



AGENDA
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
SEPTEMBER 1, 2010

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Mayor Malcolm G. Miller, M.D.
Mayor Pro Tem Berwin Hanna
Council Member Kathy Azevedo
Council Member Kevin Bash
Council Member Harvey C. Sullivan

PLEDGE OF ALLEGIANCE: Council Member Bash

INVOCATION: Calvary Chapel – Norco
Pastor Louie Montieth

PRESENTATION: Introduction of Miss Norco and Miss Teen Norco

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

1. **CRA CONSENT CALENDAR 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 Agency, any public comments on any of the Consent Items will be heard. There will be no separate action unless Members of the Agency Board request specific items be removed from the Consent Calendar)*

A. **CRA Minutes:**
Regular Meeting of August 18, 2010
Recommended Action: Approve the CRA Minutes (City Clerk)

2. **OTHER CRA MATTERS:**

ADJOURNMENT OF CRA:

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

3. **CITY COUNCIL CONSENT CALENDAR 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. 4 of the Agenda.)*

- A. City Council Minutes:
Regular Meeting of August 18, 2010
Special Meeting of August 23, 2010
Recommended Action: Approve the City Council Minutes (City Clerk)
 - B. Planning Commission Action Minutes, Regular Meeting of August 25, 2010.
Recommended Action: Receive and File (Planning Director)
 - C. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
 - D. **Ordinance No. 924, Second Reading.** Zone Code Amendment 2010-01 (City): A Proposed Ordinance to Amend Title 18 (Zoning) of the Norco Municipal Code to Regulate the Size, Height, and Approval Process of Accessory Structures Allowed in Agricultural-Residential Zones.
Recommended Action: Adopt Ordinance No. 924 for Second Reading. (City Clerk)
 - E. **Ordinance No. 925, Second Reading.** Specific Plan 91-02, Amendment 5 (City): A proposed Ordinance to Amend the Norco Hills Specific Plan to Regulate the Height and Approval Process of Accessory Structures Allowed in the Equestrian Residential District. **Recommended Action: Adopt Ordinance No. 925 for Second Reading.** (City Clerk)
 - F. **Ordinance No. 926, Second Reading.** Specific Plan 99-01, Amendment 4 (City): A Proposed Ordinance to Amend the Norco Ridge Ranch Specific Plan to Regulate the Height and Approval Process of Accessory Structures Allowed in the Equestrian Residential District. **Recommended Action: Adopt Ordinance No. 926 for Second Reading.** (City Clerk)
 - G. Second Amendment to the Agreement for Law Enforcement Services Eliminating the Front Office Community Service Officer Position.
Recommended Action: Authorize the Mayor to sign the Amendment to the Agreement. (Lt. Cooper)
 - H. Request for Use of the City Seal. **Recommended Action: Approve the request to use the City Seal on a joint-letter of invitation to Navy personnel, as well as on programs and signage, for a December 7 remembrance event hosted by the Lake Norconian Club Foundation.** (City Manager)
4. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR:

5. CITY COUNCIL PUBLIC HEARING:

- A. City-Initiated Proposal to Add Chapter 5.50 "Employment of Undocumented Workers" to the Norco Municipal Code (Code Change 2010-04)

A proposed ordinance has been drafted based on the City Council's recommendation on August 4, 2010. The draft ordinance proposes adding Chapter 5.50 "Employment of Undocumented Workers" to the Norco Municipal Code and effectively defines the E-Verify requirements for all City contractors and their sub-contractors, and all City businesses and their sub-contractors. The proposed ordinance, if passed, would apply to all City contracts awarded after January 1, 2011.

Recommended Action: Adopt Ordinance No. _____ for first reading.
(City Manager)

6. PUBLIC COMMENTS OR QUESTIONS - THIS IS THE TIME WHEN PERSONS IN THE AUDIENCE WISHING TO ADDRESS THE CITY COUNCIL REGARDING MATTERS NOT ON THE AGENDA MAY SPEAK. PLEASE BE SURE TO COMPLETE THE CARD IN THE BACK OF THE ROOM AND PRESENT IT TO THE CITY CLERK SO THAT YOU MAY BE RECOGNIZED.

7. OTHER MATTERS – COUNCIL:

8. OTHER MATTERS – STAFF:

9. ADJOURNMENT:

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

Staff reports are on file in the Office of the City Clerk. 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.

/bj-76202



MINUTES
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
Corona-Norco Unified School District, 2820 Clark Ave
AUGUST 18, 2010

-
- CALL TO ORDER:** Mayor Pro Tem Hanna called the meeting to order at 7:03 p.m.
- ROLL CALL:** Mayor Malcolm G. Miller, M.D., **Present**
Mayor Pro Tem Berwin Hanna, **Present**
Council Member Kathy Azevedo, **Present**
Council Member Kevin Bash, **Present**
Council Member Harvey C. Sullivan, **Present**
- Staff Present:** Carlson, Cooper, Germain, Groves, King, Petree and Thompson
- Deputy City Attorney Burns – **Present**
- PLEDGE OF ALLEGIANCE/INVOCATION:** Council Member Sullivan
- PRESENTATION:** In Recognition of the Vasquez Family
Miguel's Jr. 35th Anniversary
Mayor Pro Tem Hanna presented Mike, Mary and Javier Vasquez a Certificate of Appreciation in celebration of the 35th Anniversary of Miguel's Jr. Restaurant. Stephanie Benvenuto, representing Assemblyman Jeff Miller, also presented a Certificate of Recognition to the Vasquez family for their dedication to the community.
- REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:**
1. **CRA CONSENT CALENDAR ITEMS:**
- M/S BASH/AZEVEDO** to approve the items as recommended on the CRA Consent Calendar. The motion was carried by the following roll call vote:
- AYES:** AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: MILLER
- A. CRA Minutes:
Regular Meeting of August 4, 2010
Recommended Action: Approve the CRA Minutes (City Clerk)
2. **OTHER CRA MATTERS:** **None**
- ADJOURNMENT OF CRA:** **7:21 p.m.**

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

3. CITY COUNCIL CONSENT CALENDAR ITEMS:

M/S BASH/AZEVEDO to approve the items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, MILLER, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: MILLER ON 3.A.

- A. City Council Minutes:
Regular Meeting of August 4, 2010
Recommended Action: **Approve the City Council Minutes** (City Clerk)
Council member Sullivan asked for some clarification on item number 3.H. from the Minutes of the August 4, 2010 Consent Calendar.
- B. Planning Commission Action Minutes, Regular Meeting of August 11, 2010.
Recommended Action: Receive and File (Planning Director)
- C. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
- D. **Ordinance No. 923, Second Reading.** City-Initiated Proposal to Add Chapter 18.58 to the Norco Municipal Code Entitled "Historic Preservation Overlay Zone". (Zone Code Amendment 2010-02). **Recommended Action: Adopt Ordinance No. 923.** (City Clerk)
- E. Acceptance of Bids and Award of Contract for Ingalls Park Security Fencing.
Recommended Action: Award the base bid with add alternates 1 – 7 for the Ingalls Park Security Fencing Project to Valley Cities/Gonzales Fence, Inc. in the amount of \$106,460 and authorize the City Manager to approve contract change orders up to 10 percent of the original contract amount. (Director of Parks, Recreation & Community Services)

4. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR: No items pulled.

5. CITY COUNCIL PUBLIC HEARING:

- A. Public Hearing to Consider Amendments to the City's Zoning Code, and to the Norco Hills and Norco Ridge Ranch Specific Plans, Related to Accessory Structures
 - 1. Zone Code Amendment 2010-01 Amending Title 18 (Zoning) of the Norco Municipal Code.

This is a City-initiated proposal to amend the Zoning Code to regulate the size, height, and approval process of accessory buildings allowed in agricultural-residential zones.

Recommended Action: Adopt Ordinance No. ____ for first reading.
(Planning Director)

2. Specific Plan 91-02, Amendment 5 Amending the Norco Hills Specific Plan.

This is a City-initiated proposal to amend the Norco Hills Specific Plan to regulate the height and approval process of accessory buildings allowed in the Equestrian-Residential District.

Recommended Action: Adopt Ordinance No. ____ for first reading.
(Planning Director)

3. Specific Plan 99-01, Amendment 4 Amending the Norco Ridge Ranch Specific Plan.

This is a City-initiated proposal to amend the Norco Ridge Ranch Specific Plan to regulate the height and approval process of accessory buildings allowed in the Equestrian-Residential District.

Recommended Action: Adopt Ordinance No. ____ for first reading.
(Planning Director)

Planning Director Steve King presented the City Council public hearing item.

Council Member Bash noted that he had received many emails regarding this issue and read into the record an email he had received prior to the meeting noting fear of retaliation. He assured everyone that everyone has the right to be heard.

Council Member Sullivan stated he was concerned about A1 lots that have no PAKA and the requirements prior to requesting an accessory structure. In response, Planning Director King reviewed this stipulation and noted that one only needs to show that there is an open area based on the allowed number of animal units on the lot. Planning Director King also noted that PAKAs are generally fixed by deeds in most areas, but on A1 lots the animal areas are movable.

Council Member Bash clarified with Planning Director King that the conditions for minor site plans and conditional use permits are already part of the permit process. Council Member Bash referred to the Specific Plan which gives the Planning Commission power to handle all building requests, but noted that there are no guidelines for the Commission to follow.

Mayor Pro Tem Hanna read an email received prior to the meeting stating “vote to reject” and also read into the minutes the petition delivered to the City Clerk’s office against the proposed ordinance for restrictions on accessory buildings which was signed by 377 individuals.

Council Member Azevedo asked that the speakers be specific regarding what they are questioning noting that parts of what is being presented are already in the Norco Municipal Code.

Mayor Pro Tem Hanna OPENED the public hearing, indicating that proper notification had been made and asking for the appearance of those wishing to speak.

Danny Azevedo stated that the NHA as a group supports the zone code amendments, “to protect our way of life”.

Norvah Williams stated that she is in favor of the amendments.

Kristie Compton stated that she is in support of animal keeping and supports the ordinances.

Bill Wirtz stated that he supports the proposed ordinances.

Cory Spencer stated that he supports the passage of the proposed ordinances.

Linda Dixon stated that she supports the proposed ordinances.

Ed Dixon stated that he supports the approval of the ordinances.

Pat Overstreet stated that she supports the approval of the ordinances.

Joy Chase stated that she supports the approval of the ordinances.

Karen Leonard stated that she supports the approval of the ordinances.

Bonnie Slager stated that she supports the approval of the ordinances.

Shel Richman stated that he objects to ordinance.

Vern Showalter stated that he opposes the ordinances.

Susan Yasui stated that she supports the approval of the ordinances.

Kathy Walker read a written statement assuring the public that the purpose of the ordinances is to support animal keeping, but has concerns on parts of the ordinance.

Denise Shoemaker stated that she supports the approval of the ordinances.

Linda Mitchel stated that she supports the approval of the ordinances.

Ty Mitchel stated that he supports the approval of the ordinances.

Pat Walsh stated that he supports the ordinances but they need to be improved on.

Susan Remington stated that above all else she supports the protection of our animal keeping.

Su Bacon stated that she supports the ordinances.

Roy Hungerford: stated that he lives in the hills and supports the ordinance.

Don Bowker stated that he supports the ordinance.

Don Kooiman stated that he supports to keep animals and the right to keep them and doesn't want HOAs.

Kathy Thistlethwaite stated that she supports the ordinances.

John Box submitted his comments to the City Council for the record and stated that he does not support the ordinances.

Curtis Coombs stated that he does not support the ordinances.

Glenn Hedges stated that all of the Council Members ran their campaign on animal keeping and supports the ordinances.

Stephanie Kooiman stated that requirements must be clear to new residents to Norco and would like to see what is on the table tonight reevaluated.

Jeanine Adams stated that she supports the approval of the ordinances.

Jim Sassin stated that he supports the ordinances.

Julie Waltz stated that she believes the ordinances need more work.

RECESS: Mayor Pro Tem Hanna recessed the meeting at 8:59 p.m.

RECONVENE: Mayor Pro Tem Hanna reconvened the meeting at 9:12 p.m.

Jodie Webber stated that she is unsure on the passage of the ordinances and provided proposals to City Council.

Jackie Shires stated she submitted the petition to the City Clerk opposing the proposed amendments to the Norco Ridge Ranch Specific Plan and submitted a letter for the record.

Mike Garrison stated that he opposes the proposed ordinances.

Vern Shoemaker stated that he supports the ordinances

Dan Irwin stated that he supports the ordinances.

Allyson Gagnon stated that she opposed the ordinances.

Lois Loock stated that she opposes the ordinances.

Dan Leach stated that he opposes the restrictions on these ordinances.

Bill Kohl stated that he opposes the proposed ordinances.

Brian Smith stated that he is concerned with the lack of specificity and would like the ordinances re-examined

Bill McNames stated that he opposes proposed ordinances.

David Hagerty stated that he opposes proposed ordinances.

Bobbie Pope stated that she supports the ordinances.

Bob Cuervo stated that he supports the ordinances.

Mike Harris stated that he supports animal keeping but opposes the changes to the Norco Ridge Ranch Specific Plan.

Robert Curtis stated that he opposes the ordinances.

Liza Rogers stated that she supports the ordinances with a moratorium placed on sizes.

Emmet McKune stated that he supports further review of the proposed ordinances.

Lisa Butler stated that she supports the ordinances.

Rick Rosa stated that he opposes the ordinances.

Mayor Pro Tem Hanna CLOSED the public hearing.

Mayor Miller reminded everyone that that this has been discussed for two years.

Council Member Bash stated that he is in favor of passing the proposed amendments and will place his comments on his [blog](#) tomorrow.

Council Member Azevedo stated that she supports the zone code amendments and further noted that the Council has voted to reduce the fees. She added that the City just wants to look at anything 864 square feet or over to make sure no commercial buildings are built.

Council Member Sullivan stated that he feels the current revisions are a bit rushed and not clear. He added that they are too restrictive and properties can be changed when new owners purchase the property. He further noted that the City needs to reinforce the codes.

Mayor Pro Tem Hanna stated that he has listened to both sides and heard that the majority want their animal rights saved. He noted that he doesn't like the division within the City and added that all citizens are Norconian. He stated that he will continue to support the rights of animal-keeping in this town.

M/S Bash/Azevedo to adopt Ordinance No. 924 for first reading of Zone Code Amendment 2010-01 Amending Title 18 (Zoning) of the Norco Municipal Code with a change to Section 1, Title 18.12.08 (13)(a) to read ~~pens, corrals~~, "*covered corrals and pens*" and Title 18.13.20 (c) to read "*on lots ~~two~~ one acre or less*". The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, MILLER
NOES: SULLIVAN
ABSENT: NONE
ABSTAIN: NONE

M/S Miller/Bash to adopt Ordinance No. 925 for first reading of Specific Plan 91-02, Amendment 5 Amending the Norco Hills Specific Plan with a change to Section 1, Item III. C. 1. c. 6) to read ~~pens, corrals~~, "*covered corrals and pens*". The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, MILLER
NOES: SULLIVAN
ABSENT: NONE
ABSTAIN: NONE

M/S Bash/Miller to adopt Ordinance No. 926 for first reading of Specific Plan 99-01, Amendment 4 Amending the Norco Ridge Ranch Specific Plan with a change to Section 1, Item III. C. 1. c. 6) to read ~~pens, corrals~~, "*covered corrals and pens*". The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, MILLER
NOES: SULLIVAN
ABSENT: NONE
ABSTAIN: NONE

6. PUBLIC COMMENTS OR QUESTIONS:

Larry Palmer: Mr. Palmer shared his thoughts on the uniqueness of Norco and asked the Council to do the right thing.

Lois Loock: Mrs. Loock thanked Council Member Sullivan for his support of the Norco Chamber of Commerce Fair held on the weekend of August 5, 2010.

Ron Lohan: Mr. Lohan addressed his concerns about the constant speeding on Sierra Avenue and asked that the City Council and staff consider speed bumps to slow the traffic down.

Janice Price: Ms. Price shared her concerns regarding speeding on Sierra Avenue as well. She added that she does not agree with Mr. Lohan regarding speed bumps, but would like something to be done.

Julie Waltz: Ms. Waltz asked that a light ordinance be developed.

Pat Overstreet: Ms. Overstreet stated she was going to address the statement made by Mr. Swindell at the last Council meeting but most of his issues seemed to have been touched on by other speakers. She agrees with the previous speakers regarding the speeding on Sierra Avenue and noted that there are a few small bumps on her street and it is not that bad.

7. OTHER MATTERS – COUNCIL:

Council Member Sullivan:

- ✦ Made reference to the petition received opposing Agenda Item 5. A. as compared to the speakers supporting the item that spoke tonight.

Council Member Azevedo:

- ✦ Invited everyone to the Norco Mounted Posse Rodeo this weekend beginning on Friday, August 20th.
- ✦ Stated that she had received many emails prior to tonight's meeting asking to have their names taken off the petition that had been turned in which opposed Agenda Item 5.A.

Council Member Bash:

- ✦ Asked the City Manager what the process is for placement of an item on a future agenda pertaining to development of a policy for the process regarding accessory buildings.

Mayor Miller:

- ✦ Thanked everyone for the well wishes and also thanked Mayor Pro Tem Hanna for stepping in for him to preside over tonight's meeting.

Mayor Pro Tem Hanna:

- ✦ Asked about a crossing guard at Temescal and Second Streets for the elementary school students. Lt Cooper confirmed that there is one crossing guard at the corner everyday.

8. OTHER MATTERS – STAFF: Nothing to report.

9. ADJOURNMENT: There being no further business to come before the City Council, Mayor Pro Tem Hanna adjourned the meeting at 10:49 p.m.

DIANE GERMAIN
DEPUTY CITY CLERK

/di-76373



MINUTES
CITY OF NORCO
SPECIAL MEETING – STUDY SESSION
CITY COUNCIL
CONFERENCE ROOMS “A” & “B”
NORCO CITY HALL – 2870 CLARK AVENUE
AUGUST 23, 2010

-
1. CALL TO ORDER: 3:05 p.m.
 2. ROLL CALL:
Mayor Malcolm Miller, **Present**
Mayor Pro Tem Berwin Hanna, **Present**
Council Member Kathy Azevedo, **Present**
Council Member Kevin Bash, **Present**
Council Member Harvey C. Sullivan, **Present**
 3. PLEDGE OF ALLEGIANCE: Mayor Pro Tem Berwin Hanna
 4. PUBLIC COMMENTS OR QUESTIONS: No Public Comments or Questions Received.
 5. STUDY SESSION ITEMS:
 - A. Overview from the City Manager

City Manager Groves presented and overview of the study session.

- B. Norco Area Chamber of Commerce Presentation

Marv Fortman, Chairman; Tom Wilson, Vice Chairman; and Susan Yasui, Treasurer, were in attendance representing the Norco Area Chamber of Commerce and Visitors Center. Mr. Fortman presented information on the Norco Area Chamber of Commerce and Visitors Center relating to its organization structure, its role, how these goals will be accomplished, what the Visitor's Center role is, the role of the Equine Council, an idea to support distressed businesses in Norco, pilot project details, how they came to be, and what they support and partnerships they are seeking. He noted that there are currently 53 members. Other ideas presented by the Norco Area Chamber of Commerce and Visitors Center were a restaurant guide and an informational-type placard placed in all local businesses for promotional and advertising purposes.

Council Member Azevedo stated that she witnessed the placards firsthand in businesses located in Grass Valley, California. She added that that the placards provide information to visitors that would draw them back to the City for future events.

Mr. Wilson stated that the Norco Area Chamber of Commerce and Visitors Center would need the City's financial support to survive.

C. Discussion Regarding a City-Wide Fiber Optics Network

Deputy City Manager/Director of Finance Okoro stated that this is a project that the City has included in the Capital Improvement Program budget for the past 5 years and noted that a small segment has already been completed.

IT Manager Michael Daly presented information regarding what fiber optics is and what benefits a City-wide fiber optics network would provide for the City. Results of a pilot project completed were presented as an example of how fast the fiber optics network transfers data. The current telephone system at City Hall is also proposed to be placed on this network, as the current system is 10-plus years old, and some of the offsite facilities are much older. Other areas that could be included in the network would be security cameras in parks; monitor scada, irrigation, and traffic light controls; and closed circuit broadcast to large auditoriums. The proposed fiber optic facility map was presented, with a fiscal impact of \$800,000; \$600,000 in the current adopted CIP budget and \$600,000 in the current fiscal year Water & Sewer Fund. Deputy City Manager/Director of Finance Okoro confirmed that the funding would come from development impact fees, which can only be used for capital projects. He also stated that the quicker this project is implemented, the quicker the City will realize the cost savings.

City Manager Groves stated that when the City is in need of data, our ability to communicate is the key, and this project would provide that strength. She added that there are concerns regarding the status of our current telephone system and the cost to replace that system in an emergency situation.

IT Manager Michael Daly confirmed that the fiber will not fill the conduit and that there will be the ability to lease the remaining area. He also confirmed that the RFP process will take place in the near future and the award of bid resulting from that process will be brought to the Council for action in December.

D. Discussion Regarding County of Riverside's Public Safety Communications Tower Project

Lt. Cooper stated that for years the Sheriff's Department has been desiring an improved communications system. Dan Nila, the Project Manager for Riverside County Information Technology, Public Safety Enterprise Communication (PSEC), presented information on the public safety communications tower project. The project is proposed due to the outgrown current system, officer safety issues, voice and data share infrastructure, radio coverage gaps, and increased radio usage. The advantages to Norco include the elimination of radio coverage gaps, dependable radio usage for Sheriff Department deputies, and tower availability for City use. The technology and project timeline information were presented, including the proposed site on Beacon Hill. The radio type is the first of its kind developed by Motorola.

Planning Director King confirmed that most of this land is zoned commercial and also confirmed that this project would not have a negative impact on any future development.

Sergeant Joe Belli presented information regarding the coverage area of the two types of towers that could be built. The current proposed tower is a lattice tower and antennas. The option would be a monotower and antennas. Assistant Riverside County Executive Officer/EDA Rob Field confirmed that the desired design of the tower will need to be confirmed within the next 30 days.

E. Discussion of Future Study Session Dates

City Manager Groves stated that the proposed future study session dates are September 20 (1 p.m.); October 11 (1 p.m.), October 25 (1 p.m.), and November 8 (1 p.m.). She noted that the main purpose for the study sessions will be to discuss different aspects of the budget, along with some other key items yet to be determined. The Council was asked to review the proposed dates and inform staff if any of the dates and times do not work into their schedules.

6. ADJOURNMENT: There being no further business to come before the City Council, Mayor Miller adjourned the meeting at 4:53 p.m.

/bj-76413



**ACTION MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
AUGUST 25, 2010**

1. CALL TO ORDER: **7:04 p.m.**
2. ROLL CALL: **Chair Hedges, Vice-Chair Wright, Commission Members Henderson, Newton, Jaffarian**
3. STAFF PRESENT: **Senior Planner Robles, Planning Intern Acuna, Deputy City Clerk Germain.**
4. PLEDGE OF ALLEGIANCE: **Commissioner Henderson**
5. APPEAL NOTICE: **Read by staff**
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: **No items**
7. APPROVAL OF MINUTES: Minutes of August 11, 2010: **Approved 5-0**
8. CONTINUED ITEMS: **None**
9. PUBLIC HEARING: **Resolution No. 2010-___, Variance 2010-01 (Lopez):** A request for a variance from Norco Municipal Code Section 18.13.16(3) "Rear Yard," to reduce the 60-foot rear yard setback requirement to approximately 16 feet to allow the construction of a covered patio attached to the existing residence at 4100 Corona Avenue located within the A-1-20 zone. **Approved 5-0. This action is final unless appealed to the City Council within 10 calendar days.**
10. BUSINESS ITEMS: **None**
11. CITY COUNCIL:
 - A. City Council Action Minutes dated August 18, 2010: **Received and filed with Commissioner Henderson questioning the verbiage of the ordinance passed on accessory buildings. He asked that since accessory buildings over 864 square feet will require a conditional use permit, should they not also be listed under the conditionally permitted land uses in each particular zone. Staff's response was yes and that the ordinance will be reviewed to make certain.**

Commissioner Newton asked for a timeline on the development of the policy manual for accessory buildings.

Commissioner Henderson wanted to make sure the Commission is involved in the creation of the content of the policy manual.

B. City Council Minutes dated August 4, 2010: **Received and filed**

12. PLANNING COMMISSION: Oral Reports from Various Committees: **None**

13. STAFF: Current Work Program: **Receive and filed**

14. OTHER MATTERS:

- **Commissioner Newton commented on the invitation to the grand re-opening of the Home and Land business located at 3646 Hamner Avenue. He mentioned their use of Redevelopment Agency's Façade Program and was pleased with the business' statement of being thankful to the City of Norco.**

15. ADJOURNMENT: **7:18 p.m.**

/adr-76435

CITY OF NORCO MEMORANDUM

TO: City Council

FROM: Planning Division

PREPARED BY: Steve King, Planning Director

DATE: September 1, 2010

SUBJECT: Ordinances 924, 925, and 926 for Second Reading

Ordinances 924, 925, and 926 relating to new regulations and approval process for accessory buildings in the A-1 and A-E zones, and in the Norco Hills and Norco Ridge Ranch Specific Plans were introduced for First Reading on August 18, 2010. There were minor changes to the wording of each Ordinance that dealt with "covered" corrals and pens as opposed to open, and reducing the threshold of a contiguous open animal area in the A-1 and A-E zones from two acres to one. Adding "covered" needed to occur in two places in each of the Ordinances and was only picked up in one place on each. The other changes were incorporated. The additional changes that were not picked up and have now been corrected in the attached Ordinances are as follows:

Ordinance 924:

18.12.06 (3)(a)

Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, ~~pens, corrals~~, covered corrals and pens, and similar animal-keeping/agricultural structures 864 square feet or smaller....

Ordinance 925:

C.1.d.(7)

Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, ~~pens, corrals~~, covered corrals and pens, and similar animal-keeping/agricultural structures that exceed 864 square feet.....

Ordinance 926:

C.1.d.(7)

Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, ~~pens, corrals~~, covered corrals and pens, and similar animal-keeping/agricultural structures that exceed 864 square feet.....

Ordinances 924, 925, and 926 for Second Reading
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September 1, 2010

Attachment: Revised Ordinance 924
Revised Ordinance 925
Revised Ordinance 926

/sk-76462

ORDINANCE NO. 924

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING AN AMENDMENT TO TITLE 18 OF THE NORCO MUNICIPAL CODE, BY AMENDING CHAPTERS 18.12 AND 18.13 WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO REGULATE THE SIZE, HEIGHT, AND APPROVAL PROCESS OF ACCESSORY STRUCTURES ALLOWED IN AGRICULTURAL-RESIDENTIAL ZONES. ZONE CODE AMENDMENT 2010-01.

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2010-01, an amendment to Norco Municipal Code Title 18 (Zoning Code), amending Chapters 18.12 and 18.13 to regulate the size, height, and approval process of accessory structures allowed in agricultural-residential zones; and

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

WHEREAS, the Zone Code Amendment was scheduled for public hearing on March 31, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the Planning Commission adopted Resolution 2010-02 recommending to the City Council that Zone Code Amendment 2010-01 be approved; and

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

WHEREAS, the Zone Code Amendment was scheduled for public hearing on May 19, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to the Zone Code Amendment; and

WHEREAS, the City Council remanded said Zone Code Amendment to the Planning Commission with direction for clarification of certain issues; and

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

WHEREAS, the Zone Code Amendment was scheduled for public hearing on June 30, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, based on findings of fact, the Planning Commission adopted Resolution 2010-07 recommending to the City Council that Zone Code Amendment 2010-01 be approved for reasons set forth in said Resolution; and

WHEREAS, hearing of said Zone Code Amendment was duly noticed and scheduled for public hearing by the City Council at its meeting of August 18, 2010, 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 Zone Code Amendment; 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 does hereby ordain changes as follows:

SECTION 1:

Chapter 18.12

18.12.02 Intent and Purpose

This zone is intended to provide and encourage the development of agricultural estate areas designed to take advantage of the rural environment, as well as the outdoor recreation potential of the community by maintaining contiguous undeveloped open land on each and every residential lot.

18.12.06 Permitted Uses

(3) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, covered corrals and pens, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.

(b) (deleted)

18.12.08 Uses Which May be Permitted by Conditional Use Permit

(13) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, covered corrals and pens, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.

18.12.18 Permitted Heights

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet or as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet or as approved by the Planning Commission.

Chapter 18.13

18.13.02 Intent and Purpose.

This zone is intended to provide and encourage the development of agriculturally-oriented low-density living areas designed to take advantage of the rural environment, as well as the outdoor recreation potential of the community by maintaining contiguous undeveloped open land on each and every residential lot.

18.13.06 Permitted Uses.

(3) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.

18.13.08 Uses Which may be Permitted by Conditional Use Permit.

(19) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.

18.13.18 Permitted Heights.

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet or as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet or as approved by the Planning Commission.

18.13.20 Permitted Coverage.

For lots that do not have a primary animal-keeping area, the maximum lot coverage of all structures shall be not more than 40 percent of the total lot area.

The maximum pad coverage of all structures on the pad shall be not more than 40 percent of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less).

For determining structural coverage on the lot in question:

- (a) When a sloped area that is greater than four percent is graded to be four percent or less, the additional graded area is considered part of the pad if the new graded area meets the minimum primary animal-keeping area (PAKA) criteria established in this chapter.*
- (b) All site plans submitted for review of accessory structures as required in Sections 18.13.06(3) and 18.13.08(19) above, shall show all existing structures, the flat pad area, and the location of contiguous animal areas.*
- (c) A contiguous open animal area shall be rectangular in shape with a minimum of 24 feet on any side. The total open area shall be equal to the allowed number of animal units multiplied by 576 square feet. The contiguous open animal areas shall be free of any structures that require a building permit. On lots one acre or less, the contiguous open area shall be one contiguous area.*

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 1, 2010.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, 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 August 18, 2010 and thereafter at a regular meeting of said City Council duly held on September 1, 2010, 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 1, 2010.

Brenda K. Jacobs, City Clerk
City of Norco, California

/sk-76292

ORDINANCE NO. 925

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING AMENDMENT 5 TO SPECIFIC PLAN 91-02 (NORCO HILLS SPECIFIC PLAN) WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO REGULATE THE HEIGHT AND APPROVAL PROCESS OF ACCESSORY STRUCTURES ALLOWED IN THE EQUESTRIAN RESIDENTIAL DISTRICT. SPECIFIC PLAN 91-02, AMENDMENT 5.

WHEREAS, the CITY OF NORCO initiated Specific Plan 91-02 Amendment 5, an amendment to the Norco Hills Specific Plan, amending Section III (Development Regulations) to regulate the height of accessory structures allowed in the Equestrian-Residential District, and to amend the approval process; and

WHEREAS, the Specific Plan 91-02 Amendment 5 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 March 31, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the Planning Commission adopted Resolution 2010-03 recommending to the City Council that Specific Plan 91-02 Amendment 5 be approved; and

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

WHEREAS, the Specific Plan Amendment was scheduled for public hearing on May 19, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to the Specific Plan Amendment; and

WHEREAS, the City Council remanded said Specific Plan Amendment to the Planning Commission with direction for clarification of certain issues; and

WHEREAS, the Specific Plan Amendment was duly re-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 June 30, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, based on findings of fact, the Planning Commission adopted Resolution 2010-08 recommending to the City Council that Specific Plan Amendment 91-02, Amendment 5 be approved for reasons set forth in said Resolution; and

WHEREAS, hearing of said Specific Plan Amendment was duly noticed and scheduled for public hearing by the City Council at its meeting of August 18, 2010, 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 Zone Code Amendment; 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 does hereby ordain changes as follows:

SECTION 1:

III. *DEVELOPMENT REGULATIONS*

A. *Introduction*

B. *General Provisions*

C. *Regulations*

1. *Equestrian Residential District*

c. *Permitted Uses*

6) *Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, covered corrals and pens, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.*

- d. Uses Permitted with a Conditional Use Permit
7) *Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, covered corrals and pens, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.*

- f. On-Site Development Standards
2) *Maximum Height: The maximum height of the main residential structure shall be 35 feet.*

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet or as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet or as approved by the Planning Commission.

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 1, 2010.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, 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 August 18, 2010 and thereafter at a regular meeting of said City Council duly held on September 1, 2010, 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 1, 2010.

Brenda K. Jacobs, City Clerk
City of Norco, California

/sk-76293

ORDINANCE NO. 926

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING AMENDMENT 4 TO SPECIFIC PLAN 99-01 (NORCO RIDGE RANCH SPECIFIC PLAN) WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO REGULATE THE HEIGHT AND APPROVAL PROCESS OF ACCESSORY STRUCTURES ALLOWED IN THE EQUESTRIAN RESIDENTIAL DISTRICT. SPECIFIC PLAN 99-01, AMENDMENT 4.

WHEREAS, the CITY OF NORCO initiated Specific Plan 99-01 Amendment 4, an amendment to the Norco Ridge Ranch Specific Plan, amending Section III (Development Regulations) to regulate the height of accessory structures allowed in the Equestrian-Residential District, and to amend the approval process; and

WHEREAS, the Specific Plan 99-01 Amendment 4 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 March 31, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the Planning Commission adopted Resolution 2010-04 recommending to the City Council that Specific Plan 99-01 Amendment 4 be approved; and

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

WHEREAS, the Specific Plan Amendment was scheduled for public hearing on May 19, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to the Specific Plan Amendment; and

WHEREAS, the City Council remanded said Specific Plan Amendment to the Planning Commission with direction for clarification of certain issues; and

WHEREAS, the Specific Plan Amendment was duly re-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 June 30, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, based on findings of fact, the Planning Commission adopted Resolution 2010-09 recommending to the City Council that Specific Plan Amendment 99-01, Amendment 4 be approved for reasons set forth in said Resolution; and

WHEREAS, hearing of said Specific Plan Amendment was duly noticed and scheduled for public hearing by the City Council at its meeting of August 18, 2010, 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 Zone Code Amendment; 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 does hereby ordain changes as follows:

SECTION 1:

III. DEVELOPMENT REGULATIONS

A. Introduction

B. General Provisions

C. Regulations

1. Equestrian Residential District

c. Permitted Uses

6) *Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, covered corrals and pens, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.*

- d. Uses Permitted with a Conditional Use Permit
7) *Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, covered corrals and pens, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.*

- f. On-Site Development Standards
2) *Maximum Height: The maximum height of the main residential structure shall be 35 feet.*

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet or as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet or as approved by the Planning Commission.

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 1, 2010.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, 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 August 18, 2010 and thereafter at a regular meeting of said City Council duly held on September 1, 2010, 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 1, 2010.

Brenda K. Jacobs, City Clerk
City of Norco, California

/sk-76294

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: September 1, 2010

SUBJECT: **Ordinance No. 924, Second Reading.** Zone Code Amendment 2010-01 (City): A Proposed Ordinance to Amend Title 18 (Zoning) of the Norco Municipal Code to Regulate the Size, Height, and Approval Process of Accessory Structures Allowed in Agricultural-Residential Zones

RECOMMENDATION: Adopt **Ordinance No. 924** for second reading.

SUMMARY: The first reading of Ordinance No. 924 was held on August 18, 2010 and was adopted by the City Council with a 4-1 vote (Council Member Sullivan voting "no"). Staff is recommending that the City Council adopt Ordinance No. 924 for second reading. The ordinance amends Title 18 (Zoning) of the Norco Municipal Code regulating the size, height, and approval process of accessory structures allowed in agricultural-residential zones.

/bj-76401
Attachment: Ordinance No. 924

ORDINANCE NO. 924

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING AN AMENDMENT TO TITLE 18 OF THE NORCO MUNICIPAL CODE, BY AMENDING CHAPTERS 18.12 AND 18.13 WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO REGULATE THE SIZE, HEIGHT, AND APPROVAL PROCESS OF ACCESSORY STRUCTURES ALLOWED IN AGRICULTURAL-RESIDENTIAL ZONES. ZONE CODE AMENDMENT 2010-01.

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2010-01, an amendment to Norco Municipal Code Title 18 (Zoning Code), amending Chapters 18.12 and 18.13 to regulate the size, height, and approval process of accessory structures allowed in agricultural-residential zones; and

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

WHEREAS, the Zone Code Amendment was scheduled for public hearing on March 31, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the Planning Commission adopted Resolution 2010-02 recommending to the City Council that Zone Code Amendment 2010-01 be approved; and

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

WHEREAS, the Zone Code Amendment was scheduled for public hearing on May 19, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to the Zone Code Amendment; and

WHEREAS, the City Council remanded said Zone Code Amendment to the Planning Commission with direction for clarification of certain issues; and

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

WHEREAS, the Zone Code Amendment was scheduled for public hearing on June 30, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, based on findings of fact, the Planning Commission adopted Resolution 2010-07 recommending to the City Council that Zone Code Amendment 2010-01 be approved for reasons set forth in said Resolution; and

WHEREAS, hearing of said Zone Code Amendment was duly noticed and scheduled for public hearing by the City Council at its meeting of August 18, 2010, 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 Zone Code Amendment; 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 does hereby ordain changes as follows:

SECTION 1:

Chapter 18.12

18.12.02 Intent and Purpose

This zone is intended to provide and encourage the development of agricultural estate areas designed to take advantage of the rural environment, as well as the outdoor recreation potential of the community by maintaining contiguous undeveloped open land on each and every residential lot.

18.12.06 Permitted Uses

(3) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.

(b) (deleted)

18.12.08 Uses Which May be Permitted by Conditional Use Permit

(13) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, covered corrals and pens, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.

18.12.18 Permitted Heights

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet or as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet or as approved by the Planning Commission.

Chapter 18.13

18.13.02 Intent and Purpose.

This zone is intended to provide and encourage the development of agriculturally-oriented low-density living areas designed to take advantage of the rural environment, as well as the outdoor recreation potential of the community by maintaining contiguous undeveloped open land on each and every residential lot.

18.13.06 Permitted Uses.

(3) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.

18.13.08 Uses Which may be Permitted by Conditional Use Permit.

(19) Accessory structures and uses:

(a) Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.

18.13.18 Permitted Heights.

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet or as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet or as approved by the Planning Commission.

18.13.20 Permitted Coverage.

For lots that do not have a primary animal-keeping area, the maximum lot coverage of all structures shall be not more than 40 percent of the total lot area.

The maximum pad coverage of all structures on the pad shall be not more than 40 percent of the total pad area. The pad area is defined as the "flat" part of the lot (4% grade or less).

For determining structural coverage on the lot in question:

- (a) When a sloped area that is greater than four percent is graded to be four percent or less, the additional graded area is considered part of the pad if the new graded area meets the minimum primary animal-keeping area (PAKA) criteria established in this chapter.*
- (b) All site plans submitted for review of accessory structures as required in Sections 18.13.06(3) and 18.13.08(19) above, shall show all existing structures, the flat pad area, and the location of contiguous animal areas.*
- (c) A contiguous open animal area shall be rectangular in shape with a minimum of 24 feet on any side. The total open area shall be equal to the allowed number of animal units multiplied by 576 square feet. The contiguous open animal areas shall be free of any structures that require a building permit. On lots one acre or less, the contiguous open area shall be one contiguous area.*

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 1, 2010.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, 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 August 18, 2010 and thereafter at a regular meeting of said City Council duly held on September 1, 2010, it was duly passed and adopted by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

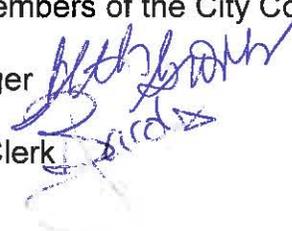
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on September 1, 2010.

Brenda K. Jacobs, City Clerk
City of Norco, California

/sk-76292

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: September 1, 2010

SUBJECT: **Ordinance No. 925, Second Reading.** Specific Plan 91-02, Amendment 5 (City): A proposed Ordinance to Amend the Norco Hills Specific Plan to Regulate the Height and Approval Process of Accessory Structures Allowed in the Equestrian Residential District

RECOMMENDATION: Adopt **Ordinance No. 925** for second reading.

SUMMARY: The first reading of Ordinance No. 925 was held on August 18, 2010 and was adopted by the City Council with a 4-1 vote (Council Member Sullivan voting "no"). Staff is recommending that the City Council adopt Ordinance No. 925 for second reading. The ordinance amends the Norco Hills Specific Plan to regulate the height and approval process of accessory structures allowed in the equestrian residential district.

/bj-76402

Attachment: Ordinance No. 925

ORDINANCE NO. 925

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING AMENDMENT 5 TO SPECIFIC PLAN 91-02 (NORCO HILLS SPECIFIC PLAN) WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO REGULATE THE HEIGHT AND APPROVAL PROCESS OF ACCESSORY STRUCTURES ALLOWED IN THE EQUESTRIAN RESIDENTIAL DISTRICT. SPECIFIC PLAN 91-02, AMENDMENT 5.

WHEREAS, the CITY OF NORCO initiated Specific Plan 91-02 Amendment 5, an amendment to the Norco Hills Specific Plan, amending Section III (Development Regulations) to regulate the height of accessory structures allowed in the Equestrian-Residential District, and to amend the approval process; and

WHEREAS, the Specific Plan 91-02 Amendment 5 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 March 31, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the Planning Commission adopted Resolution 2010-03 recommending to the City Council that Specific Plan 91-02 Amendment 5 be approved; and

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

WHEREAS, the Specific Plan Amendment was scheduled for public hearing on May 19, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to the Specific Plan Amendment; and

WHEREAS, the City Council remanded said Specific Plan Amendment to the Planning Commission with direction for clarification of certain issues; and

WHEREAS, the Specific Plan Amendment was duly re-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 June 30, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, based on findings of fact, the Planning Commission adopted Resolution 2010-08 recommending to the City Council that Specific Plan Amendment 91-02, Amendment 5 be approved for reasons set forth in said Resolution; and

WHEREAS, hearing of said Specific Plan Amendment was duly noticed and scheduled for public hearing by the City Council at its meeting of August 18, 2010, 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 Zone Code Amendment; 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 does hereby ordain changes as follows:

SECTION 1:

III. DEVELOPMENT REGULATIONS

A. Introduction

B. General Provisions

C. Regulations

1. Equestrian Residential District

c. Permitted Uses

6) *Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, covered corrals and pens, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.*

- d. Uses Permitted with a Conditional Use Permit
7) *Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.*

- f. On-Site Development Standards
2) *Maximum Height: The maximum height of the main residential structure shall be 35 feet.*

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet or as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet or as approved by the Planning Commission.

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 1, 2010.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, 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 August 18, 2010 and thereafter at a regular meeting of said City Council duly held on September 1, 2010, it was duly passed and adopted by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

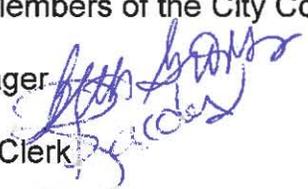
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on September 1, 2010.

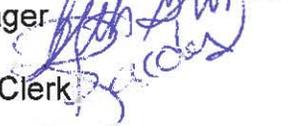
Brenda K. Jacobs, City Clerk
City of Norco, California

/sk-76293

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: September 1, 2010

SUBJECT: **Ordinance No. 926, Second Reading.** Specific Plan 99-01, Amendment 4 (City): A Proposed Ordinance to Amend the Norco Ridge Ranch Specific Plan to Regulate the Height and Approval Process of Accessory Structures Allowed in the Equestrian Residential District

RECOMMENDATION: Adopt **Ordinance No. 926** for second reading.

SUMMARY: The first reading of Ordinance No. 926 was held on August 18, 2010 and was adopted by the City Council with a 4-1 vote (Council Member Sullivan voting "no"). Staff is recommending that the City Council adopt Ordinance No. 926 for second reading. The ordinance amends the Norco Ridge Ranch Specific Plan to regulate the height and approval process of accessory structures allowed in the equestrian residential district.

/bj-76403

Attachment: Ordinance No. 926

ORDINANCE NO. 926

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING AMENDMENT 4 TO SPECIFIC PLAN 99-01 (NORCO RIDGE RANCH SPECIFIC PLAN) WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO REGULATE THE HEIGHT AND APPROVAL PROCESS OF ACCESSORY STRUCTURES ALLOWED IN THE EQUESTRIAN RESIDENTIAL DISTRICT. SPECIFIC PLAN 99-01, AMENDMENT 4.

WHEREAS, the CITY OF NORCO initiated Specific Plan 99-01 Amendment 4, an amendment to the Norco Ridge Ranch Specific Plan, amending Section III (Development Regulations) to regulate the height of accessory structures allowed in the Equestrian-Residential District, and to amend the approval process; and

WHEREAS, the Specific Plan 99-01 Amendment 4 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 March 31, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the Planning Commission adopted Resolution 2010-04 recommending to the City Council that Specific Plan 99-01 Amendment 4 be approved; and

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

WHEREAS, the Specific Plan Amendment was scheduled for public hearing on May 19, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to the Specific Plan Amendment; and

WHEREAS, the City Council remanded said Specific Plan Amendment to the Planning Commission with direction for clarification of certain issues; and

WHEREAS, the Specific Plan Amendment was duly re-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 June 30, 2010 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, based on findings of fact, the Planning Commission adopted Resolution 2010-09 recommending to the City Council that Specific Plan Amendment 99-01, Amendment 4 be approved for reasons set forth in said Resolution; and

WHEREAS, hearing of said Specific Plan Amendment was duly noticed and scheduled for public hearing by the City Council at its meeting of August 18, 2010, 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 Zone Code Amendment; 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 does hereby ordain changes as follows:

SECTION 1:

III. DEVELOPMENT REGULATIONS

A. Introduction

B. General Provisions

C. Regulations

1. Equestrian Residential District

c. Permitted Uses

6) *Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, covered corrals and pens, and similar animal-keeping/agricultural structures 864 square feet or smaller, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor site plan review.*

- d. Uses Permitted with a Conditional Use Permit
7) *Accessory structures and uses: Private garages used by persons residing on the premises, cabanas, laundry rooms, workshops, stables, barns, tack rooms, pens, corrals, and similar animal-keeping/agricultural structures that exceed 864 square feet, provided these structures shall not be used as a habitable dwelling or space, as defined by the adopted Uniform Building Code. Approval shall be through a minor conditional use permit review.*

- f. On-Site Development Standards
2) *Maximum Height: The maximum height of the main residential structure shall be 35 feet.*

The maximum height of any accessory structure 864 square feet or smaller shall be 14 feet or as approved by the Planning Commission.

The maximum height of any accessory structure larger than 864 square feet shall be 20 feet or as approved by the Planning Commission.

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 1, 2010.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, 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 August 18, 2010 and thereafter at a regular meeting of said City Council duly held on September 1, 2010, 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 1, 2010.

Brenda K. Jacobs, City Clerk
City of Norco, California

/sk-76294

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Ross Cooper, Lieutenant 

DATE: September 1, 2010

SUBJECT: Second Amendment to the Agreement for Law Enforcement Services Eliminating the Front Office Community Service Officer Position

RECOMMENDATION: Authorize the Mayor to sign the Amendment to the Agreement.

SUMMARY: Implementing this Amendment to the Law Enforcement Agreement will reduce law enforcement costs and staffing by one Community Service Officer position and reduce the hours that the Sheriff's Office in City Hall is open to the public.

BACKGROUND/ANALYSIS: As a result of the economic downturn and the projected reduction in city revenue, staff has been reducing General Fund expenditures and funding high priority programs with grants. Since our goal is to not negatively impact Priority 1 response times or traffic safety, the first positions considered for elimination were our six civilian Community Service Officers. Community Service Officers do not respond to Priority 1 calls for service and although they investigate traffic collisions, they do not take enforcement action on hazardous or moving violations. Three of our patrol Community Service Officers were eliminated in January 2009 resulting in an annual cost reduction of \$300,000. In July 2009 overtime was reduced and one motor officer position was eliminated resulting in an additional annual cost reduction of \$250,000.

During the Fiscal Year 2010-2011 budget process staff implemented Council's direction to continue reducing expenditures. Our three remaining motor officers were eliminated in June 2010 resulting in an annual net cost reduction of \$480,000.

In August 2010 the Community Service Officer working the public counter of the Sheriff's Office in City Hall requested and was granted a transfer to the Jurupa Valley Station. Staff is recommending that we replace this full-time Sheriff's employee with a part-time City employee and reduce the hours that the public counter is open from the current schedule of Monday to Thursday, 8:00 am to 6:00 pm, to Monday to Thursday, 10:00 am to 2:00 pm. Implementing this change requires an Amendment to the Agreement for Law Enforcement Services to reduce the level of service by one Community Service Officer. It will result in a net General Fund cost reduction of \$53,467 this year.

Second Amendment to the Agreement for Law Enforcement Services Eliminating One
CSO Position
Page 2
September 1, 2010

FINANCIAL IMPACT: Reducing the hours that the Sheriff's Office public lobby is open and replacing a full-time Sheriff's employee with a part-time City employee will reduce expenditure \$74,267 in contract services (121-772-34115) and increase expenditure \$20,800 in part-time salaries (121-772-30105) for a net General Fund savings of \$53,467.

/rlf-76301

Attachment: Second Amendment to Agreement for Law Enforcement Services between the County of Riverside and City of Norco

IN WITNESS WHEREOF, the City of Norco, by minute order or resolution duly adopted by its City Council, has caused this Agreement to be signed by its Mayor and attested and sealed by its Clerk, and the County of Riverside, by order of its Board of Supervisors, has caused this Agreement to be signed by the Chairman of said Board and sealed and attested by the Clerk of said Board, all on the dates indicated below.

CITY OF NORCO

Dated: _____

By: _____
Mayor

ATTEST:

Name Brenda K. Jacobs
Title City Clerk

By: _____

COUNTY OF RIVERSIDE

Dated: _____

By: _____
Marion Ashley, Chair
Riverside County Board of Supervisors

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

By: _____
Deputy

FORM APPROVED COUNTY COUNSEL
BY: Neal R. Kipnis 4/25/10
NEAL R. KIPNIS DATE

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

DATE: September 1, 2010

SUBJECT: Request for use of the City Seal

RECOMMENDATION: Approve the request to use the City Seal on a joint-letter of invitation to Navy personnel, as well as on programs and signage, for a December 7 remembrance event hosted by the Lake Norconian Club Foundation.

SUMMARY: In preparation of a December 7 remembrance event, a letter of invitation is being sent to invite Navy officers to participate in the event. A joint-letter of invitation will be sent to Navy personnel and officials. Staff is requesting the Council's permission to use the City's Seal on the joint-invitation and that the Mayor signs the final letter.

BACKGROUND/ANALYSIS: As is its tradition, the Lake Norconian Club Foundation (LNCF) will be hosting a December 7 remembrance event in the Pavilion at the Naval Surface Warfare Center. This year, it is planned to be a joint-effort between the LNCF, the City of Norco, the City of Corona, the Naval Surface Warfare Center, and the Greater Corona Valley Chamber of Commerce. A letter of invitation is being prepared to request that Navy officers attend and participate in the event. It is planned that the letter would come from all of the community agencies.

Therefore, staff is requesting permission to use the City Seal on the letter and have the Mayor sign the invitation as the representative of the City of Norco. It is also anticipated that the City Seal will be requested for use on the program and signage for the event and the Council is also recommended to approve the use of the City Seal for that purpose.

FINANCIAL IMPACT: None

/76419

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

DATE: September 1, 2010

SUBJECT: City-Initiated Proposal to Add Chapter 5.50 "Employment of Undocumented Workers" to the Norco Municipal Code

RECOMMENDATION: Adopt **Ordinance No. ____** for first reading.

SUMMARY: A proposed ordinance has been drafted based on the City Council's recommendation on August 4, 2010. The draft ordinance proposes adding Chapter 5.50 "Employment of Undocumented Workers" to the Norco Municipal Code and effectively defines the E-Verify requirements for all City contractors and their sub-contractors, and all City businesses and their sub-contractors. The proposed ordinance, if passed, would apply to all City contracts awarded after January 1, 2011.

BACKGROUND/ANALYSIS: At its meeting held on August 4, 2010, the City Council voted to have an ordinance drafted that includes E-Verify requirements for all City employees, City contractors and their sub-contractors, and all City businesses and their sub-contractors.

E-Verify is an internet-based system that electronically verifies the employment eligibility of newly hired employees. E-Verify allows participating employers to electronically compare employee information taken from the Form I-9 (the employee eligibility form used for all new hires) against the records in the Social Security Administration's database and the Department of Homeland Security immigration databases. E-Verify is currently voluntary and free to employers. To participate, an employer must register online and accept the electronic Memorandum of Understanding that details the responsibilities of all parties.

The Department of Homeland Security encourages the use of E-Verify, but federal law prohibits the Department from requiring employers to use it. There is no explicit prohibition on doing so, but based on the few cases that have been decided in other states, such an ordinance may violate federal law depending upon how it is structured.

The first issue is determining whether an ordinance requiring the use of E-Verify violates the Immigration Reform and Control Act of 1986 (IRCA), the federal law regulating the employment of aliens. While local governments generally have a right to determine contract terms, they must also comply with federal law in the area of immigration.

The proposed ordinance has been drafted based on what staff believes are the legal rights the City has to require the use of E-Verify and to what extent the City can implement and enforce these requirements.

As drafted, the requirements apply to contractors who do business with the City as:

“Contractor” shall mean a person, employer, or business entity that enters into a contract or an agreement with the City to perform any service or work or to provide a certain product in exchange for valuable consideration. This definition shall include, but not be limited to, a subcontractor, contract employee, or a recruiting or staffing entity. No governmental agency shall be considered to be a contractor for purposes of this chapter.

The proposed ordinance includes, as an exhibit, an “Affidavit of Compliance with the Norco Municipal Code” that will be required to be completed per the “Application of Requirements” Section 5.50.020. The Contractor will also be required to maintain records that shall be immediately made available to the city for inspection and audit upon written notice to the Contractor by the City Manager.

The proposed ordinance would apply to all City contracts awarded after January 1, 2011.

FINANCIAL IMPACT: No additional appropriation required. Because of fluctuations in the amount of City contracting year, work load impacts are undetermined.

/bj-76412
Attachment: Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO ADDING CHAPTER 5.50 "EMPLOYMENT OF UNDOCUMENTED WORKERS" TO THE NORCO MUNICIPAL CODE. CODE CHANGE 2010-04.

WHEREAS, state and federal law require that certain conditions be met before a person may be authorized to work in the United States; and

WHEREAS, undocumented workers, as defined herein, do not generally satisfy such conditions as a matter of law when present in the City of Norco ("City"); and

WHEREAS, the City has an interest in ensuring that those who contract with the City employ only individuals who are employment eligible; and

WHEREAS, E-Verify is an Internet-based system operated by the Department of Homeland Security in partnership with the Social Security Administration, is free and voluntary; and

WHEREAS, E-Verify is the best means available for determining employment eligibility of new hires and the validity of their Social Security numbers.

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

SECTION 1: Chapter 5.50 of the Norco Municipal Code is hereby added as follows

CHAPTER 5.50

"EMPLOYMENT OF UNDOCUMENTED WORKERS"

Sections:

5.50.010

Definitions

5.50.020

Application of Requirements

5.50.030

Verification of Employment Eligibility

5.50.010 **Definitions**

When used in this Chapter, the following words, terms and phrases shall have the meaning(s) ascribed to them herein, and shall be construed so as to be consistent with state and federal law, including federal immigration law:

"Business entity" means any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit with the City. The term business entity shall

include, but not be limited to, self-employed individuals, partnerships, corporations, contractors, and subcontractors doing business with the City.

"Contract" shall mean all types of agreements including, but not limited to, State grants; orders for purchase or disposal of supplies, services, construction, or any other item; awards; contracts of a fixed-price, cost, or incentive type; contracts providing for the issuance of job or task orders; letter contracts; and all construction management contracts.

"Contractor" shall mean a person, employer, or business entity that enters into a contract or an agreement with the City to perform any service or work or to provide a certain product in exchange for valuable consideration. This definition shall include, but not be limited to, a subcontractor, contract employee, or a recruiting or staffing entity. No governmental agency shall be considered to be a contractor for purposes of this chapter.

"E-Verify" shall mean the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996, Pub. L. No. 104-208, Division C, Title IV, s. 403(a), as amended, and operated by the United States Department of Homeland Security, or a successor electronic verification of work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees pursuant to the Immigration Reform and Control Act of 1986, Pub. L. No. 99-603.

"Unauthorized alien" shall mean a person who is not legally permitted to be employed in the United States, pursuant to Section 1324a(h)(3) of Title 8 of the United States Code.

"Work" means any job, task, employment, labor, personal services, or any other activity for which compensation is provided, expected, or due, including provided to the City all activities conducted by business entities and contractors.

5.50.020 Application of Requirements

A. The City shall enroll and participate in E-Verify, as defined. The City Manager or designee shall oversee the City's participation in this program and shall ensure that it is applied to all persons to be hired by the City as City employees.

B. As a condition of the issuance or renewal of a business license, a business owner or operator, who is an employer as defined herein, shall complete an Affidavit of Compliance with the Norco Municipal Code (Exhibit "A").

C. As a condition for the award of any City contract, gift, contribution or grant to a business entity or contractor, the business entity or contractor shall complete an Affidavit of Compliance with the Norco Municipal Code.

D. As a condition for the award or renewal of any City franchise or contract, the business entity shall complete an Affidavit of Compliance with the Norco Municipal Code.

E. If a business entity or contractor uses a subcontractor in connection with the performance of the contract, the subcontractor shall, as a condition of contract, certify to the contractor its compliance with E-Verify by completing an Affidavit of Compliance with the Norco Municipal Code.

F. The City shall include specific written notice in all requests for bids that business entities and any subcontractors are required to comply with the provisions of this ordinance.

G. *Exception.* Notwithstanding any other provision herein, this Chapter shall not apply to the purchase by the City of any commercially available off-the-shelf (COTS) item where no labor or service is supplied as an element of the contract or purchase of those items."

5.50.030 Verification of Employment Eligibility

A. Every Contractor shall verify Employment eligibility of all employees through the E-Verify Program.

B. A Contractor shall maintain records sufficient to establish that it has complied with the requirement set forth in subsection (A) of this Section 5.50.030 with respect to each employee and shall retain such records for the duration of such employee's employment; provided, however, that a Contractor shall retain and maintain such records for a longer period of time if required by an applicable state or federal law, regulation or rule. The records maintained pursuant to this Section 5.50.30 shall be immediately made available to the city for inspection and audit upon written notice to the Contractor by the City Manager.

SECTION 2: EFFECTIVE DATE: This Ordinance shall become effective 30 days after final passage and apply to all City contracts awarded after January 1, 2011.

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.

Ordinance No. _____

Page 4

September 1, 2010

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 15, 2010.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, 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 1, 2010 and thereafter at a regular meeting of said City Council duly held on September 15, 2010, 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 15, 2010.

Brenda K. Jacobs, City Clerk
City of Norco, California

/bj-76337

Exhibit "A"

CITY OF NORCO

E-VERIFY REQUIREMENTS FOR CONTRACTORS

(EFFECTIVE FOR CITY CONTRACTS AWARDED AFTER JANUARY 1, 2011)

By Ordinance, the City of Norco requires that all contractors who enter into agreements to provide services or products to the City use the Department of Homeland Security's E-Verify system when hiring new employees for the term of the contract.

E-Verify is an electronic system designed to verify that anyone hired is authorized to work in the United States. It is run by the Department of Homeland Security.

Who is affected?

- All contractors doing business for the City of Norco. There is no minimum dollar value for contracts affected.
- All subcontractors employed by the general contractor on these contracts.

Are there exceptions?

- Contracts for "Commercial-Off-The-Shelf" items are exempted from this requirement.

How long must the contractor comply with the E-Verify system?

- For at least the term of the contract.

Are there other stipulations?

- E-Verify must be used for NEW HIRES during the term of the contract.
- E-Verify must be used to verify the documentation of ANY new employee during the term of the contract, not just those directly or indirectly working on deliverables related to the City of Norco contract.

How will the City of Norco check for compliance?

- All contractors will retain a copy of the E-Verify Memorandum of Understanding that they execute with the Department of Homeland Security.
- Sign and submit to the City an Affidavit of Compliance with their signed contract.
- All General Contractors will be required to have their subcontractors sign an Affidavit of Compliance.
- The City of Norco has the right to audit the Contractor's compliance with the E-Verify Ordinance.

Further information on E-Verify can be found at the following website:

<http://www.uscis.gov/e-verify>

CITY OF NORCO

AFFIDAVIT OF COMPLIANCE WITH THE NORCO MUNICIPAL CODE

"E-VERIFY"

As the person duly authorized to enter into such commitment for

(Company or Organization Name)

I hereby certify that the Company or Organization named herein will

(check one box below)

- Be in compliance with all of the requirements of Chapter 5.50 of the City of Norco for the duration of the contract entered into with the City of Norco.
- Hire no employees for the term of the contract with the City.

NAME

TITLE

DATE