



# MINUTES CITY OF NORCO

CITY COUNCIL  
REGULAR MEETING

CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
SEPTEMBER 19, 2012

CALL TO ORDER: Mayor Bash called the meeting to order at 7:00 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**

PLEDGE OF ALLEGIANCE: Council Member Hanna

INVOCATION: Calvary Chapel – Norco  
*Pastor Louie Monteith*

PROCLAMATION: 225<sup>TH</sup> Anniversary of the Signing of the Constitution  
of the United States of America  
*Diane Stephens*

## REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

### 1. CITY COUNCIL CONSENT CALENDAR ITEMS:

**M/S Hanna/Higgins 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, HIGGINS, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

- A. City Council Minutes:  
Regular Meeting of September 5, 2012  
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Recap of Actions Taken at the Planning Commission Regular Meeting of September 12, 2012. **Recommended Action: Receive and File** (Planning Director)
- C. Procedural Step to Approve Ordinance after Reading of Title Only.  
**Recommended Action: Approval** (City Clerk)
- D. Resolution Accepting a Grant in the Amount of \$59,999 from the California Office of Traffic Safety and Increasing Revenue, Appropriation and Expenditure.  
**Recommended Action: Adopt Resolution No. 2012-66.** (Lt. Hedge)

- E. Resolution Accepting a Grant in the Amount of \$79,000 from the California Office of Traffic Safety and Increasing Revenue, Appropriation and Expenditure.  
**Recommended Action: Adopt Resolution No. 2012-67.** (Lt. Hedge)

2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR: **None**

3. CITY COUNCIL PUBLIC HEARING ITEMS:

- A. Zone Code Amendment 2012-04 (City of Norco): A City-Initiated Proposal to Amend the Norco Municipal Code, Chapter 18.37 "Signs" to Revise and Update the Provision of Signage in the City of Norco and to Amend Chapter 18.02 "Definitions" to Add Definitions Pertaining to Signage.

*Zone Code Amendment (ZCA) 2012-04 is a City-initiated proposal to amend the Norco Municipal Code, Chapter 18.37 "Signs" to revise and update the provision of signage in the City of Norco and to amend Chapter 18.02 "Definitions" to add definitions pertaining to signage. ZCA 2012-04 is a result of recommendations for revisions on the existing sign ordinance provided by the Ad Hoc Sign Code Working Group (the "Working Group"), which was then followed by Planning Commission review of the amendments necessary to address the recommendations of the Working Group.*

**Recommended Action: Adopt Ordinance No. 953 for first reading.**  
(Planning Director)

**Planning Director King** presented information regarding the public hearing item, as stated in the staff report and recommended ordinance.

**Council Member Hanna** commented on his concerns regarding how public art would be defined. In response, Director King stated that public art signage would be addressed individually.

**Council Member Sullivan** commented on what is considered as public art. In response, Director King stated that the working group did not want people to abuse a provision of art as an excuse to get more advertising. City Manager Groves noted that public art is not included in the sign code and will be addressed later. City Attorney Burns commented on the need to review the difference between public art and a sign.

**Council Member Higgins** commented on home occupation signs. Director King stated that a home occupation cannot display offsite signage. Council Member Higgins asked how a legally non-conforming sign nuisance would be addressed. Director King stated that this Code is based upon state law and is uniform from city to city. City Attorney Burns added that it is illegal if it is altered in any way.

City Attorney Burns recommended modifications to Section 18.37.16 -- Illegal and Non-conforming Signs, Subsection C.

**Mayor Pro Tem Azevedo** commented on temporary signs not being allowed in the right-of-way. Director King clarified that when a business leaves, is it the tenant or landlords responsibility to remove the sign. Mayor Pro Tem Azevedo stated that she wants criteria written for public art brought forward in the future.

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

**Ben Louk.** Mr. Louk commented on the aesthetics of the building when a sign is removed and the stucco is bare.

**Vern Showalter.** Mr. Showalter commented on what triggers a structural change.

**Greg Newton.** Mr. Newton commented on the Planning Commission's discussions regarding public art.

**Mayor Bash CLOSED the public hearing.**

**M/S Higgins/Hanna to adopt Ordinance No. 953 for first reading with the following recommended modifications to Section 18.37.16 -- Illegal and Non-conforming Signs, Subsection C:**

*Abatement of Legally Non-conforming Signs that Subsequently Become Unlawful. If the City Council determines by resolution that legally non-conforming signs are a public nuisance by virtue of their unlawfulness as described in B. above, and provided and it is in the best interest of the public health, safety, and general welfare to abate such signs, the City abatement procedures shall be as follows:.....*

**The motion was carried by the following roll call vote:**

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

B. Appeal Hearing: Planning Commission Denial of a Site Plan Addition for an Exterior Vacuum Control System for Approved Conditional Use Permit 2011-15.

*At its meeting held on August 8, 2012, the Planning Commission denied the applicant's request for a minor site plan addition to add an exterior vacuum control system to the approved site plan for Conditional Use Permit (CUP) 2011-15, a car wash that has recently been constructed within the former Mitsubishi dealership parts building. The applicant has appealed that decision to the City Council.*

**Recommended Action:** Hear the applicant's appeal and make the determination to either uphold the Planning Commission denial or approve the applicant's request for a minor site plan addition to add an exterior vacuum control system to the approved site plan for Conditional Use Permit 2011-15. (Planning Director)

**Planning Director King** presented information regarding the appeal hearing item, as stated in the staff report.

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

**Ben Louk.** Mr. Louk stated that he is the property owner of the site and commented on the difficulty attracting a tenant to the site. He further commented on the design of the car wash, noting where the vacuum is located, and the need for this business to be successful.

**City Attorney Burns** asked that all City Council Members identify any subject site visits made at this time. Mayor Pro Tem Azevedo and Mayor Bash stated that they visited the site.

**Garett Bruinsma.** Mr. Bruinsma stated that he owns the business next to the subject business. He commented on the vacuum and what was approved on the site plan. He asked that the Council uphold the Planning Commission decision.

**Ben Louk.** Mr. Louk commented on the site plan and where the vacuum system would be, noting the inspection that was completed. He further commented on the noise of a vacuum system in comparison to a large truck.

**Vinod Kardani.** Mr. Kardani, the applicant, commented on the location of the vacuum that was not pinpointed at the time the plans were submitted, noting that the electric plan showed the location. He asked for City Council approval to operate his business in full.

**Mayor Bash CLOSED the public hearing.**

**Council Member Azevedo** commented on her visit to the site and further commented on the noise generated from the car wash businesses and the traffic on Hamner Avenue. She concluded that she sees no problem with the vacuum being allowed, adding that she is an advocate for small businesses.

**Council Member Hanna** commented on the noise coming from the applicant's business, adding that he concurs with the Planning Commission decision.

**Council Member Higgins** commented on the industry levels for noise, noting that he agreed with Mayor Pro Tem Azevedo.

**Council Member Sullivan** stated that he wished the Planning Commission would have approved this. He further stated that any concerns regarding overconcentration of businesses in the City should be addressed by the Council.

**Mayor Bash** commented on his confusion regarding the Planning Commission denial. In response, Director King stated that the site plan showed the vacuum, but did not show the engine.

**M/S Azevedo/Higgins to approve the applicant's request for a minor site plan addition to add an exterior vacuum control system to the approved site plan for Conditional Use Permit 2011-15. The motion was carried by the following roll call vote:**

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

4. PUBLIC COMMENTS OR QUESTIONS:

**Ted Hoffman:** Mr. Hoffman commented on staff's efforts to require the pavers that had been installed in the horse trail at a residence in Norco be removed.

**Jonathan Kahan.** Mr. Kahan commented on his efforts to become an Eagle Scout. He stated that for his project, he will be building 15 new picnic tables to locate at George Ingalls Equestrian Event Center. He further stated that he will be hosting a pancake breakfast to help pay for the project.

**Vern Showalter.** Mr. Showalter commented on business owners interested in displaying a Horsetown USA sticker in their windows.

**Julie Waltz.** Ms. Waltz stated that her street is in dire need of repair. She further commented on a tree that needs to be addressed on that same street.

5. CITY COUNCIL COMMUNICATIONS:

A. Reports on Regional Boards and Commission

**Mayor Pro Tem Azevedo:**

- Stated that Red Ribbon Week is coming up and noted that UNLOAD works with the Corona-Norco Unified School District on this event.
- Attended the WRCOG Executive Committee meeting and stated that there are 45 homes in Norco participating in the HERO Program.
- Commented on the annual Parade of Lights, noting her support in beginning the event earlier in the day.

**Council Member Hanna:**

- Provide an update on the RCTC 91 Freeway Expansion Project, noting that there will be a display at the Corona Library.

B. City Council Announcements

**Mayor Bash:**

- The City Council unanimously agreed to place an item on a future agenda to discuss a moratorium on car washes.
- Commented on the need to bring back the Norco queen competition.
- Stated that Norco College approved the Trading Post.
- Encouraged everyone to attend the Norco College Art Gallery.

**Council Member Hanna:**

- Commented on the League of California Cities Conference he attended, noting the sessions he attended.

**Council Member Sullivan:**

- Commented on the League of California Cities Conference he attended, noting the sessions he attended.

6. CITY MANAGER REPORTS:

**City Manager Groves:**

- Congratulated Mayor Pro Tem Azevedo on her receipt of the Celebration of Life Award at the 2012 Give Cancer the Boot event.

7. ADJOURNMENT: There being no further business to come before the City Council, Mayor Bash adjourned the meeting at 8:49 p.m. in honor of the Americans lost in the Middle East.

/bj-81840