



**MINUTES**  
**CITY OF NORCO**  
PLANNING COMMISSION  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
**SPECIAL MEETING**  
OCTOBER 26, 2011

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1. CALL TO ORDER: **7:01 PM**
2. ROLL CALL: **Chair Wright, Vice-Chair Henderson, Commission Members Hedges, Jaffarian and Leonard**
3. STAFF PRESENT: **Planning Director King, Senior Planner Robles, Sergeant Violette, Animal Control Superintendent Hemmings, Animal Control Officer Scagnamiglio and Deputy City Clerk Germain**
4. PLEDGE OF ALLEGIANCE: **Chair Wright**
5. APPEAL NOTICE: **Read by PD King**
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: **NONE**
7. APPROVAL OF MINUTES: Minutes of October 12, 2011. **Recommended Action: Approval** (Deputy City Clerk)  
**M/S Henderson/Hedges** to approve the minutes of October 12, 2011 as written  
**AYES: Unanimous Motion Passed**

8. CONTINUED ITEMS: **NONE**

9. PUBLIC HEARINGS:

- A. **Resolution 2011-\_\_\_**; Zone Code Amendment 2011-05 (City Of Norco): A City-initiated Proposal to Amend Title 18 of the Norco Municipal Code by Amending the Provisions of Chapter 18.39 Entitled “General Provisions - Non-Conforming Uses, Lots and Structures”, to Establish Provisions to Issue “Rebuild” Letters.  
**Recommended Action: Recommendation for Approval** (SP Robles)

SP Robles recommended that this item be continued to an unspecified date.

**M/S Jaffarian/Leonard** to continue Zone Code Amendment 2011-05 off-calendar.

**AYES: Unanimous Motion Passed**

- B. **Resolution 2011-\_\_\_**: Zone Code Amendment 2011-04 (City Of Norco): A City-initiated Proposal to Amend Title 18 of the Norco Municipal Code by Amending the Provisions of Chapter 18.13 Entitled “A-1 Zone-Agricultural Low Density”, Amending the Provisions that Regulate Roosters within the A-1 Zone.  
**Recommended Action: Recommendation for Approval** (PD King)

PD King presented the staff report on file in the Planning Division. He noted that this item has been brought forth per the City Council request as the City’s municipal codes are very lenient, with regards to the allowed number of roosters and there is a potential for abuse due to

difficulties in monitoring and enforcing. PD King stated currently it is difficult for staff or the Sheriff's deputies to go onto a property to verify a reported complaint of a potential problem and get evidence of a potential problem. He reviewed the areas of discussion from the sub-committee meetings. Staff recommends approval to the City Council.

In response to PC Jaffarian, Sgt. Violette reviewed the Sheriff Department's procedure when a potential violation is reported and a property needs to be checked out.

Chair Wright asked that an annual renewal be added as a condition as it was discussed at the last Planning Commission meeting.

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

**Robin Grundmeyer:** Ms. Grundmeyer stated her concerns about the proposal noting that students will have two to four breeds of poultry, and the CUP process is difficult for kids' groups. She added that the noise is what needs to be addressed.

**Adam Caudill:** Mr. Caudill stated that this has been an on-going issue in his neighborhood as several properties have been purchased and now there are many roosters that are disturbing the neighbors. He requested approval of the proposal.

**Scott Kaan:** Mr. Kaan feels 25 roosters is too many for one property and he supports this issue.

**Everett Sykes:** Mr. Sykes doesn't want change in Norco, asking where will the line be drawn if this gets approved and noting that there are many animals that make noise.

**Dan Leach:** Mr. Leach stated that he lives adjacent to the problem property which has 50-100 roosters, adding that they start crowing at 2:00 a.m. He noted that this problem needs to be addressed.

**Jeff Josselyn:** Mr. Josselyn stated that this item doesn't infringe on current animal owners, it is about the number of roosters being kept on certain properties. He supports approval.

**Gina Kuhn:** Ms. Kuhn stated that she lives across the street of the problem property, noting that it is all about the noise.

**Michael Ochou:** Mr. Ochou stated that he agreed that if the number of roosters is over a set amount it must be addressed but added that the local feed stores may be affected by this proposed law and the reduced demand for feed.

**Will Capps:** Mr. Capps stated that based on his experience with a neighbor with 250 roosters, he supports the proposal.

**Don Bowker:** Mr. Bowker thanked the Commission for looking at this issue and for considering the low number of allowed roosters.

**Joe Arambula:** Mr. Arambula supports the approval of the code amendment.

**Johnny Valencia:** Mr. Valencia supports the approval of the resolution.

**Lori Soliz:** Ms. Soliz supports this proposal.

**Roy Hungerford:** Mr. Hungerford stated that there are many neighborhoods affected with this same problem. He added that he supports this issue and the low number allowed.

**Karen Leonard:** Ms. Leonard stated she agreed with the previous speaker, adding that other types of birds need to be considered as well.

**Jim Hosley:** Mr. Hosley noted that he is against the code amendment.

**Daniel Herman:** Mr. Herman stated he opposes this issue, adding that he doesn't want a new law that would prohibit someone from doing this as a hobby. He noted that the noise issue is what needs to be addressed.

**Juan Vargas:** Mr. Vargas noted that roosters don't smell as much as horses do.

**Lap Vo:** Mr. Vo stated that he loves roosters and all animals and doesn't want the change.

**Ty Vo:** Mr. Vo stated that he also loves all animals and that he opposes this amendment.

**Linda Dixon:** Mrs. Dixon stated she supports this issue, noting that those who are breaking the law should be the ones pursued.

**Rick Verduzco:** Mr. Verduzco noted that those complaining have not lived in Norco that long and because of a few complaints the laws get changed. He is against this recommendation adding that animal noises are part of Norco.

**Daniel Bove:** Mr. Bove stated he opposes the proposal and the limit to three roosters.

**Lewann Hepffer:** Ms. Hepffer stated that she doesn't like changes that affect animals, suggesting that the commission speak with professionals to get more facts before making changes.

**John Opitz:** Mr. Opitz stated that he is in favor to limiting roosters on smaller properties.

**Michelle Robinson:** Ms. Robinson agreed that 25-35 roosters on a small property are too much. She requested that more investigation be done as it's the noise that is the issue.

**Greg Bowen:** Mr. Bowen suggested that a noise ordinance be developed; adding that limiting the number of roosters is not the answer. He added that a smell ordinance should be developed also.

**Celeste Tittle:** Ms. Tittle stated that she has an issue with birds being raised for anything other than a domestic animal. She noted her concerns for the 4H kids and their animal projects. She stated she is against this proposal as it is an issue that can be pursued through federal agencies.

**Kristie Taber:** Ms. Taber stated that she lives across the street from the property with that many roosters and can't enjoy her environment as they get too loud. She said that she supports the lower number of roosters.

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

**Recessed: 7:59PM**  
**Reconvened: 8:09PM**

PC Jaffarian noted that laws are written for the abusers, not the law abiding citizens. He asked for a representative of the Norco Animal Control to speak on this subject.

**Chuck Hemmings, Superintendent of Animal Control:** Supt. Hemmings gave his input on how to control the number of stags, by setting a maximum of 25 roosters per property based on its size which would include any and all crowing stags. He noted that he had spoken to a few local rooster property owners and that they were okay with that type of count. In response to PC Hedges, Supt. Hemmings gave an overview of their procedures for compliance on any animal issues.

Vice-Chair Henderson suggested requiring the use of smaller cages or sound-proof building to limit the noise. He stated that this seems to be a noise issue and if a noise ordinance is in place then someone may complain about other types of animals.

PC Jaffarian stated that the ordinance covers all questions brought up and should address the immediate problem. He added that the kids' groups should not have any issues as they are offered a no fee CUP which will allow them to have what they need.

PC Hedges stated that a noise ordinance is out of the question but noted something needs to be done. Both she and Vice-Chair Henderson liked the suggestion by Supt. Hemmings about the count adding that three may be too low but that 15-25 is too many.

Discussions continued.

PC Jaffarian suggested the following be added within the Resolution to the City Council: 1 rooster for up to 10,000 square feet; minimum 20,000 square feet for up to 3, and minimum 40,000 square feet for up to 6. Anything else requires a Conditional Use Permit. He added that kids groups will be exempt, and that an annual renewal be required on all CUPs.

**M/S Jaffarian/Hedges** to adopt Resolution 2011-61, recommending that the City Council approve an amendment to the Norco Municipal Code by amending the provisions of Chapter 18.13 entitled "A-1 Zone-Agricultural Low Density", amending the provisions that regulate roosters within A-1 Zone, adding the allotted numbers as provide by PC Jaffarian and an annual renewal requirement on all Conditional Use Permits. Zone Code Amendment 2011-04.

**AYES: Unanimous Motion Passed**

- C. **Resolution 2011-\_\_\_**: Specific Plan 91-05 (Norco Hills Specific Plan), Amendment 6 (City of Norco): A City-initiated Proposal to Amend the Norco Hills Specific Plan to Establish Provisions to Regulate Fowl and the Number of Animals not Otherwise Categorized as an Animal Unit. **Recommended Action: Recommendation for Approval (PD King)**

PD King presented the staff report on file in the Planning Division.

**M/S Jaffarian/Hedges** to adopt Resolution 2011-62, recommending that the City Council approve Amendment 6 to amend the Norco Hills Specific Plan Chapter C Section 1, Paragraph (i) with related cross-references in other chapters as needed to add a provision to regulate animals not otherwise regulated by an animal unit.

**AYES: Unanimous Motion Passed**

10. BUSINESS ITEM:  
2010 Planning Division Annual Progress Report **Recommended Action: Forward Copy to the State Clearinghouse (SP Robles)**

PD King presented the staff report on file in the Planning Division.

**M/S Jaffarian/Hedges** to receive and file the 2010 Planning Annual Progress Report.

**AYES: Unanimous Motion Passed**

11. CITY COUNCIL: **Received and Filed**  
A. Recap of Actions Taken at the October 19, 2011 City Council/Community Redevelopment Agency Meeting.  
B. City Council Minutes dated October 5, 2011

15. ADJOURNMENT: Chair Wright adjourned the meeting at **8:40 PM**

Respectfully submitted,

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Steve King  
Planning Secretary

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