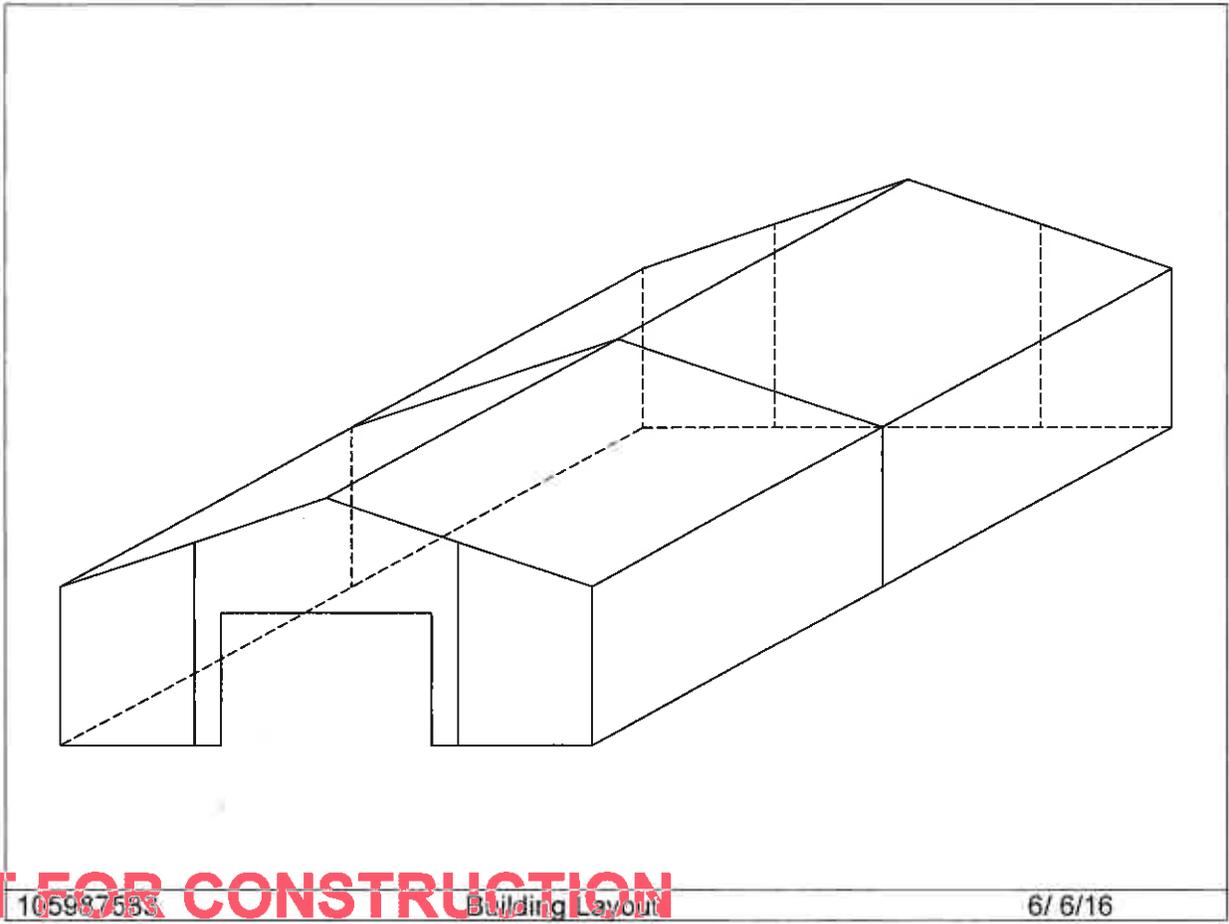
Type - Steel (Fully Sheeted)
 Width - 40 ft Length - 50 ft Wall Height - 12 ft
 Roof Pitch - 4:12 Frame Profile - Gable Floor - Concrete
 Color - Walls Barn Red with White Roof/Trim
 Doors - 16 ft wide (2 x 8 ft) x 10 ft Tall

3596 PEDLEY AVE.
 NORCO, CA 92860
 ANDREW PODACA
 (562) 650-4567
 ANDREW.PODACA@YAHOO.COM

EXHIBIT "D"
 6-13-16

PEDLEY AVE. →

↑ NORTH



NOT FOR CONSTRUCTION

105987583

Building Layout

6/6/16

EXHIBIT "E"
2 OF 2 6-13-16

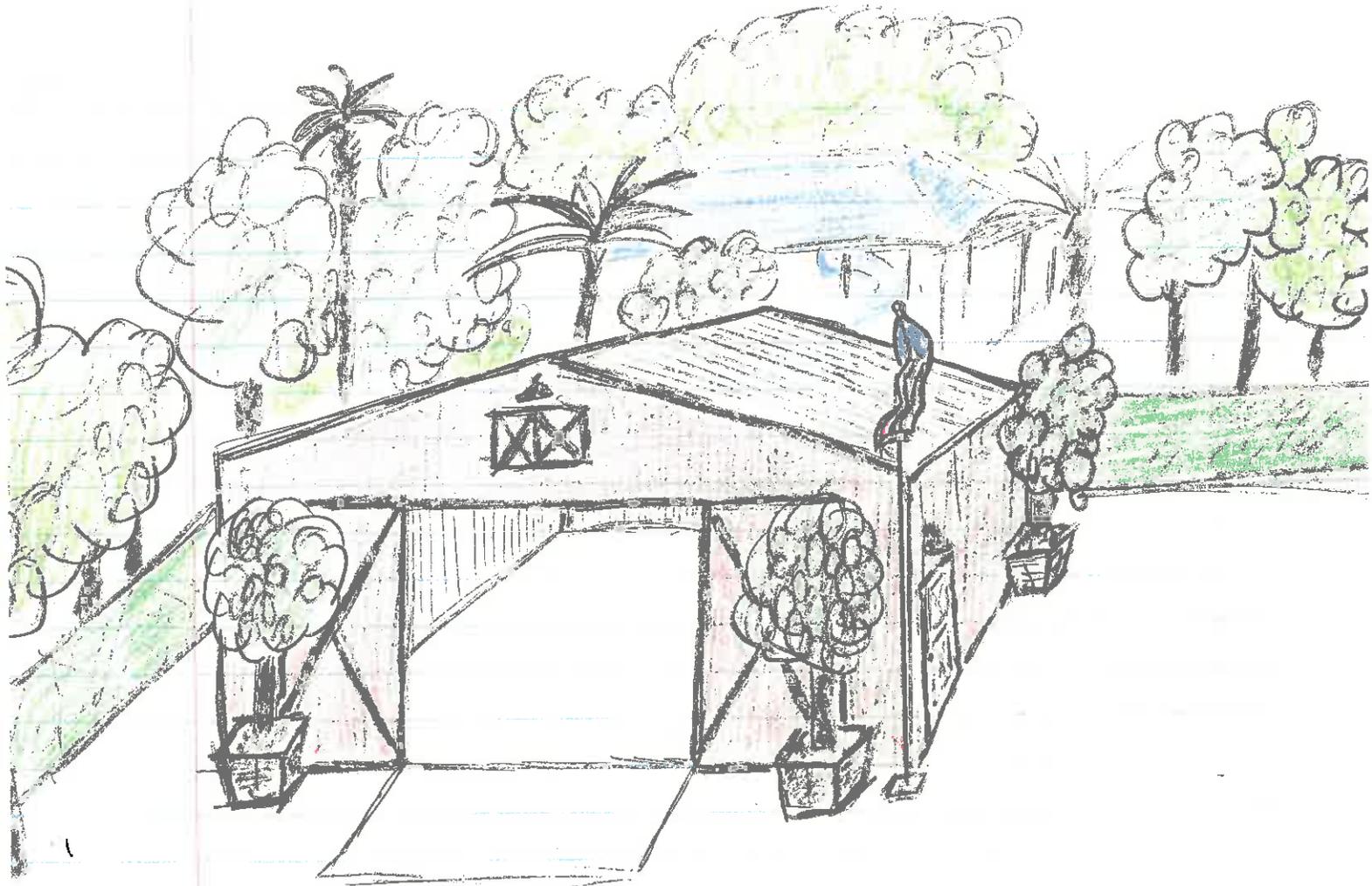


EXHIBIT "F"
6-13-16

RESOLUTION NO. 2016-49

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 2,000 SQUARE-FOOT HOBBYSHOP/STORAGE BUILDING AT 3596 PEDLEY AVENUE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW DENSITY) ZONE. (CONDITIONAL USE PERMIT 2016-22)

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 ANDREW AND AMANDA PODACA for property located at 3596 Pedley Avenue (APN 133-270-010); and

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

WHEREAS, at the time set, at 7 p.m. on August 10, 2016 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.

EXHIBIT "G"

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled August 10, 2016 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "D" – Site Plan, Exhibit "E" – Building Elevations and Exhibit "F" – Drawing Example dated June 13, 2016 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. The structure shall complement the existing house in color or shall be in the color approved by the Planning Commission.
9. A home occupation business shall not be permitted from the subject building.
10. This approval is for an accessory building consisting of a hobbyshop/storage building. It is hereby established that it shall be grounds for revocation of this conditional use permit if the property owner has:
 - A. Violated any rule, regulation or condition of approval adopted by the Planning Commission relating to the conditional use permit; or
 - B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.
11. Building permits for this accessory building are issued within the confines of this Conditional Use Permit. Any violation of a condition resulting in a revocation of this Conditional Use Permit may result in an order to remove the accessory building at the owner's expense.
12. The subject building shall include a barn style sliding door (as opposed to a roll up door), one foot eaves, a gable roof pitch, landscaping around the structure, and a barn red exterior color with white trim.
13. The maximum height of the building shall be 20 feet as measured from the outside finished grade to the peak of the roof.

##

PASSED AND ADOPTED by the Planning Commission at a regular meeting held on August 10, 2016.

Robert Leonard, 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 meeting thereof held on August 10, 2016, by the following roll call vote:

AYES: Leonard, Rigler, Jaffarian
NOES: Hedges
ABSENT: Azevedo
ABSTAIN:



Steve King, Secretary
Planning Commission
City of Norco, California

/adr

5. PUBLIC HEARINGS:

- A. **Conditional Use Permit 2016-22 (Podaca):** A request for approval to allow a detached accessory building consisting of a 2,000 square-foot storage/hobby building at 3596 Pedley Avenue located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. She stated at the Architectural Review Subcommittee (ARC) has reviewed the plans; the only concern noted was the industrial look of the building. The applicant's goal is to make it look more residential, to include a barn style door, landscaping, and painted red with white trim. A letter of opposition was presented to the Commission, it was received on the day of the meeting.

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

Andrew Podaca, applicant, was present and answered a few questions from the Commission.

Betty Bash stated her concerns with the impact this large project will have, as her property is next door, and runs a day care school. She is opposed to the project.

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

Member Jaffarian noted his appreciation for changes made based on ARC comments, and its location, well away from the property line.

Member Hedges stated that she doesn't like big buildings, but this project is within what is allowed by code, and concurs with Member Jaffarian's comments.

Chair Leonard agreed that it is a permitted use and within the zoning code guidelines.

M/S JAFFARIAN/RIGLER to adopt Resolution 2016-49, to approve Conditional Use Permit 2016-22, to allow a detached 2,000 square-foot storage/hobby shop at 3596 Pedley Avenue; the motion was carried by the following roll call vote:

AYES: LEONARD, JAFFARIAN, RIGLER

NOES: HEDGES

ABSENT: AZEVEDO

ABSTAIN: NONE

August 8, 2015

Betty Bash
Town and Country Day School
3614 Pedley Avenue
Norco, California 92860

Planning Commission:

Patricia Hedges, Chair
Robert Leonard, Vice Chair
Danny Azevedo, Commission Member
Phil Jaffarian, Commission Member
John Rigler, Commission Member

Cheryl Link, City Clerk: clink@ci.norco.ca.us

City of Norco
2870 Clark Avenue
Norco, California 92860

Dear Planning Commissioners,

My family owns Town and Country Day School, at 3614 Pedley Avenue, next door to 3596 Pedley Avenue. Our flag lot property surrounds 3596 Pedley on two sides with playgrounds bordering on the west and north sides. Several years before we bought our property in 1961, the previous owners sold a little over a half-acre out of the original two and a half acre plot our school sits on.

We chose Norco to build our school in the early 1960's for a very specific reason; "the country atmosphere". Our very name, "Town and Country Day School", like the City of Norco's motto "City Living in a Rural Atmosphere" reflects that reasoning. At the time we built our school and continuing to this day, most schools exist in a sea of asphalt. A primary goal from the beginning was for children to experience a rural environment and open spaces that allowed them to run and play and not be in the middle of a commercial development. For those of you who have visited our school, I believe you have seen this is what we have created for the children for well over 50 years.

While I am certainly appreciative of our neighbors work to beautify their property and setbacks that show an awareness of the impacts such a large building will have on the neighborhood, the metal 2000 square foot accessory building being purposed at 3596 Pedley Avenue is simply too large for the lot, would be larger than the existing house (1862 square feet with attached garage) and is very commercial in design despite minimal efforts to make it look like a barn. The purpose stated isn't even for animal keeping; it is "hobby shop/storage" and will have the future potential to become a home-operated commercial business venture: a situation that is occurring with far too much regularity in our city that prides itself on maintaining an A-120, rural animal keeping lifestyle and not give the appearance of an industrial zone. If allowed as proposed, this massive metal building will totally change and impact the atmosphere we have so carefully

EXHIBIT "I"

created for our playgrounds and, is yet another example of the loss of animal keeping. The children will no longer be looking at the hills, open space and feel like they are in a rural environment; they will be looking up at a metal commercial building.

And, this I have personally experienced.

My home is located next door to the school and several years ago the owner directly across the street from me built a, "barn". The structure, while it adhered to the legal lot coverage, turned out to be a huge, tall metal, industrial building approximately 4 times larger than the house on the property. Instead of the beautiful view of the hills and nature I used to see when I looked out my windows, I enjoy a view of a building nicknamed the Pedley Avenue "Tune-up Master's". Sadly, there was ample room for this building to be constructed toward the back of the property, but, instead, the house, Tune-up Master's and barn are all toward the front of the property. (I have included views of this 20-foot high building from the distance we will see the proposed 19-foot high building from our property – this is just not acceptable for our children).

While I understand Norco has liberal lot coverage privileges, there are also city code restrictions on accessory building types and a primary goal is to protect animal keeping. There is also common sense as to what will fit appropriately on Norco's wide variety of lot sizes.

Secondly, we are concerned about drainage. Historically, during rainy weather, which we have not experienced in several years, water in medium to heavy rainfall collects on the 3596 Pedley property and greatly floods into ours running in a north west direction. I have concerns that the plans as presented do not account for the water flow changes that will occur with such a large building.

My understanding is the need for a CUP kicks in at 864 square feet, yet this appears to be trumped by allowable lot coverage – so why the CUP? My hope is the intent is to allow neighboring properties to successfully lobby for appropriate approvals that will not impact neighboring properties.

We enjoy what I believe is an excellent relationship with our neighbors, but, nevertheless, with reticence, ask that the planning commissioners consider the negative impact such a large commercial type, non-animal keeping building would have on our school and the children that attend Town and Country Day School and, while I fully understand the property rights argument, this proposal should be viewed as yet another exchange of large animal keeping property for an inappropriate commercial building in a neighborhood in the City of Norco and ask that you deny, Conditional Use Permit 2016-22.

Our additional hope is that should an 864 square foot building be constructed, it be situated in a manner that lessens the impact (over and above allowable setbacks) to neighboring properties and is no more than a height of 14 feet.

Respectfully,

Betty L. Bash