



**MINUTES  
CITY OF NORCO  
CITY COUNCIL  
REGULAR MEETING  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
MARCH 21, 2012**

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**CALL TO ORDER: Mayor Bash called the meeting to order at 6:00 p.m.**

**ROLL CALL:**  
Mayor Kevin Bash, **Present**  
Mayor Pro Tem Kathy Azevedo, **Present**  
Council Member Berwin Hanna, **Present**  
Council Member Herb Higgins, **Present**  
Council Member Harvey C. Sullivan, **Present**

**THE CITY COUNCIL RECESSED TO CLOSED SESSION (SECTION 54954) TO CONSIDER MATTERS:**

**§54956.9 – Conference with Legal Counsel – Existing Litigation**

Case Name: Sedrak vs. City of Norco  
Case Number: RIC 10022513

Case Name: Norco Firefighters Association vs. City of Norco  
Case Number: RIC 1114581

**RECONVENE PUBLIC SESSION: Mayor Bash reconvened the meeting at 7:00 p.m.**

**REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1) City Attorney Harper stated that there were no reportable actions resulting from the items discussed in Closed Session.**

**PLEDGE OF ALLEGIANCE: Mayor Bash**

**INVOCATION: Robert Leonard**

**REGULAR CITY COUNCIL AGENDA AS FOLLOWS:**

**1. CITY COUNCIL CONSENT CALENDAR ITEMS:**

Mayor Pro Tem Azevedo and Council Member Sullivan pulled Item 1.B. for discussion.

**M/S Hanna/Higgins to adopt the remaining items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE**

- A. City Council Minutes:  
Regular Meeting of March 7, 2012  
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Recap of Actions Taken at the Planning Commission Regular Meeting of March 14, 2012. **Recommended Action: Receive and File** (Planning Director) **PULLED FOR DISCUSSION**
- C. Procedural Step to Approve Ordinance after Reading of Title Only.  
**Recommended Action: Approval** (City Clerk)
- D. Annual Resolution Making Findings and Continuing Existing Rates for Maintaining Flood control Channels within County Service Area CSA-152.  
**Recommended Action: Adopt Resolution 2012-20, making findings and continuing existing rates for maintaining flood control channels within County Service Area CSA-152.** (Deputy City Manager/Director of Finance)

2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:

- Item 1.B. Recap of Actions Taken at the Planning Commission Regular Meeting of March 14, 2012. **Recommended Action: Receive and File** (Planning Director)

**Mayor Pro Tem Azevedo** requested information regarding the Planning Commission action taken on Item 9.B. of its March 14, 2012 agenda:

**Resolution 2012-\_\_\_:** Zone Change 2012-07 (City of Norco) and  
**Resolution 2012-\_\_\_:** Hospitality Specific Plan 1 (City of Norco): A Request for Approval to Change the Zoning from C-4 (Commercial) to H-D (Hospitality Development) Including the Adoption of a Specific Plan for Regulations on 2.42 Acres Located at 1417 Sixth Street. **Recommended Action: Approval** (PD King): **Denied 5-0**

Planning Director King stated that the Planning Commission denied the zone change with a unanimous 5-0 vote to implement the request for approval to change the zoning from C-4 (Commercial) to H-D (Hospitality Development) including the adoption of a Specific Plan for regulations on 2.42 acres located at 1417 Sixth Street. He briefly commented on the reasoning for the Planning Commission denial as they believe it was never intended to be an overlay zone and want it to stay as its intended use.

**M/S Azevedo/Higgins to appeal the Planning Commission denial and set this item as a City Council public hearing. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

3. **LEGISLATIVE MATTERS: (No new evidence was heard from the public as the public hearing was closed regarding all items listed.)**

- 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 Criteria for the Issuance of "Rebuild" Letters. **Recommended Acton: Adopt Ordinance No. 940 for second reading.** (City Clerk)

**M/S Azevedo/Sullivan to adopt Ordinance No. 940 for second reading. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

- B. Ordinance Approving Amendments to the Norco Municipal Code to Remove all Reference to the Norco Community Redevelopment Agency and its Authority and Functions Therein. **Recommended Action: Adopt Ordinance No. 941 for second reading.** (City Clerk)

**M/S Azevedo/Sullivan to adopt Ordinance No. 941 for second reading. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

4. **CITY COUNCIL ACTION ITEMS:**

- A. Report from the Ad Hoc Sign Code Working Group

*On November 16, 2011, the City Council created the Ad Hoc Sign Code Working Group to review the current sign ordinance, specifically as it relates to commercially-zoned properties, and make recommendations on changes that would benefit business owners while still protecting the health and safety of the public. The composition of the committee included six members; two (2) appointed by the City Council, two (2) appointed by the Planning Commission, two (2) appointed by the Economic Development Advisory Council, and City staff. A full report, which provides detailed information on all of the recommendations, has been prepared by the Working Group for the City Council's review. The City Council is recommended to provide appropriate direction to the Planning Commission and/or City staff.*

**Recommended Action: Provide appropriate direction to Planning Commission and/or City staff.** (Economic Development Specialist)

**City Manager Groves** introduced the City Council item.

Patrick Malone, Chairperson of the Sign Code Working Group, provided a summary of the process followed by the Working Group and the intent of the recommendations made in the report.

**Council Member Higgins** commented on concerns he had with specific recommendations in the report including the allowance of signs left in the right-of-way overnight on weekends. He would recommend that signs be allowed in the right-of-way on weekends from 7 a.m. to 7 p.m. He further stated his concerns regarding the allowance of political signs in the right-of-way. Other concerns noted were the community reader boards and freeway signage.

**Council Member Hanna** noted concerns about the flag-type signs that blow. He would like some wording added regarding how far back they are placed from the horse trail. City Manager Groves responded that those specifics are already in the Code.

**Mayor Pro Tem Azevedo** complimented the Working Group on the great job they did. She commented on concerns she has including the ability to advertise a business name on a sign (Goal 5). City Manager Groves noted that there could be two separate signs instead of one long one to provide better visibility. Mayor Pro Tem Azevedo also noted concerns regarding pole signs and requested that the regulations for them are clearly written in the ordinance. She also encouraged a handout be created that would be available regarding the sign process.

**Mayor Bash** noted that he served on this Working Group, adding that the sign issues have been his concern since he was elected to serve on the Council.

**M/S Sullivan/Bash to forward the report to the Planning Commission to discuss and draft an ordinance for City Council review. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**5. CONTINUED CITY COUNCIL PUBLIC HEARING:**

- A. Proposal to Vacate a Triangular Portion of Public Right-of-Way on the Northwest Side of Bluff Street, Containing 1,239 Square Feet (0.03 Acres), More or Less, located Between River Road and Vine Street

*A small triangular portion of Bluff Street right-of-way is being recommended to be vacated as it is not being used for street purposes. Interest has been expressed to purchase the property and will be addressed by City staff following the approval of the recommended right-of-way vacation and brought back to the City Council for further approval.*

**Recommended Action: Adopt Resolution No. 2012-\_\_\_, vacating a triangular portion on the west side of Bluff Street and direct the City Clerk to record the vacation with the County Recorder. (Deputy Public Works Director/Senior Engineer)**

**Deputy Public Works Director/Senior Engineer Askew** presented the City Council public hearing item. In response to Council Member Sullivan, staff confirmed that the property is contiguous with the property next to it.

**Mayor Bash OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, Mayor Bash CLOSED the public hearing.**

**M/S Sullivan/Hanna to adopt Resolution No. 2012-21, vacating a triangular portion on the west side of Bluff Street and direct the City Clerk to record the vacation with the County Recorder. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE**

**6. CITY COUNCIL PUBLIC HEARING:**

**A. General Plan Amendment 2008-01: 2008-2014 Housing Element Update, Amendment 1 with Implementing General Plan Amendments, Zone Changes and a Zone Code Amendment; (City of Norco): Review and Approval of the Final 2008-2014 Housing Element Update for Submittal to the Department of Housing and Community Development for Certification affecting the following locations:**

- 18.6 acres generally located on the west side of Hamner Avenue, north of Fourth Street (APN's 129-230-033, -034, -036, and -037).
- 18.5 acres generally located at the southwest corner of Hamner Avenue and Third Street (APN's 126-050-002, -004 and 129-380-010).
- 13.4 acres generally located south of River Road and west of Corydon Avenue (APN's 121-180-014; 121-310-086, -087, and -090).
- 19.4 acres generally located on the east side of Norconian Drive and south of Norco Drive (APN's 130-240-021, and -023).
- 22.9 acres generally located on the southwest corner of Fifth Street and Horseless Carriage Drive (APN's 129-200-011).
- 9.4 acres generally located on the east side of Mountain Avenue and north of First Street (APN's 126-240, -003, -004, -005, -006, -007).

*General Plan Amendment 2008-01/City of Norco Draft 2008-2014 Housing Element Update Amendment 1: This is an amendment to the City's current*

*adopted 2008-2014 Housing Element update. The necessary implementation measures for the adopted Housing Element include General Plan Amendments, a Zone Code Amendment, and zone changes which are described in the report. The draft Housing Element was approved by the Planning Commission on August 12, 2009 and by the City Council on September 2, 2009. That document was submitted to the California Department of Housing and Community Development (HCD) for its mandatory review toward the goal of certification. HCD responded with changes that needed to occur to make the document consistent with state housing laws before it could be certified.*

*This Amendment 1 addresses those comments received by HCD. The amendment also includes a modification to the sites that were originally identified to accommodate housing for the Housing Element Update because of changed circumstances. The general plan amendments, zone changes and a zone code amendment that are addressed in this staff report are the implementation measures associated with bringing the Housing Element into compliance with State law so that it can be certified.*

*The Planning Commission reviewed all of these proposed items on February 29, 2012 and recommended that the City Council approve the revision to the 2008-2014 Housing Element Update along with all of the implementing actions.*

**Recommended Actions:**

**Motion 1:**        **Adopt Resolution 2012-\_\_** approving the Final Draft 2008-2014 Housing Element Update as amended for certification by the California Department of Housing and Community Development (HCD).

**Motion 2:**        **Adopt Resolution 2012-\_\_** approving General Plan Amendment 2012-01A to amend the Land Use Element of the General Plan by adding a new land use category to be titled "Housing Development Overlay".

**Motion 3:**        **Adopt for First Reading Ordinance No. \_\_** to approve Zone Code Amendment 2012-01 to establish the Housing Development Overlay (HDO) zone.

***For the 18.6-acre site:***

**Motion 4:**        **Adopt Resolution 2012-\_\_** approving General Plan Amendment 2012-01B.

**Motion 5:**        **Adopt for First Reading Ordinance No. \_\_** to approve Zone Change 2012-01 (Specific Plan 85-1, Amendment 6) to apply the Housing Development Overlay zone.

***For the 18.5-acre site:***

**Motion 6:**        **Adopt Resolution 2012-\_\_** approving General Plan Amendment 2012-01C.

**Motion 7:**        **Adopt for First Reading Ordinance No. \_\_** to approve Zone Change 2012-02.

***For the 13.4-acre site:***

**Motion 8:**        **Adopt Resolution 2012-\_\_** approving General Plan Amendment 2012-01D.

**Motion 9:**        **Adopt for First Reading Ordinance No. \_\_** to approve Zone Change 2012-03.

***For the 19.4-acre site:***

**Motion 10:**       **Adopt Resolution 2012-\_\_** approving General Plan Amendment 2012-01E.

**Motion 11:**       **Adopt for First Reading Ordinance No. \_\_** to approve Zone Change 2012-04.

***For the 22.9-acre site:***

**Motion 12:**       **Adopt Resolution 2012-\_\_** approving General Plan Amendment 2012-01F.

**Motion 13:**       **Adopt for First Reading Ordinance No. \_\_** to approve Zone Change 2012-05 (Specific Plan 90-01, Amendment 10).

***For the 9.4-acre site:***

**Motion 14:**       **Adopt Resolution 2012-\_\_** approving General Plan Amendment 2012-01G.

**Motion 15:**       **Adopt for First Reading Ordinance No. \_\_** to approve Zone Change 2012-06.  
(Planning Director)

**Planning Director King** presented the City Council public hearing item, noting the state requirements of a Certified Housing Element and the process required for approval. He stated that the Planning Commission unanimously approved this item and all of the actions required.

**Council Member Sullivan** asked if the Housing Element would be certified if the Council approved the recommended actions tonight. In response, Planning Director King stated that is what staff has been informed.

**Alexa Washburn, representing Hogle-Ireland,** presented an overview of the proposed Housing Element. She noted that she has been working with the state through this process. She stated that the upcoming planning period begins in 2013 and it is important that action is taken prior to that time. She further stated that the City has received a pre-certification letter from the state giving the City the approval to move forward with approving the document and actions required.

**Mayor Pro Tem Azevedo** asked what happened since the last Housing Element was approved by the Council. In response, Planning Director King stated that it is a very lengthy and time consuming process from the time the draft is sent, through the period of approval process and redrafting. Ms. Washburn added that staff wanted conceptual approval from the state ahead of time before moving forward with presenting the actions to the Council for adoption. Mayor Pro Tem Azevedo noted concerns regarding a non-housing project being developed on one of the selected sites and asked if this would require another site to be identified. Planning Director King responded that this is one of the reasons why it is important to move forward at this time to adopt the Housing Element before the next round of numbers come out in 2013. He also reminded the Council that the City is only required to zone and not to build. He also clarified the senior housing restrictions that went away with the dissolution of the Norco Community Redevelopment Agency.

**Council Member Higgins** commented on penalties threatened by the state if the Housing Element is not approved and noted that he does not agree that the penalties threatened will be fulfilled. He also stated that he is concerned with the designation of properties that are not desirable and added that he is not happy with the parcels included.

**City Attorney Harper** commented on the legal consequences, noting that the law states that if a City does not have an approved Housing Element, the result is no approved general plan and as a result, the city cannot issue building permits.

**Council Member Sullivan** stated that he agrees with Council Member Higgins and does not agree with the sites selected.

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

**Robert Stockbridge.** Mr. Stockbridge spoke against the recommended actions, noting that the schools are already overcrowded and he is concerned with Site 3.

**George Partsch.** Mr. Partsch spoke against the recommended actions, noting concerns regarding low-income housing and the height requirements for apartments.

**John Bailey.** Mr. Bailey spoke against the recommended actions; noting his concern regarding the proposed site located at Corydon and River, increased traffic and crime.

**Max Bell.** Mr. Bell spoke against the recommended actions, noting his concern regarding high-density low-income housing built close to his home.

**Deborah Greeno.** Ms. Greeno spoke against the recommended actions, noting concerns regarding the proposed site at Corydon and River, adding that she would only support senior housing.

**John Kayser.** Mr. Kayser spoke against the recommended actions, noting his concern regarding low-income developments.

**Erin Kayser.** Ms. Kayser spoke against the recommended actions, noting concerns about crime and traffic.

**Kathleen Blundell.** Ms. Blundell spoke against the recommended actions, noting concerns regarding crime and added that she is not against senior housing.

**Ben Hartley.** Mr. Hartley spoke against the recommended actions, noting concerns regarding all of the proposed sites being located on the west side of the freeway. He also stated concerns regarding increased gang activity.

**Bob Jacques.** Mr. Jacques spoke against the recommended actions, noting that high-density projects are huge for investors.

**Linda Dixon.** Ms. Dixon noted her concerns regarding the overlay zone located next to residential properties.

**Vern Showalter.** Mr. Showalter spoke in support of mixed-use projects.

**Mayor Bash CLOSED the public hearing.**

The Council Members all stated concerns regarding the site located at Corydon and River and asked if an alternate site could be identified. Planning Director King and Ms. Washburn stated that they would do some calculations as they believed there was that option available.

RECESS: Mayor Bash recessed the Council at 9:05 p.m.

RECONVENE: Mayor Bash reconvened the Council at 9:15 p.m.

After review of an alternative site, Planning Director King stated that the 13.4-acre site (Site 3) could be eliminated, resulting in the expansion of the 9.4-acre site (Site 6) by an additional 6 acres. He stated that this revised Housing Element would need to be sent to the HCD for its conceptual approval.

**18.6-Acre Site:**

M/S Bash/Higgins to Adopt Resolution 2012-22, approving General Plan Amendment 2012-01B and adopt for First Reading Ordinance No. 942 to approve Zone Change 2012-01 (Specific Plan 85-1, Amendment 6) to apply the Housing Development Overlay zone. The motion was carried by the following roll call vote:

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

**18.5-Acre Site:**

M/S Bash/Higgins to adopt Resolution 2012-23, approving General Plan Amendment 2012-01C and adopt for First Reading Ordinance No. 943 to approve Zone Change 2012-02. The motion was carried by the following roll call vote:

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

**13.4-acre Site:**

Eliminated and not voted on.

**19.4-Acre Site:**

M/S Higgins/Bash to adopt Resolution 2012-24, approving General Plan Amendment 2012-01E and adopt for First Reading Ordinance No. 944 to approve Zone Change 2012-04. The motion was carried by the following roll call vote:

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

**22.9-Acre Site:**

M/S Higgins/Azevedo to adopt Resolution 2012-25, approving General Plan Amendment 2012-01F and adopt for First Reading Ordinance No. 945 to approve Zone Change 2012-05 (Specific Plan 90-01, Amendment 10). The motion was carried by the following roll call vote:

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

**9.4-Acre Site -- Plus 6 Additional Acres:**

**M/S Higgins/Hanna to adopt Resolution 2012-26, approving General Plan Amendment 2012-01G and adopt for First Reading Ordinance No. 946 to approve Zone Change 2012-06. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS  
NOES: SULLIVAN  
ABSENT: NONE  
ABSTAIN: NONE**

**M/S Higgins/Bash to adopt Resolution 2012-27, approving the Final Draft 2008-2014 Housing Element Update as amended for certification by the California Department of Housing and Community Development (HCD). The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS  
NOES: SULLIVAN  
ABSENT: NONE  
ABSTAIN: NONE**

**M/S Higgins/Azevedo to adopt Resolution 2012-28, approving General Plan Amendment 2012-01A to amend the Land Use Element of the General Plan by adding a new land use category to be titled "Housing Development Overlay". The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS  
NOES: SULLIVAN  
ABSENT: NONE  
ABSTAIN: NONE**

**M/S Hanna/Higgins to adopt for First Reading Ordinance No. 947 to approve Zone Code Amendment 2012-01 to establish the Housing Development Overlay (HDO) zone. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS  
NOES: SULLIVAN  
ABSENT: NONE  
ABSTAIN: NONE**

**7. PUBLIC COMMENTS OR QUESTIONS:**

**Pat Overstreet.** Ms. Overstreet invited everyone to the RURAL meeting to be held on Thursday, March 22 at 7 p.m. at which time Council Member Hanna will be speaking.

**Vern Showalter.** Mr. Showalter congratulated Mayor Bash on his State of the City address.

8. **OTHER MATTERS – CITY COUNCIL, CITY MANAGER AND STAFF:**

- A. City Council Updates from Regional Boards and Commissions: **NONE**
- B. City Council Other Matters

**Mayor Pro Tem Azevedo:**

- Attended the Measure U meeting at the Corona-Norco Unified School District and reported that the District completed realignment and students in apartments on River Road could possibly be coming to Norco schools. She added that the School District is completing a survey regarding another proposed ballot measure to complete additional District improvements.

**Council Member Sullivan:**

- Commented on the letter signed by Mr. Showalter, representing the Streets, Trails and Utilities Commission, requesting that the City Council consider discussions regarding the opening of Corona Avenue. He stated that he does not believe there is any specific action required by the Council to open it up. In response, City Attorney Harper stated that the Specific Plan would need to be amended, which requires City Council action.

**Mayor Bash:**

- Stated that he is concerned about the stoplight at Hidden Valley and Hamner and asked if the timing could be changed. Public Works Director Thompson responded that there are three agencies involved in the timing of that stoplight, adding that discussions are taking place.

- C. Staff Other Matters:

**City Manager Groves:**

- Briefly commented on the letter received from Mr. Showalter, as referred to by Council Member Sullivan, and asked if the City Council desired to place this item on a future agenda for discussion..

**MOTION by Council Member Sullivan** to place an item on a future agenda regarding the opening up of Corona Avenue. With the lack of a second to that motion, the motion died.

- 9. **ADJOURNMENT:** There being no further business to come before the City Council, Mayor Bash adjourned the meeting at 9:55 p.m.

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BRENDA K. JACOBS, CMC  
CITY CLERK