



CITY OF LAGUNA HILLS CITY COUNCIL/PLANNING AGENCY

REGULAR MEETING AGENDA Tuesday, April 11, 2017 – 7:00 PM (Closed Session at 6:00 PM when scheduled)

Don Sedgwick, Mayor

**Melody Carruth, Mayor Pro Tempore
Janine Heft, Council Member**

**Dore J. Gilbert, M.D., Council Member
Barbara D. Kogerman, Council Member**

Location: City Council Chamber, 24035 El Toro Road, Laguna Hills, CA 92653

Any person wishing to address the City Council/Planning Agency on any matter, whether or not it appears on this Agenda, is asked to complete a pink "Request to Speak" form available on the table at the back of the Chamber. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council/Planning Agency. Completion of the form is voluntary. All persons may attend the meeting regardless of whether this form is completed.

Members of the public wishing to address the City Council can do so during the Public Comments portion of the Agenda with a time limitation of three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes for Public Comments. If you are commenting on an Agenda item, your comments will be heard at the time that item is scheduled on the Agenda. If you are addressing the City Council on an item not listed on the Agenda, the City Council is prohibited by law from discussing or taking any action on that item.

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

Resolution No. 96-04-09-1 established rules of decorum for public meetings held by the City of Laguna Hills. Resolution No. 96-04-09-1 is available on the table at the back of the City Council Chamber.

PLEDGE OF ALLEGIANCE: COUNCIL MEMBER GILBERT

ROLL CALL OF CITY COUNCIL MEMBERS

CLOSED SESSION REPORT

1. PRESENTATIONS AND PROCLAMATIONS**1.1 Laguna Hills High School Student Liaison**

Recommendation: That the City Council receive an update from Laguna Hills High School Student Liaison Sherwin Afshar.

1.2 Recognition of Sydney Fredette, Disneyland® Resort Dreamers & Doers Honoree

Recommendation: That Mayor Pro Tempore Carruth present a Certificate of Recognition to Sydney Fredette.

2. PUBLIC COMMENTS

This is the time to address the City Council on any matter not listed on this Agenda that is within the subject matter jurisdiction of the City Council. Public Comments are limited to three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes.

3. CONSENT CALENDAR

All matters listed under "CONSENT CALENDAR" are considered to be routine and will be enacted by one motion approving the recommendation listed on the Agenda. There will be no separate discussion unless Members of the City Council or Staff request specific items be removed from the Consent Calendar.

3.1 Waive Reading in Full of all Ordinances and Resolutions on the Agenda

Recommendation: That the City Council waive reading in full of all Ordinances and Resolutions on the Agenda and declare that said titles which appear on the Public Agenda shall be determined to have been read by title and further reading waived.

3.2 Approval of Minutes for March 11, 2017, Adjourned Regular Meeting

Recommendation: That the City Council approve the Minutes of the March 11, 2017, Adjourned Regular Meeting.

3.3 Approval of Minutes for March 14, 2017, Regular Meeting

Recommendation: That the City Council approve the Minutes for the March 14, 2017, Regular Meeting.

3.4 Approval of Warrant Register for Period Ended April 11, 2017

Recommendation: That the City Council approve the Warrant Register in the amount of \$1,160,054.80.

3.5 2017 Weed Abatement Program

Recommendation: That the City Council adopt a Resolution entitled: "A Resolution of the City Council of the City of Laguna Hills, California, Declaring Weeds and Rubbish on Specified Private Property to be a Public Nuisance, Commencing Public Proceedings, and Setting a Public Hearing for May 9, 2017."

3.6 Progress Payment No. 2 for Cabot Road Bioswale Project, CIP No. 410-A

Recommendation: That the City Council approve Progress Payment No. 2, in the net amount of \$63,464.08, to Wright Construction Engineering Corporation, and approve Contract Change Order No. 1, for the Cabot Road Bioswale Project, CIP No. 410-A.

3.7 Letter of Support for Inside the Outdoors' Application for OC Waste & Recycling Grant Funds

Recommendation: That the City Council authorize the Mayor to sign a letter of support for Inside the Outdoors to include in its application for the Regional Recycling and Waste Diversion Grant Program sponsored by OC Waste and Recycling.

3.8 2017 Memorial Day Event and Marine Tribute Banners

Recommendation: That the City Council: (1) Receive and file the pre-event planning report; and (2) Approve the installation of 3/5 Marine Battalion Tribute Banners as recommended by staff in this report.

3.9 2017 Fourth of July Celebration and Fireworks Agreement

Recommendation: That the City Council: (1) Receive and file the 2017 Fourth of July Celebration pre-event report; (2) Approve the Fireworks Display Agreement between Fireworks and Stage FX America, Inc., and the City of Laguna Hills for 2017; and (3) Authorize the City Manager to execute the Agreement.

3.10 2016 General Plan Annual Report

Recommendation: That the City Council receive the report and direct staff to forward the 2016 General Plan Annual Report and Annual Element Progress Report-Housing Implementation to the State of California.

3.11 Subdivision Improvement Agreement with MGP Fund X Laguna Hills, LLC, for the Five Lagunas Project Related to Avenida de la Carlota Parkway Improvements and Tract No. 18035

Recommendation: That the City Council approve the Subdivision Improvement Agreement with MGP Fund X Laguna Hills, LLC, for the Five Lagunas Project and authorize the Mayor to execute the Agreement upon satisfactory submittal of Surety Instruments, as required, and in a form approved by the City Attorney and City Engineer.

3.12 2017 Volunteer Connection Day and Document Shredding Pre-Event Report and Arbor Day Recognition

Recommendation: That the City Council receive and file the report and authorize the Mayor to sign the attached Arbor Day Proclamation as required by the Arbor Day Foundation for Tree City USA certification.

3.13 Cooperative Agreement for General Traffic Signal Synchronization - Alicia Parkway

Recommendation: That the City Council approve the Cooperative Agreement for General Traffic Signal Synchronization with the State of California for Alicia Parkway and authorize the City Manager to execute the Agreement.

3.14 Submission of an Aerial Waste Waiver to the San Diego Regional Water Quality Control Board

Recommendation: That the City Council: (1) Direct staff to submit an Aerial Waste Waiver to the San Diego Regional Water Quality Control Board for pollutant discharges from the City's Fourth of July Fireworks Display; and (2) Adopt a Categorical Exemption.

3.15 Periodic Review of Development Agreement No. 12-11-2137 (Ordinance No. 2012-4) Between the City of Laguna Hills and Laguna Hills Investment Company: Oakbrook Village Shopping Center Mixed Use Project

Recommendation: That the City Council: (1) Receive and file a report demonstrating the property owner's good faith compliance with the terms and conditions of the Development Agreement; and (2) Find and determine that the Laguna Hills Investment Company has complied in good faith with the terms and conditions of the Development Agreement for the 12-month period of January 2016 to January 2017.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4. PLANNING AGENCY

4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

4.2 PUBLIC COMMENTS

This is the time to address the Planning Agency on any matter not listed on this Agenda that is within the subject matter jurisdiction of the Planning Agency. Public Comments are limited to three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes.

4.3 APPROVAL OF MINUTES FOR MARCH 14, 2017, REGULAR MEETING

4.3.1 Approval of Minutes for March 14, 2017, Regular Meeting

Recommendation: That the Planning Agency approve the Minutes of the March 14, 2017, Regular Meeting.

4.4 ADMINISTRATIVE REPORTS

4.5 PLANNING AGENCY PUBLIC HEARINGS

PLANNING AGENCY ADJOURNMENT

5. CITY COUNCIL PUBLIC HEARINGS

- 5.1 Zoning Text Amendment No. 2-17-3793 - an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, to Permit the Limited Personal Cultivation of Marijuana Inside a Person's Private Residence and Inside an Accessory Structure to a Person's Private Residence in Accordance with Proposition 64.**

Recommendation: That the City Council: (1) Reopen and Conduct the Public Hearing; and (2) Introduce for First Reading, read by title only, and waive further reading of an Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, adopting Zoning Text Amendment No. 2-17-3793 amending Chapters 9-103 (Marijuana Businesses) and 9-04 (Definitions) of Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to permit the limited personal cultivation of marijuana inside a person's private residence and inside an accessory structure to a person's private residence in accordance with State law."

5.2 General Plan Amendment and Zoning Code Text Amendment No. GPA/ZTA-10-16-3672 – a Minor Amendment to the City of Laguna Hills General Plan Land Use Element and Development Code Increasing the Maximum Floor Area Ratio (FAR) in the Hospitality Overlay Zone from 1.0 to a Maximum of 1.1, and Consideration of an Addendum to a Previously Adopted Negative Declaration.

Recommendation: That the City Council:

(1) Reopen the Public Hearing for General Plan Amendment/Zone Text Amendment No. 10-16-3672 which was opened and continued at the March 14, 2017 City Council Meeting; and

(2) Consider "Addendum No. 1 to the 2014 Negative Declaration for the City of Laguna Hills Hospitality Overlay Zone" along with the 2014 Negative Declaration for the Hospitality Overlay Zone, and find that no additional environmental documentation is required under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Sections 21166 and CEQA Guidelines Sections 15162 and 15164; and adopt a Resolution entitled: "A Resolution of the City Council of the City of Laguna Hills, California, adopting an Addendum (Addendum No. 1) to a previously adopted Negative Declaration for Case No. GPAZTA-10-16-3672, General Plan and Development Code Amendments making modifications to the Maximum Floor Area Ratio (FAR) for the Hospitality Overlay Zone District"; and

(3) Adopt a Resolution entitled: "A Resolution of the City Council of the City of Laguna Hills, California, approving General Plan Amendment No. 10-16-3672, an Amendment to the General Plan Land Use Element increasing allowable development intensity for Hotel Uses in the Freeway Commercial and Mixed Use General Plan Land Use Designations from a maximum of 1.0 Floor Area Ratio (FAR) to 1.1 FAR"; and

(4) Introduce for First Reading, read by title only, and waive further reading, an Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, approving Zone Text Amendment No. 10-16-3672, amending Title 9 of the Laguna Hills Municipal Code (Zoning and Subdivisions) amending Table 9-11.050 Hospitality Overlay Zone Development Standards related to Maximum Density, changing from a Floor Area Ratio (FAR) of 1.0 to a FAR of 1.1."

6. ADMINISTRATIVE REPORTS

6.1 City Manager

7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

8. CITY COUNCIL MEMBER COMMENTS

ADJOURNMENT

The next Regular Meeting of the City Council/Planning Agency will be April 25, 2017, in the City Council Chamber, located at 24035 El Toro Road, Laguna Hills, California.

CERTIFICATION

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, do hereby certify that a copy of the foregoing Agenda was posted at Laguna Hills City Hall, Laguna Hills Community Center, and the Courtyard at La Paz Center on April 7, 2017, by 5:00 pm.



City Clerk

April 7, 2017

Date

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the office of the City Clerk at (949) 707-2635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 24035 El Toro Road, Laguna Hills, California, during normal business hours.

City Council Members receive no additional compensation or stipend as a result of simultaneously convening meetings of the Laguna Hills Planning Agency.



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Mayor and Council Members
FROM: Cindy Sands
Admin. Assistant to City Manager
ISSUE: Recognition of Sydney Fredette, Disneyland Resort Dreamers & Doers Honoree

RECOMMENDATION: That Mayor Pro Tempore Carruth present a Certificate of Recognition to Sydney Fredette.

SUMMARY:

Sydney Fredette, a Laguna Hills Resident, was recently named by the Disneyland® Resort Dreamers & Doers Program as a Luminary for going above and beyond in community outreach efforts. Sydney Fredette started her own “Be the Change” club which has donated approximately \$60,000 worth of goods to underprivileged kids.

ATTACHMENTS:

- Certificate of Recognition - Fredette



CITY OF LAGUNA HILLS

CERTIFICATE OF RECOGNITION

SYDNEY FREDETTE

Luminary

Disneyland® Resort Dreamers & Doers Honoree

WHEREAS, Sydney Fredette was recently named by the Disneyland Resort® Dreamers & Doers program as a top Luminary for her exceptional efforts in creating a brighter tomorrow for the community she lives in; and

WHEREAS, deeply rooted in Disney's commitment to supporting youth and the community, Disneyland® Resort Dreamers & Doers celebrates the power of possibility and recognizes youth who take action to improve their communities, homes, and schools; and

WHEREAS, this year, nearly 100 high school students from Orange County were recognized for their efforts in making a difference, and of those students, five were announced as top "Luminaries" for going above and beyond in their community outreach efforts including Laguna Hills resident Sydney Fredette.

NOW, THEREFORE, I, Melody Carruth, Mayor Pro Tempore, on behalf of the City Council of the City of Laguna Hills, California, do hereby recognize Sydney Fredette for ongoing contributions as a role model and for demonstrating inspiring acts of community service and dedication to making the world a better place.

Dated this 11th day of April 2017.

MELODY CARRUTH, MAYOR PRO TEMPORE



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Traffic Commissioners
FROM: Melissa Au-Yeung
Assistant to the City Manager/City Clerk
ISSUE: Approval of Minutes for March 11, 2017, Adjourned Regular Meeting

RECOMMENDATION: That the City Council approve the Minutes of the March 11, 2017, Adjourned Regular Meeting.

ATTACHMENTS:

- 170311 CC Adjourned Regular Meeting Minutes-Updated formatting

**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL ADJOURNED REGULAR MEETING
MINUTES
MARCH 11, 2017**

CALL TO ORDER

Mayor Sedgwick called the Special Meeting of the City Council of the City of Laguna Hills, California, to order at 9:00 a.m., in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills, California.

PLEDGE OF ALLEGIANCE: Mayor Pro Tempore Melody Carruth

ROLL CALL OF CITY COUNCIL MEMBERS:

Present: Mayor Sedgwick, Mayor Pro Tempore Carruth, Council Member Gilbert, Council Member Heft, and Council Member Kogerman.

PUBLIC COMMENTS

There were no Public Comments.

1. MAYOR'S OPENING COMMENTS REGARDING WORKSHOP OBJECTIVES

Mayor Sedgwick provided brief opening comments regarding the workshop objectives and the format of the workshop.

2. CITY COUNCIL WORKSHOP ON MISSION, VISION, VALUES, AND CORE SERVICES

City Manager Bruce Channing welcomed the City Council to the workshop and stated the importance of periodically revisiting the City's Mission, Vision, Values and Core Services. City Manager Channing proceeded to present a PowerPoint presentation outlining the Mission, Vision, Values and Core Services. City Council and staff reviewed the Core Services and Mission Statement and made modifications as necessary. The Mission Statement, as agreed upon, is stated as:

"Provide exceptional city services at an efficient cost to protect and enhance the quality of life in Laguna Hills."

City Council and staff proceeded to review and revise the current Vision statements.

City Manager Channing also outlined the challenges the City anticipates facing over the next two years.

3. FINANCIAL UPDATE

Assistant City Manager Don White gave a PowerPoint overview which included an updated 8-Year Resource Allocation Plan, an in-depth review of the Orange County Sheriff's Department contract for services costs, and future pension liability estimates and discussion.

4. CITY COUNCIL EVALUATION AND RATING OF PROPOSED MAJOR PLANS

City Manager Channing provided an overview of the Proposed Major Plans rating process and indicated the City encouraged public involvement in the process; and the Traffic Commission and Parks and Recreation Commission were also given the opportunity to provide input on Proposed Major Plans.

Department Heads continued by giving a brief report on each of their respective Proposed Major Plans.

5. DISCUSSION OF CITY COUNCIL AGENDA PROCESSES, MEETING PROTOCOLS, POLICIES AND PROCEDURES

The City Council did not discuss this item due to a lack of time.

ADJOURNMENT

There being no further business before the City Council at this Adjourned Regular Meeting, Mayor Sedgwick adjourned the meeting at 1:43 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Don Sedgwick, Mayor

Approved at meeting of April 11, 2017.



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Mayor and Council Members
FROM: Cindy Sands
Admin. Assistant to City Manager
ISSUE: Approval of Minutes for March 14, 2017, Regular Meeting

RECOMMENDATION: That the City Council approve the Minutes for the March 14, 2017, Regular Meeting.

ATTACHMENTS:

- 170314 CC Minutes

**CITY OF LAGUNA HILLS
CITY COUNCIL/PLANNING AGENCY**

**REGULAR MEETING
MINUTES
Tuesday, March 14, 2017**

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Mayor Don Sedgwick.

PLEDGE OF ALLEGIANCE: MAYOR PRO TEMPORE CARRUTH

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Don Sedgwick	Mayor	Present	
Melody Carruth	Mayor Pro Tempore	Present	
Dore J. Gilbert, M.D.	Council Member	Present	
Janine Heft	Council Member	Present	
Barbara D. Kogerman	Council Member	Present	

CLOSED SESSION REPORT

There was no Closed Session Report.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 Laguna Hills High School Student Liaison

Recommendation: The City Council received an oral report from Laguna Hills High School Student Liaison Sherwin Afshar.

1.2 Laguna Hills 3/5 Marine Support Committee

Recommendation: Chair Karen Robbins provided an update on the 3/5 Dark Horse Committee and distributed a flyer regarding the Team Darkhorse "Ride for Valor" to be held at Cyclebar on Saturday, April 1, 2017. Chair Robbins also presented a plaque to Dan Meehan, Community Services Superintendent, provided by the 3/5 Marines to show their appreciation for the staff at the Community Center.

1.3 Spotlight on Local Business and Certificate of Recognition - Lion's Heart

Recommendation: Mayor Sedgwick presented a Certificate of Recognition to Terry Corwin, Founder and Executive Director, Lion's Heart, and received a brief oral report and video presentation from Ms. Corwin.

1.4 2016 Laguna Hills Deputy of the Year

Recommendation: Mayor Sedgwick and Lieutenant Chacon presented the 2016 Laguna Hills Deputy of the Year Award to Deputy Anthony Lopez.

2. PUBLIC COMMENTS

There were no Public Comments.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Melody Carruth, Mayor Pro Tempore
SECONDER:	Barbara D. Kogerman, Council Member
AYES:	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, Council Member

3.1 Waive reading in full of all Ordinances and Resolutions on the Agenda

Recommendation: That the City Council waive reading in full of all Ordinances and Resolutions on the Agenda and declare that said titles which appear on the Public Agenda shall be determined to have been read by title and further reading waived.

3.2 Approval of Minutes for February 28, 2017, Regular Meeting

Recommendation: That the City Council approve the Minutes of the February 28, 2017, Regular Meeting.

3.3 Approval of Warrant Register for Period Ended March 14, 2017

Recommendation: That the City Council approve the Warrant Register in the amount of \$311,275.48.

3.4 Progress Payment No. 1 for Cabot Road Bioswale Project, CIP No. 410-A

Recommendation: That the City Council approve Progress Payment No. 1, in the net amount of \$66,799.25, to Wright Construction Engineering Corporation for the Cabot Road Bioswale Project, CIP No. 410-A.

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items removed from the Consent Calendar.

4. PLANNING AGENCY

Mayor Sedgwick recessed the City Council meeting and acting in the capacity of Chair, called the Regular Meeting of the Planning Agency of the City of Laguna Hills, California, to order at 7:26 p.m.

4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Don Sedgwick	Chair	Present	
Melody Carruth	Vice Chair	Present	
Dore J. Gilbert, M.D.	Agency Member	Present	
Janine Heft	Agency Member	Present	
Barbara D. Kogerman	Agency Member	Present	

4.2 PUBLIC COMMENTS

There were no Public Comments.

4.3 APPROVAL OF MINUTES FOR FEBRUARY 28, 2017, REGULAR MEETING**4.3.1 Approval of Minutes for February 28, 2017, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes of the February 28, 2017, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Agency Member
SECONDER:	Melody Carruth, Vice Chair
AYES:	Don Sedgwick, Chair; Melody Carruth, Vice Chair; Dore J. Gilbert, M.D., Agency Member; Janine Heft, Agency Member; Barbara D. Kogerman, Agency Member

4.4 ADMINISTRATIVE REPORTS

There were no Administrative Reports.

4.5 PLANNING AGENCY PUBLIC HEARINGS

There were no Planning Agency Public Hearings.

PLANNING AGENCY ADJOURNMENT

Mayor Sedgwick reconvened the City Council meeting at 7:27 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

5.1 Approval of GPA/ZTA-10-16-3672 General Plan Amendment and Zone Text Amendment to Amend the Hospitality Overlay Zone Floor Area Ratio (FAR) from a Maximum of 1.0 to a Maximum of 1.1

Recommendation: That the City Council continue this matter to a date certain of April 11, 2017.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Melody Carruth, Mayor Pro Tempore
SECONDER:	Janine Heft, Council Member
AYES:	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, Council Member

5.2 Zoning Text Amendment No. 2-17-3793, an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, to Permit the Limited Personal Cultivation of Marijuana Inside a Person's Private Residence, Inside an Accessory Structure to a Person's Private Residence, or Outdoors Upon the Grounds of a Person's Private Residence in Accordance with State Law

Senior Planner Wuu briefly reviewed the information provided in the Staff Report, provided a PowerPoint presentation, and responded to Council requests for additional information. City Attorney Simonian, Council Members, and staff engaged in a detailed question and answer session regarding this item.

Mayor Sedgwick opened the Public Hearing and upon seeing no one rise closed the Public Hearing.

Recommendation: The City Council: (1) Conducted a Public Hearing; and (2) A motion was made to continue Item No. 5.2 to a date certain of April 11, 2017, to allow legal counsel an opportunity to redraft and restructure the proposed Ordinance.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara D. Kogerman, Council Member
SECONDER:	Melody Carruth, Mayor Pro Tempore
AYES:	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, Council Member

6. ADMINISTRATIVE REPORTS

6.1 City Manager

The City Manager gave no Administrative Reports.

7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS.

There were no matters agendized and presented by City Council Members and Mayor.

8. CITY COUNCIL MEMBER COMMENTS

Council Member Kogerman

Council Member Kogerman encouraged Council Members to attend the upcoming 2017 OCCOG General Assembly to be held on Thursday, March 16, 2017. Council Member Kogerman also reported that she attended the 2017 ACC-OC Sacramento Advocacy Trip on Monday, March 13, 2017, and Tuesday, March 14, 2017, along with Assistant City Manager White and Mayor Sedgwick.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Sedgwick declared the meeting adjourned at 7:59 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Don Sedgwick, Mayor

Approved at meeting of April 11, 2017.



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Mayor and Council Members
FROM: Donald J. White
Assistant City Manager
ISSUE: Approval of Warrant Register for Period Ended April 11, 2017

RECOMMENDATION: That the City Council approve the Warrant Register in the amount of \$1,160,054.80.

ATTACHMENTS:

- Warrant Register 041117



City of Laguna Hills City Council Meeting Agenda Staff Report

DATE: APRIL 11, 2017
TO: MAYOR AND COUNCIL MEMBERS
FROM: DONALD J. WHITE, ASSISTANT CITY MANAGER
ISSUE: APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED
APRIL 11, 2017.

RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE WARRANT REGISTER IN THE AMOUNT OF \$1,160,054.80.

SUMMARY:

In accordance with Government Code Section 37202, the attached Warrant Register reflects the disbursements of the City of Laguna Hills for the period reported thereon. The Assistant City Manager certifies and attests to its accuracy and the availability of funds for the payment thereof. These warrants are hereby submitted to the City Council for approval of payment.

Prepared by:

JANICE MATEO REYES
Finance Manager

Certified:

original signed
DONALD J. WHITE
Assistant City Manager

April 11, 2017
DATE

FISCAL IMPACT:

The warrant register total is \$1,160,054.80.

ATTACHMENTS:

1. Warrant Register

Attachment: Warrant Register 041117 (1240 : Approval of Warrant Register for Period Ended April 11, 2017.)

Check Register Report

Warrant Register 04/11/17

Date: 03/30/2017

Time: 2:41 pm

Page:

3.4.a

CITY OF LAGUNA HILLS

BANK: UNION BANK- GENERAL

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK- GENERAL Checks							
8812485	03/16/2017	Printed		Z-CD-0011	RIGGS, BRIAN	Refund, Site Dev Plan CR#55041	259.6
8812486	03/16/2017	Printed		R-1813	RPW SERVICES, INC.	Rodent Control, Pub Svcs, Feb	1,560.0
8812487	03/16/2017	Printed		S-2212	SHARPS COMPLIANCE, INC.	Hazardous Waste Supplies, Feb	233.1
8812488	03/16/2017	Printed		S-1949	SMART & FINAL	Program Supplies, CS, Feb '17	306.4
8812489	03/16/2017	Printed		Z-CD-0008	SOLAR CITY	Refund, Permit Fees, CR# 54789	44.2
8812490	03/16/2017	Printed		S-2095	STONE IMAGERY	Office Supplies, Feb '17	183.1
8812491	03/16/2017	Printed		S-2259	STRAIGHT 78	Deposit, 4th of July Event	650.0
8812492	03/16/2017	Printed		S-2201	SUNSET PROPERTY SERVICES	Stree Sweeping, Feb '17	9,663.1
8812493	03/16/2017	Printed		S-2105	SYMQUEST SERVICES	Plotter Installation, Mar '17	500.0
8812494	03/16/2017	Printed		T-2693	TELEPACIFIC COMMUNICATIONS	Communications Expense, Mar	1,255.7
8812495	03/16/2017	Printed		V-2249	US BANK VOYAGER FLEET SYS	Vehicle Fuel, Feb '17	1,272.5
8812496	03/16/2017	Printed		V-2224	VERIZON WIRELESS	Communication Expense, Feb '17	1,024.4
8812497	03/16/2017	Printed		Z-PS-0002	VERZOSA, SMYRNA	Refund, Citation # LH105801	35.0
8812498	03/16/2017	Printed		W-2337	WEST COAST ARBORISTS, INC.	Tree Trimming, Feb '17	612.0
8812499	03/16/2017	Printed		W-2302	WEST PUBLISHING CORPORATION	Subscription, City Clk, Feb	207.2
8812500	03/16/2017	Printed		W-2439	WESTAMERICA COMMUNICATIONS, INC	City Views, Spring Issue	8,190.0
8812501	03/16/2017	Printed		X-2400	XEROX CORPORATION	Copier Lease & Usage, Feb '17	680.1
8812502	03/16/2017	Printed		Z-CS-0006	YUMI PIANO METHOD	Refund, Fac Dep, V#2004022.002	250.0
8812503	03/23/2017	Printed		Z-CD-0013	COX COMMUNICATIONS	Refund, Enc Permit #DRKF035	725.1
8812504	03/23/2017	Printed		Z-CD-0012	SADDLEBACK MEMORIAL MEDICAL CT	Refund, Site Dev Plan CR#53517	186.6
8812505	03/23/2017	Printed		S-1902	SAN DIEGO GAS & ELECTRIC	ST Lites, TC, Feb '17	270.2
8812506	03/23/2017	Printed		S-1904	SOUTHERN CALIFORNIA EDISON	ST Lites, TC, Feb '17	8,815.7
8812507	03/23/2017	Printed		Z-CD-0014	SOUTHERN CALIFORNIA EDISON	Refund, Enc Permit SCE# 126041	725.1
8812508	03/23/2017	Printed		W-2300	WHITE, DONALD	Travel Reimb., ACC-OC, Mar	63.9
8812509	03/30/2017	Printed		A-0130	AAA AWARDS & MONOGRAMMING	Operating Supplies, Pol Svcs	92.9
8812510	03/30/2017	Printed		A-0363	ACCELA, INC.	Agenda Software, Mar '17	1,512.0
8812511	03/30/2017	Printed		A-0138	ALL CITY MANAGEMENT, INC.	Crossing Guard Svc, 2/26-3/11	4,029.6
8812512	03/30/2017	Printed		A-0360	ARC DOCUMENT SOLUTIONS, LLC	Printing Services, Engineering	54.3
8812513	03/30/2017	Printed		A-0358	ARDO, KARL	Contract Inst Svcs, Fitness Cl	280.0
8812514	03/30/2017	Printed		A-0365	AT&T - CALNET 3	Traf Sig, PS, Alarm, CC,	67.8
8812515	03/30/2017	Printed		A-0365	AT&T - CALNET 3	Traf Sig, PS, Alarm, CC,	17.0
8812516	03/30/2017	Printed		B-0430	BASICS OF SKATEBOARDING	Contract Inst Svcs, Skateboard	315.0
8812517	03/30/2017	Printed		C-0412	C&D ELECTRIC, INC.	Park Repairs, Pub Svcs, Feb-Mar	1,378.7
8812518	03/30/2017	Printed		C-0333	CALIF PARK & REC SOCIETY, INC.	Membership, Com Svcs, DR	150.0
8812519	03/30/2017	Printed		C-1133	CALIFORNIA YELLOW CAB	Senior Mobility Program, Feb	2,096.0
8812520	03/30/2017	Printed		C-1177	CANON FINANCIAL SERVICES, INC.	Lease - Copier, Gen Gov, Mar	220.8
8812521	03/30/2017	Printed		C-1022	CDW GOVERNMENT, INC.	Hardware, Com Svcs & Com Dev	4,485.7
8812522	03/30/2017	Printed		C-1139	COMPLETE OFFICE OF CALIFORNIA	Computer, Office & Operating Sup	1,025.1
8812523	03/30/2017	Printed		C-1176	COMPUTER SERVICE CO.	Traffic Sig. Maint, Feb '17	7,864.8
8812524	03/30/2017	Printed		C-0023	COX COMMUNICATION	T-1 Line, Wi-Fi & Cable, CH	531.0
8812525	03/30/2017	Printed		C-0358	CSMFO	Employee Training, Gen Gov, Apr	60.0
8812526	03/30/2017	Printed		Z-CS-0007	DIEHM, LARRY	Refund, Fac Dep, V#2004029.002	250.0
8812527	03/30/2017	Printed		E-0593	EISENBERG, DALE	Contract Inst Svcs., Aikido	1,030.7
8812528	03/30/2017	Printed		E-0553	ELKINS, CHRISTINA	Contract Inst Svcs., Dance	2,363.7
8812529	03/30/2017	Printed		Z-CD-0010	ESPLANADE BUILDERS, INC.	Refund, C&D Deposit, CR 54906	1,190.0
8812530	03/30/2017	Printed		F-0623	FUN SERVICES	Deposit, 4th of July Event	805.0
8812531	03/30/2017	Printed		G-0859	GORHAM, MARY MEG	Contract Inst Svcs., Cooking	189.0
8812532	03/30/2017	Printed		G-0844	GREEN MART, INC.	Operating Supplies, Pub Svcs	1,131.1
8812533	03/30/2017	Printed		H-0805	HARRINGTON GEOTECH ENGINEERING	Professional Svcs, CIP#410,241	1,079.0
8812534	03/30/2017	Printed		H-0934	HOME DEPOT	Building Maintenance, Com Ctr	30.0
8812535	03/30/2017	Printed		H-0955	HR GREEN CALIFORNIA, INC.	Inspections & CIP #410 & 241	19,065.0
8812536	03/30/2017	Printed		J-1057	JAMEY CLARK, INC.	Park Repair & Graffiti Removal	1,233.50

Attachment: Warrant Register 041117 (1240 : Approval of Warrant Register for Period Ended April 11, 2017.)

Check Register Report

Warrant Register 04/11/17

Date:

3.4.a

Time:

2:41 pm

Page:

CITY OF LAGUNA HILLS

BANK: UNION BANK- GENERAL

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK- GENERAL Checks							
8812434	03/09/2017	Printed		A-0331	AT&T MOBILITY	Wireless Service, Feb '17	63.3
8812435	03/09/2017	Printed		C-1177	CANON FINANCIAL SERVICES, INC.	Lease - Copier, Gen Gov, Feb	220.8
8812436	03/09/2017	Printed		C-1179	CANON SOLUTIONS AMERICA	Gen Gov Copier Usage, Nov-Feb	411.5
8812437	03/09/2017	Printed		C-0023	COX COMMUNICATION	Cable Services, CH, Feb '17	31.1
8812438	03/09/2017	Printed		Z-CD-0010	ESPLANADE BUILDERS, INC.	Refund, C&D Deposit, CR 54985	1,225.0
8812439	03/09/2017	Printed		C-1007	LAW ENFORCEMENT	Law Enforcement Svcs, Mar '17	645,857.0
8812440	03/09/2017	Printed		M-1513	MEEHAN, DANIEL	Petty Cash Replenish, Oct-Jan	70.5
8812441	03/09/2017	Printed		M-1302	MOULTON NIGUEL WATER DISTRICT	Water Usage, Pub Svcs, Feb	5,441.7
8812442	03/09/2017	Printed		R-1830	RALPHS GROCERY COMPANY	Program Expense, CS, Feb	82.8
8812443	03/09/2017	Printed		R-1893	REYNOLDS, DAVID	Mileage Reimb., CS, Nov - Feb	174.6
8812444	03/09/2017	Printed		S-1902	SAN DIEGO GAS & ELECTRIC	ST Lites, Feb '17	14,154.4
8812445	03/09/2017	Printed		S-1904	SOUTHERN CALIFORNIA EDISON	ST Lites, TC, Feb '17	626.2
8812446	03/09/2017	Printed		S-2250	SPARKLETTTS	Operating Supplies, CH, Feb '17	130.5
8812447	03/16/2017	Printed		A-0138	ALL CITY MANAGEMENT, INC.	Crossing Guard Svc, 2/12-2/25	3,223.6
8812448	03/16/2017	Printed		A-0359	ANDERSON PENNA PARTNERS, INC.	Inspection Services, Feb '17	10,117.5
8812449	03/16/2017	Printed		A-0360	ARC DOCUMENT SOLUTIONS, LLC	Printing Services, Engineering	40.8
8812450	03/16/2017	Printed		B-0276	BANK OF AMERICA	Departmental Expenditure, Feb	11,272.1
8812451	03/16/2017	Printed		C-0412	C&D ELECTRIC, INC.	Park Repairs, Pub Svcs, Feb	414.0
8812452	03/16/2017	Printed		C-0408	CARL WARREN & COMPANY	Processing Fee, Sml Claims Feb	779.2
8812453	03/16/2017	Printed		C-1022	CDW GOVERNMENT, INC.	Back-up Drives	986.2
8812454	03/16/2017	Printed		C-1184	CEP AMERICA AUC PC	Pre-employ Physical, Dec	170.0
8812455	03/16/2017	Printed		C-1144	CHARLES ABBOTT ASSOCIATES, INC	Road Maintenance, Feb '17	30,077.5
8812456	03/16/2017	Printed		C-1096	CODE PUBLISHING COMPANY, INC.	Municipal Code Update, Feb '17	573.7
8812457	03/16/2017	Printed		C-1139	COMPLETE OFFICE OF CALIFORNIA	Computer, Office&Operating Sup	823.9
8812458	03/16/2017	Printed		C-1176	COMPUTER SERVICE CO.	Traffic Sig. Maint, Feb '17	4,745.6
8812459	03/16/2017	Printed		C-0023	COX COMMUNICATION	WiFi, T-1 Line, Traffic Signal	1,528.5
8812460	03/16/2017	Printed		C-1188	CULVER, AURORA	Contract Inst Svcs, Theatre	388.5
8812461	03/16/2017	Printed		D-0461	DATA TICKET, INC.	Process Fee, Park Cit, Feb '17	454.0
8812462	03/16/2017	Printed		D-0561	DOCU-TRUST	Offsite Data Storage, Feb '17	75.0
8812463	03/16/2017	Printed		D-0552	DUNBAR ARMORED, INC.	Courier Fee, Armored Trans, Mar	129.0
8812464	03/16/2017	Printed		E-0554	ECONOMICS, INC.	Prof Svcs, Recycling Program	2,872.6
8812465	03/16/2017	Printed		E-0553	ELKINS, CHRISTINA	Contract Inst Svcs., Dance	67.2
8812466	03/16/2017	Printed		F-0604	FEDERAL EXPRESS CORPORATION	Delivery Services, Feb '17	48.0
8812467	03/16/2017	Printed		H-0955	HR GREEN CALIFORNIA, INC.	Plan Chk, Bldg&Safety, Jan '17	37,835.7
8812468	03/16/2017	Printed		H-0953	HRDIRECT	Office Supplies, CC, Mar '17	80.8
8812469	03/16/2017	Printed		I-0942	IRVINE RANCH WATER DISTRICT	Water Usage, Public Svcs, Feb	79.6
8812470	03/16/2017	Printed		J-1057	JAMEY CLARK, INC.	Park Repair & Graffiti Removal	1,561.9
8812471	03/16/2017	Printed		K-1197	KNIGHT, EDWARD	Professional Svcs, Com Dev,	900.0
8812472	03/16/2017	Printed		C-1007	LAW ENFORCEMENT	FingerprintID Sys, Comm Sys	5,108.1
8812473	03/16/2017	Printed		M-1529	MERCURY DISPOSAL SYSTEM, INC.	Battery & Lightbulb Recycle	494.9
8812474	03/16/2017	Printed		M-1590	MILLENNIUM ALARM SYSTEMS, INC.	IT - Electrical Consulting	180.0
8812475	03/16/2017	Printed		M-1388	MOBILE MINI, INC.	Storage Rental, CC, 2/28-3/27	82.9
8812476	03/16/2017	Printed		M-1583	MOORE IACOFANO GOLTSMAN, INC.	Professional Services, Jan-Feb	27,640.0
8812477	03/16/2017	Printed		N-1474	NIEVES LANDSCAPE, INC.	Monthly and Misc Landscape, Mar	82,489.4
8812478	03/16/2017	Printed		N-1487	NUVIS	Planning Fees, Five Lagunas	774.0
8812479	03/16/2017	Printed		O-1546	OFFICE SOLUTIONS	Office/Operating Supplies	782.7
8812480	03/16/2017	Printed		O-1500	ORANGE COUNTY REGISTER	Subscription, CH, 3/16-6/15	298.5
8812481	03/16/2017	Printed		O-1575	ORANGE COUNTY REGISTER-FREEDOM	Legal Advertising, Feb '17	798.6
8812482	03/16/2017	Printed		C-1003	PARKING VIOLATIONS	Parking Fee Surcharge, Feb '17	1,947.5
8812483	03/16/2017	Printed		Q-1707	QUEST DIAGNOSTICS	Pre-employment Drug Testing	18.6
8812484	03/16/2017	Printed		R-1934	RENEGADE RACING	Event Mgmt Svcs, 1/2 Marathon	10,000.00

Attachment: Warrant Register 041117 (1240 : Approval of Warrant Register for Period Ended April 11, 2017.)

Check Register Report

Warrant Register 04/11/17

Date:

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Time:

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Page:

CITY OF LAGUNA HILLS

BANK: UNION BANK- GENERAL

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK- GENERAL Checks							
8812537	03/30/2017	Printed		G-0709	JOE A. GONSALVES & SON	Legislative Services, Apr	2,900.0
8812538	03/30/2017	Printed		K-1126	KNIGHT, LORNA ANGELA	Contract Inst Svcs, Yoga	1,372.0
8812539	03/30/2017	Printed		L-1250	LOCAL GOVERNMENT PUBLICATIONS	Publication, Com Dev	129.4
8812540	03/30/2017	Printed		L-1376	LONG BEACH BMW MOTORCYCLES	Motorcycle Maint, PS, Mar '17	5,093.9
8812541	03/30/2017	Printed		M-1552	MARTIN-RUSK, DINA	Contract Instr Svcs, Zumba	1,686.3
8812542	03/30/2017	Printed		N-1474	NIEVES LANDSCAPE, INC.	Other Assorted Landscape, Mar	10,847.5
8812543	03/30/2017	Printed		O-1546	OFFICE SOLUTIONS	Office/Operating Supplies	143.8
8812544	03/30/2017	Printed		R-1855	RICHARD FISHER ASSOCIATES	Prof. Svcs, CIP# 241 & 410	13,976.1
8812545	03/30/2017	Printed		R-1967	RUSSELL, RICHARD WYATT	Contract Inst Svcs, Tennis	2,576.0
8812546	03/30/2017	Printed		S-2277	SCHUBERTH NORTH AMERICA, LLC	Safety Equipment, Police Svcs	750.9
8812547	03/30/2017	Printed		S-2253	SOCAL OFFICE TECHNOLOGIES-LEAS	Lease-Copier, CC, Mar '17	1,165.8
8812548	03/30/2017	Printed		S-2250	SPARKLETTTS	Operating Supplies, CS, Mar 17	93.5
8812549	03/30/2017	Printed		Z-CD-0015	SUNRUN, INC.	Refund, Solar Permit, CR 54666	198.2
8812550	03/30/2017	Printed		T-2696	TCS NETWORK CONSULTING, INC.	Computer Software, Mar '17	3,928.6
8812551	03/30/2017	Printed		T-2693	TELEPACIFIC COMMUNICATIONS	Communications Expense, Apr	1,274.3
8812552	03/30/2017	Printed		T-2681	TOTALFUNDS BY HASLER	Postage Replenishment, Feb '17	1,000.0
8812553	03/30/2017	Printed		T-2656	TYLER TECHNOLOGIES, INC.	Maint, Energov App & Pervasive	722.1
8812554	03/30/2017	Printed		U-2163	USA DANCE, INC., OC CHAP #4018	Contract Inst Svcs, Dancing	140.0
8812555	03/30/2017	Printed		W-2337	WEST COAST ARBORISTS, INC.	Tree Trimming, Dec '16, Feb '17	16,546.4
8812556	03/30/2017	Printed		R-1801	WOODRUFF, SPRADLIN & SMART	Professional Svcs, Legal, Feb	33,431.4
8812557	03/30/2017	Printed		W-2444	WRIGHT CONSTRUCTION ENG. CORP	Progress Payment #2, CIP# 410	63,464.0
				Total Checks: 124	Checks Total (excluding void checks):		1,160,054.8
				Total Payments: 124	Bank Total (excluding void checks):		1,160,054.8
				Total Payments: 124	Grand Total (excluding void checks):		1,160,054.8

Attachment: Warrant Register 041117 (1240 : Approval of Warrant Register for Period Ended April 11, 2017.)



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Mayor and Council Members
FROM: Kenneth H. Rosenfield P.E.
 Director of Public Services/City Engineer
ISSUE: 2017 Weed Abatement Program

RECOMMENDATION: That the City Council adopt a Resolution entitled: "A Resolution of the City Council of the City of Laguna Hills, California, Declaring Weeds and Rubbish on Specified Private Property to be a Public Nuisance, Commencing Public Proceedings, and Setting a Public Hearing for May 9, 2017."

SUMMARY:

The Public Services Department requests that the City Council adopt a Resolution to formally initiate the annual Weed Abatement Program.

BACKGROUND:

Annually, in accordance with Government Code Section 39560, et seq., the City initiates a Weed Abatement Program to control noxious or dangerous weeds for health and safety purposes and for management of fire hazards. The Weed Abatement Program procedures include the following general activities:

March, 2017	Inspect properties for potential weed abatement
April 11, 2017	Adopt a Resolution declaring weeds to be a nuisance and declaring the intent to abate weeds
April 12, 2017	Mail notices to property owners of abatement requirements and scheduled Public Hearing

2017 Weed Abatement Program

April 11, 2017

Page 2

May 9, 2017	Hold the Public Hearing and adopt the Resolution of abatement order
June 13, 2017	Initiate City weed abatement for non-compliant private properties
June 29, 2017	Send notice to property owners of abatement costs and scheduled Public Hearing
July 11, 2017	Hold the Public Hearing on assessment of weed abatement costs
July 19, 2017	Submit costs to County Assessor's office

The attached Resolution initiates the Weed Abatement Program and authorizes the Public Services Department to send notices to property owners advising them to remove any public nuisance (weeds and rubbish among other materials) that, when dry, become a fire hazard. Property owners are advised that they have until May 31, 2017, to comply with cleaning their property and that they may state their objections to the Weed Abatement Notice before the City Council at a Public Hearing to be held on May 9, 2017.

The attached notice will be sent to 519 private properties scattered throughout the City. The notice includes language as required by Government Code Section 39566. To soften this language, staff will also enclose a general informational letter describing the need for the notice and the importance of the weed abatement. In the past, property owners have appropriately responded to the notices to abate weeds. Last year, City contractors did not have to perform weed abatement on any private parcels.

Weed Abatement on City-owned parcels, typically undeveloped open spaces and hillsides, will proceed in late May to early June. This work is performed on a contract basis by NPC Construction, Inc.

FISCAL IMPACT:

The weed abatement program has been budgeted for Fiscal Year 2016/2017 in the amount of \$44,000. Some of these costs may be recovered as an assessment upon the private parcels requiring abatement, if any, and the balance relates to the annual clearing of City-owned properties.

2017 Weed Abatement Program

April 11, 2017

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ATTACHMENTS:

- Resolution
- Notice to Destroy Weeds Frontside
- Notice to Destroy Weeds Backside
- Weed Abatement Guidelines
- Hazard Reduction Contractors
- County Landfill Location
- Copy of 2017 Weed Abatement List

RESOLUTION NO. 2017-04-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DECLARING WEEDS AND RUBBISH ON SPECIFIED PRIVATE PROPERTY TO BE A PUBLIC NUISANCE, COMMENCING PUBLIC PROCEEDINGS, AND SETTING A PUBLIC HEARING FOR MAY 9, 2017

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to Government Code Section 39560 et seq., weeds growing upon or in front of, and that rubbish, refuse and dirt upon or in front of certain parcels of land described in the 2017 Weed Abatement List, which is attached hereto and is incorporated herein by this reference, constitute a public nuisance.

SECTION 2. If the public nuisance is not abated and removed by the owner(s) of the parcels of land identified and described in the attached 2017 Weed Abatement List, it is the intention of the City Council of the City of Laguna Hills to have such nuisances abated and removed by City authorities in accordance with the abatement procedures set forth in Government Code Section 39560 et seq., in which case the cost of such removal shall be assessed upon the parcel and lands from which or in front of which such weeds, rubbish, refuse and/or dirt are removed and that upon confirmation such cost will constitute a lien upon such parcel or lands until paid.

SECTION 3. The weeds growing upon or in front of those certain parcels of land identified and described in the attached 2017 Weed Abatement List are seasonal and recurrent nuisances within the meaning of Government Code Section 39562.1 and, as such, upon the second and any subsequent occurrence of such nuisance on the same parcel or parcels within the same calendar year, no further public hearings shall be held.

SECTION 4. The Director of Public Services/City Engineer of the City of Laguna Hills is hereby designated as the Public Officer to perform the abatement duties imposed by Government Code Section 39560 et seq.

SECTION 5. The City Clerk is hereby directed, pursuant to Government Code Section 39567.1, to mail written notice of the proposed abatement to all persons owning property identified and described in the attached 2017 Weed Abatement List. The City Clerk shall cause such written notice to be mailed to each person to whom such described property is assessed in the last equalized assessment roll available on the date this resolution is adopted by the City Council. Such notices shall be mailed by the City Clerk at least five (5) days prior to the time for hearing objections by the City Council. The notices mailed by the City Clerk shall be substantially in the form provided by Government Code Section 39566.

SECTION 6. A public hearing concerning proposed abatement, which shall be conducted by the City Council, is hereby set for 7:00 p.m., or as soon thereafter as is practicable, on Tuesday May 9, 2017, in the City Hall Council Chambers located at 24035 El Toro Road, Laguna Hills, California. At such time, the City Council shall hear and consider all objections, if any, to the proposed removal of weeds, rubbish, refuse, and/or dirt. By motion or resolution at the conclusion of the public hearing, the City Council shall allow or overrule any objections. At that time, the City Council shall acquire jurisdiction to have City authorities proceed and perform the work of removal, pursuant to Government Code Section 39569, and shall issue an abatement order, which decision shall be final.

SECTION 7. A copy of this Resolution shall be kept on file with the office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this 11th day of April 2017.

DON SEDGWICK, MAYOR

ATTEST:

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. X adopted by the City Council of the City of Laguna Hills, California, at a Regular Meeting thereof held on the 11th day of April 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

MELISSA AU-YEUNG, CITY CLERK

Attachment: Resolution (1249 : 2017 Weed Abatement Program)

April 12, 2017

«FULL_NAME»
«MAILING_ADDRESS»
«CITY», «STATE» «ZIP»

SUBJECT: NOTICE TO DESTROY WEEDS AT ASSESSOR'S PARCEL NUMBER «APN», «LOT_ADDRESS»

Dear Property Owner:

The City of Laguna Hills requests your assistance in reducing potential fire hazards in our community. A recent inspection of open space and slope areas revealed that the property described by the above Assessor's Parcel Number may have vegetation (grass, weeds, brush, trees) or litter upon it, which may contribute to a hazardous fire condition. As the owner, the condition of the property is your responsibility. The City is required to follow State law to make sure that a weed abatement program is implemented. In this regard, the required official notice to destroy weeds and remove rubbish and refuse is provided on the back of this letter. It is important to note that after May 31, 2017, property not cleared and maintained by the owner is subject to being cleared by City contracted crews when manpower and equipment are available. The charges for clearing plus a \$437.00 administrative fee will be added to the owner's property tax statement.

THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE. Please note that if you are no longer the owner of this property, you are required by law to disclose the contents of this notice to the new owner. This disclosure must be made through escrow or by notifying this office of the new owner's name and address. Failure to properly notify the new owner may result in you being liable for charges assessed to the property.

Please refer to the enclosed information sheets that contain general information about the City's Weed Abatement Program, location of the nearest County landfill, and a list of clearing contractors for your use.

Please note that there currently may or may not be vegetation on the subject parcel which may contribute to a hazardous fire condition, however there is a potential for growth as we approach the fire season. Property cleared and maintained free of flammable vegetation or litter is not subject to further action by this Department. Regrowth of vegetation as a result of a late rainfall may necessitate additional clearing. Property not maintained in a fire safe condition may be cleared by the City without further notice.

Please note that discing operations on steep hillsides is not considered to be an appropriate weed abatement measure because of dust generation & erosion issues associated with this process. Please use alternative methods for clearing weeds from your hillside such as mowing.

Your cooperation in performing the exterior property clearing, either through your efforts or done by someone you retain, will greatly aid your fire safety. With your help, we have a better chance to protect homes and improvements and keep damage to a minimum if a wildfire does occur.

For further information, or if you have made permanent improvements to the subject property and feel that you should be removed from our mailing list, you may call **(949) 707-2657**, Monday through Friday, or you may email staff at ashah@lagunahillsca.gov.

Sincerely,



Kenneth H. Rosenfield, P.E.
Director of Public Services/City Engineer

Attachment: Notice to Destroy Weeds Frontside (1249 : 2017 Weed Abatement Program)

NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH AND REFUSE

Notice is hereby given that on the 11th day of April, 2017, the City of Laguna Hills City Council passed a Resolution declaring that noxious or dangerous weeds were growing upon or in front of the property on certain streets (or roads) in the City of Laguna Hills and that rubbish, refuse and dirt were upon or in front of the property on certain streets (or roads) in the City of Laguna Hills, including this property as more particularly described in said Resolution, and that the same constitutes a public nuisance which must be abated by the removal of the weeds, rubbish, refuse and dirt. Otherwise they will be removed and the nuisance will be abated by City of Laguna Hills authorities, in which case the cost of such removal shall be assessed upon the lots and lands from which or in front of which such weeds are removed and such cost will constitute a lien upon such lots and lands until paid. Reference is hereby made to the Resolution for further particulars. A copy of said Resolution is on file in the office of the City Clerk.

All property owners having objection to the proposed removal of such weeds are hereby notified to attend a Public Hearing before the City Council of the City of Laguna Hills scheduled for May 9, 2017, at 24035 El Toro Road, Laguna Hills, California, 92653, beginning at 7:00 P.M., or as soon thereafter as practical, when their objections will be heard and given due consideration. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Laguna Hills at, or prior to, the Public Hearing.

Dated this 12th day of April, 2017.



By Kenneth H. Rosenfield
Director of Public Services/City Engineer

CITY OF LAGUNA HILLS WEED ABATEMENT SUPPLEMENTAL GUIDELINES

Dear Property Owner:

The City of Laguna Hills conducts an annual weed abatement program designed to reduce fire hazards during the summer season. This year, the program is scheduled to commence in early March. The weed abatement program is done in accordance with Government Code Section 39560, et seq., and the Orange County Fire Authority standards.

Typically, in March of every year, the City's Public Services Department performs a limited "pre-canvassing" of private properties to identify properties, which have weeds or other noxious plants upon them that may pose a fire hazard during the fire season. In April, the Department sends a letter and a "Notice to Destroy Weeds" to property owners for properties that have historically been known to have weeds on them or were observed to have weeds on them during the pre-canvassing; therefore, not every property owner will receive a notice. The letters are sent to the property owners' last known address, as reported by the County of Orange Tax Assessor's Office, advising the owner to clear all weeds or noxious materials from their property before a pre-determined date. Those property owners that have not performed the weed abatement as required are subject to the City's contractor removing the weeds at the expense of the property owner.

The list of fire prone plant species (on the next page) within this document will be provided to owners that receive notices from the Department. Weeds identified in the list as well as any dead, overgrown, or dried out vegetation, plants, and trees must be removed within 100 feet of any structure. Please note that the 100-foot clearance also includes distances to those structures that may be located on a neighbor's property. The Public Services Department considers a structure to be an inhabitable building, such as a house, or any building that houses animals and any building that stores real property, such as a garage or storage shed.

The City wishes to avoid clearing weeds and noxious materials on private property and billing the property owner for this work; therefore, the best way to avoid this process is to clear the weeds out before the deadline stated in the official notice. Please be reminded that persons who receive a Notice to Destroy Weeds and who are not the current property owner of the property in question MUST contact the City of Laguna Hills promptly at (949) 707-2657 or the person may be required to pay for any clearing work on the property done by the City, if applicable.

The City of Laguna Hills wishes to thank you for your cooperation in making our community a safer place to live and work. If you have any questions about the City's weed abatement program, please call Amber Shah at (949) 707-2657.

Sincerely,



Kenneth H. Rosenfield, P.E.
Director of Public Services/City Engineer

FIRE PRONE PLANT SPECIES

Certain plants are considered to be undesirable in the landscape due to characteristics that make them highly flammable. These characteristics can either be physical or chemical. Physical properties that would contribute to high flammability include large amounts of dead material retained within the plant, rough or peeling bark, and the production of copious amounts of litter. Chemical properties include the presence of volatile substances such as oils, resins, wax, and pitch. Certain native plants are notorious for containing these volatile substances.

Plants with these characteristics should not be planted or maintained on private property or hillsides. Should these species already exist on your property, they shall be removed within 100 feet of any structure. The Public Services Department considers a structure to be an inhabitable building, such as a house, or any building that houses animals and any building that stores real property, such as a garage or storage shed.

These plants are referred to as “target species” since their complete removal is a critical part of fire hazard reduction. These fire-prone plant species are (but not limited to):

<u>Botanical Name</u>	<u>Common Name</u>
Cynara Cardunculus.....	Artichoke Thistle
Ricinus Communis.....	Castor Bean Plant
Cirsium Vulgare.....	Wild Artichoke
Brassica Nigra.....	Black Mustard
Silybrum Marianum.....	Milk Thistle
Sacsola Austails.....	Russian Thistle/Tumblewood
Nicotiana Bigelevel.....	Indian Tobacco
Nicotiana Glauca.....	Tree Tobacco
Lactuca Serriola.....	Prickly Lettuce
Conyza Canadensis.....	Horseweed
Heterothaca Grandiflora.....	Telegraph Plant
Anthemix Cotula.....	Mayweed
Urtica Urens.....	Burning Nettle
Cardaria Draba.....	Noary Cress, Perennial Peppergrass
Brassica Rapa.....	Wild Turnip, Yellow / Field Mustard
Adenostoma Fasciculatum.....	Chamise
Adenostoma Sparsifolium.....	Red Shanks, Ribbon Bush
Cortaderia Selloana.....	Pampas Grass
Artemisia Californica.....	California Sagebrush
Eriogonum Fasciculatum.....	Common Buckwheat
Salvia Mellifera.....	Black Sage

Property owners shall also remove **ALL** dead, overgrown, or dried out vegetation, plants, and trees within 100 feet of any structure.

Please view typical photographs of these weeds by accessing the City’s website at www.ci.laguna-hills.ca.us – *Forms Documents and Maps - Weed Abatement Guidelines*

HAZARD REDUCTION PRIVATE CONTRACTORS

E. Stewart and Associates
Weed and Brush Abatement
949-498-9250

Igi's Landscape Services
Tractor, Mowing & Handwork
714-418-1667

Natures Image
Tractor, Mowing & Handwork
949-454-1225

Boyce Munoz Landscape Systems
Handwork, Discing
714-742-7843 (Cell)

Nieves Landscape, Inc.
Tractor, Mowing & Handwork
714-641-3071

Choice Landscape & Maintenance
Mowing, Trimming & Handwork
949-212-0070

Spectrum Care
Tractor, Mowing & Handwork
949-454-6900

Ace Weed Abatement, Inc.
Tractor, Mowing & Handwork
951-243-9809

NPC Construction, Inc.
Tractor, Mowing & Handwork
760-723-1961

THIS LIST IS PRESENTED AS A CONVENIENCE TO
THE PUBLIC. IT IS A PARTIAL LIST AND IS NOT AN
ENDORSEMENT OF ANY CONTRACTOR BY THE CITY
OF LAGUNA HILLS.

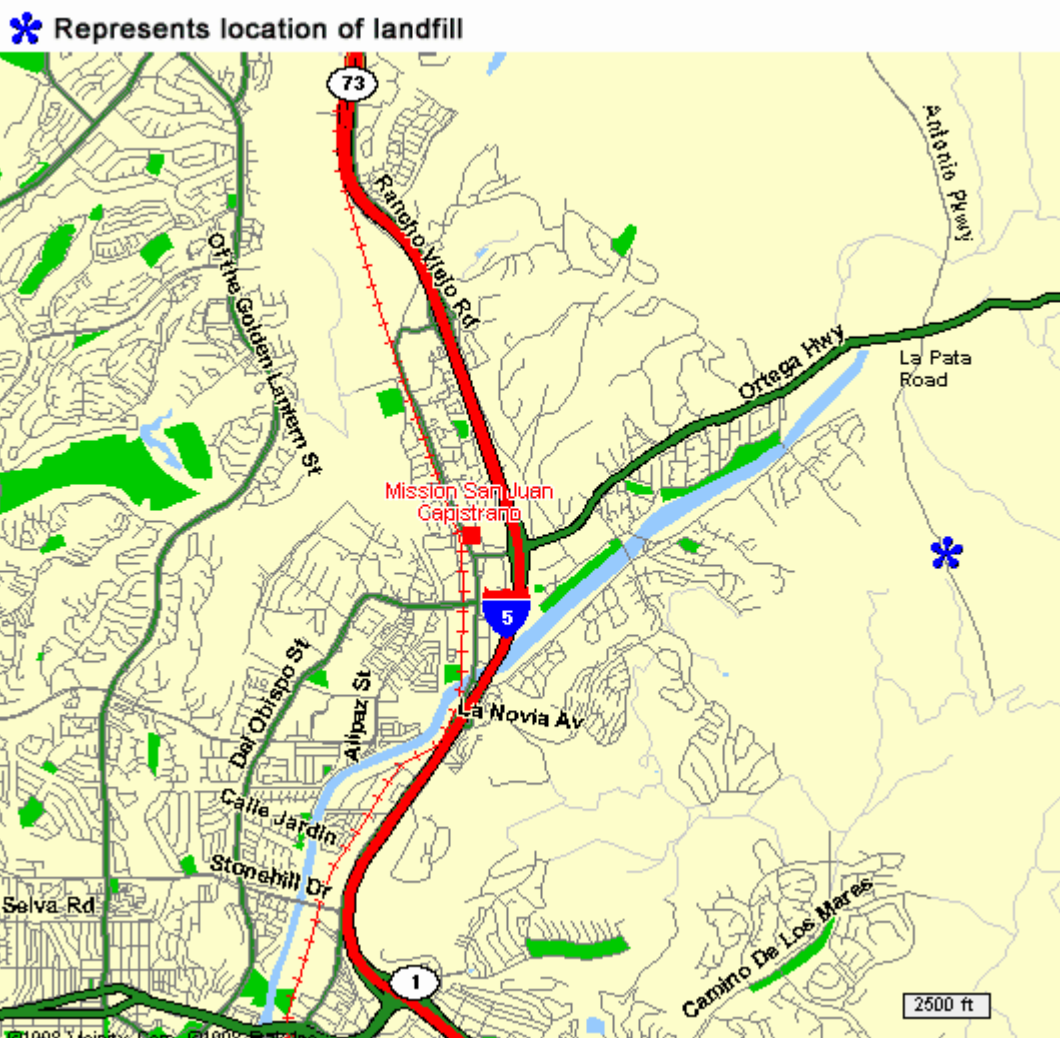
LOCATION OF NEAREST COUNTY LANDFILL:

PRIMA DESHECHA LANDFILL
 32250 La Pata Avenue
 San Juan Capistrano, CA 92075
 County Landfills Information Number: (714) 834-4000

OPERATING HOURS

Monday through Saturday, 7 a.m. to 4 p.m. for all customers
 Commercial Trucks and Dump Trucks ONLY from 4 p.m. to 5 p.m.

LOCATION MAP



2017 WEED ABATMENT LIST

4/7/17 Page 1

APN	LOT SIZE	LOT ADDRESS	FULL NAME	MAILING ADDRESS	CITY	STATE	ZIP	ATTENTION	LOT SIZE
588-121-01		LAGUNA VILLAGE HOA	LAGUNA VILLAGE HOA	23300 SANTA VITTORIA DRIVE	LAGUNA HILLS	CA	92653		
588-141-06		BEHIND 23092 MILL CREEK DRIVE	LAGUNA ASSOCIATES	4570 VON KARMAN AVE, STE. 200	NEWPORT BEACH	CA	92660		
588-141-07		MILL CREEK DR 23092	NEW VISTA SCHOOL	23092 MILL CREEK DRIVE	LAGUNA HILLS	CA	92653		E
616-221-02		MOULTON PKWY 23601	MOULTON PLAZA LLC	48 TESLA	IRVINE	CA	92618		
616-232-25		ANCONA 22671	ASHRAF ASHRAFANIA	22671 ANCONA	LAGUNA HILLS	CA	92653		A
616-232-27		ANCONA 22685	RICHARD CARUVANA	22685 ANCONA	LAGUNA HILLS	CA	92653		A
616-232-28		ANCONA 22691	ORLANDO DELFIN	22691 ANCONA	LAGUNA HILLS	CA	92653		A
616-241-16		CATANIA 22591	EDWARD KRAUS	22591 CATANIA	LAGUNA HILLS	CA	92653		A
616-263-01		TERNI 22251	SHERYL JO MC DONALD	22251 TERNI	LAGUNA HILLS	CA	92653		A
616-263-02		TERNI 22241	PAUL P LEW JR	P.O. BOX 2944	LAGUNA HILLS	CA	92654		A
616-263-03		TERNI 22231	ALEXANDER LEPERA	22231 TERNI	LAGUNA HILLS	CA	92653		A
616-263-04		TERNI 22221	MARY ANN TANGLAO	22221 TERNI	LAGUNA HILLS	CA	92653		A
616-263-05		TERNI 22211	STEPHEN N SUKHOV	22211 TERNI	LAGUNA HILLS	CA	92653		A
616-263-06		TERNI 22201	MARIBEL BISHOP	22201 TERNI	LAGUNA HILLS	CA	92653		A
616-263-07		TERNI 22202	CONNIE MAGNUSEN	22202 TERNI	LAGUNA HILLS	CA	92653		A
616-263-08		TERNI 22212	JOHN STEIN	22212 TERNI	LAGUNA HILLS	CA	92653		A
616-263-09		TERNI 22222	DESIREE OLASCOAGA	22222 TERNI	LAGUNA HILLS	CA	92653		
616-272-12		ADAMO 22192	JAIME SANTOS	7766 VALE DRIVE	WHITTIER	CA	90602		A
616-272-14		ADAMO 22212	OLTMAN FAMILY TRUST	22212 ADAMO	LAGUNA HILLS	CA	92653		A
616-272-15		ADAMO 22222	DONNY TURINGAN	22222 ADAMO	LAGUNA HILLS	CA	92653		A
616-272-21		ADAMO 22252	DAVID SWETS	22252 ADAMO	LAGUNA HILLS	CA	92653		A
616-272-22		SORESINA 23732	MARIA MOERCK	23732 SORESINA	LAGUNA HILLS	CA	92653		A
616-272-23		SORESINA 23736	GABRIELE MILLER	23736 SORESINA	LAGUNA HILLS	CA	92653		A
616-272-24		SORESINA 23718	CRESCENCIA ARTHUR	5112 MINNEOLA DRIVE	FALLBROOK	CA	92028		A
616-291-13		LOMBARDI 22432	GREGORY KENDRICK	22432 LOMBARDI	LAGUNA HILLS	CA	92653		A
620-032-44	A = 0001 - 7,500 SQ. FT.	LA PAZ 25912	25912 LA PAZ LLC	624 N. ALPINE DRIVE	BEVERLY HILLS	CA	90210		
620-044-03	B = 7,501 - 15,000 SQ. FT.	GRISSOM 25022	CURRENT OWNER	25022 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-044-04	B = 7,501 - 15,000 SQ. FT.	GRISSOM 25032	ADAM CHOU	25032 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-044-05	B = 7,501 - 15,000 SQ. FT.	GRISSOM 25052	DURGHINESCU FAMILY TRUST	25052 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-044-07	B = 7,501 - 15,000 SQ. FT.	GRISSOM 25082	ARIE W DOELITZSCH	25082 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-044-08	B = 7,501 - 15,000 SQ. FT.	GRISSOM 25092	DANIEL J COOPER	25092 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-054-02	B = 7,501 - 15,000 SQ. FT.	BARENTS 25101	EVETTE JAHANGIRI	25101 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-054-03	B = 7,501 - 15,000 SQ. FT.	BARENTS 25111	BEHJAT MAHDAVI	25111 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-054-04	B = 7,501 - 15,000 SQ. FT.	BARENTS 25121	ROBERT KURLFINK	25121 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-054-05	A = 0001 - 7,500 SQ. FT.	BARENTS 25131	JOHN SHEN	3314 MEADOWRIDGE RD	ORANGE	CA	92867		A
620-054-06	B = 7,501 - 15,000 SQ. FT.	BARENTS 25141	MOHAMMED HALLAJ MOGHADD SARAND	P.O. BOX 9237	CALABASAS	CA	91372		B
620-054-08	B = 7,501 - 15,000 SQ. FT.	BARENTS 25161	MANFRED KUNZE	25161 BARENTS	LAGUNA HILLS	CA	92653		B
620-054-09	B = 7,501 - 15,000 SQ. FT.	BARENTS 25171	MELINA CUNROD	25171 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-061-01	A = 0001 - 7,500 SQ. FT.	COSTEAU 25172	TAMMY KAY ALLEN	25172 COSTEAU STREET	LAGUNA HILLS	CA	92653		
620-064-04	A = 0001 - 7,500 SQ. FT.	VESPUCCI 25151	JOAN VIGLIONE	25151 VESPUCCI	LAGUNA HILLS	CA	92653		A
620-064-05	A = 0001 - 7,500 SQ. FT.	VESPUCCI 25161	JAMES DEICHMANN	17 FAIR OAKS	LAGUNA NIGUEL	CA	92677		A
620-064-06	A = 0001 - 7,500 SQ. FT.	VESPUCCI 25171	JOANN YANOSCHAK	25171 VESPUCCI	LAGUNA HILLS	CA	92653		
620-064-09	A = 0001 - 7,500 SQ. FT.	VESPUCCI 25201	STEVEN PAUL BOUY	25201 VESPUCCI	LAGUNA HILLS	CA	92653		A
620-064-12	A = 0001 - 7,500 SQ. FT.	VESPUCCI 25251	CHRIS BABAKITIS	25251 VESPUCCI	LAGUNA HILLS	CA	92653		A
620-083-10		GRISSOM 25272	JOHN L. KESSLER	25272 GRISSOM ROAD	LAGUNA HILLS	CA	92653		
620-142-09	B = 7,501 - 15,000 SQ. FT.	GRISSOM 25732	RYAN YOSHIO TAKAYAMA	25732 GRISSOM	LAGUNA HILLS	CA	92653		
620-142-10	B = 7,501 - 15,000 SQ. FT.	GRISSOM 25742	MARITZA ALVAREZ	25742 GRISSOM	LAGUNA HILLS	CA	92653		
620-142-11	B = 7,501 - 15,000 SQ. FT.	GRISSOM 25752	DANNY GIBSON	25752 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-181-08	A = 0001 - 7,500 SQ. FT.	LA PAZ 25205	THE HILLS HOTEL	25205 LA PAZ ROAD	LAGUNA HILLS	CA	92653		
620-191-07	A = 0001 - 7,500 SQ. FT.	LA SUEN 25002	CHRISTOPHER BENEDICT FRANCIS	2845 N. DANBURY	ORANGE	CA	92867		A
620-191-08	A = 0001 - 7,500 SQ. FT.	LA SUEN 25012	NANCY LE GAULT	25012 LA SUEN	LAGUNA HILLS	CA	92653		
620-191-09	A = 0001 - 7,500 SQ. FT.	LA SUEN 25022	EMILY REAGAN	25022 LA SUEN	LAGUNA HILLS	CA	92653		
620-191-10	A = 0001 - 7,500 SQ. FT.	LA SUEN 25032	KRISTINE SANGALANG	25032 LA SUEN	LAGUNA HILLS	CA	92653		B
620-191-27	B = 7,501 - 15,000 SQ. FT.	LA SUEN 25182	DEAN HENDERSON	25182 LA SUEN	LAGUNA HILLS	CA	92653		
620-191-28	B = 7,501 - 15,000 SQ. FT.	PIKE ROAD 25186	MOUNSSEF ASRI	25186 PIKE ROAD	LAGUNA HILLS	CA	92653		
620-241-04		ALICIA PKWY 25401	K&M ROYAL GROUP LLC	25381 ALICIA PARKWAY	LAGUNA HILLS	CA	92653		A
620-251-02		STOCKPORT APARTMENTS	MISSION HILLS INVESTMENT CO	949 S. COAST DRIVE, SUITE 600	COSTA MESA	CA	92626		A
620-282-40	B = 7,501 - 15,000 SQ. FT.	TREE TOP 25962	ROBERT BUSTAMANTE	25962 TREE TOP ROAD	LAGUNA HILLS	CA	92653		A
620-282-42	A = 0001 - 7,500 SQ. FT.	TREE TOP 25942	SANG VAN NGUYEN	15911 LAVA WAY	WESTMINSTER	CA	92683		A
620-282-44	A = 0001 - 7,500 SQ. FT.	TREE TOP 25922	MARK J. FURLAN	25922 TREE TOP ROAD	LAGUNA HILLS	CA	92653		A
620-282-45	A = 0001 - 7,500 SQ. FT.	TREE TOP 25912	PHAN JOHN VAN	25912 TREE TOP ROAD	LAGUNA HILLS	CA	92653		A
620-283-18		TREE TOP 25802	PATRICK SUZUKIDA	25802 TREE TOP	LAGUNA HILLS	CA	92653		
620-283-19	A = 0001 - 7,500 SQ. FT.	TREE TOP 25812	TONY DELGADO	25812 TREE TOP	LAGUNA HILLS	CA	92653		A
620-283-20	A = 0001 - 7,500 SQ. FT.	TREE TOP 25822	ROGEL GALANG	25822 TREE TOP ROAD	LAGUNA HILLS	CA	92653		
620-283-21	A = 0001 - 7,500 SQ. FT.	TREE TOP 25832	JAMES GIBBONS	25832 TREE TOP ROAD	LAGUNA HILLS	CA	92653		B
620-283-22	A = 0001 - 7,500 SQ. FT.	TREE TOP 25842	ELLEN R. WAKEFIELD	25842 TREE TOP ROAD	LAGUNA HILLS	CA	92653		B
620-283-27	A = 0001 - 7,500 SQ. FT.	TREE TOP 25892	KATHY CORNETT	25892 TREE TOP ROAD	LAGUNA HILLS	CA	92653		B
620-372-12	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24892	VICTOR LANFRANCO	24556 KINGS ROAD	LAGUNA NIGUEL	CA	92677		B
620-372-13	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24886	PAMELA PEREZ	23635 EL TORO ROAD, STE. G	LAKE FOREST	CA	92630		B
620-372-15	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24872	CHAU QUY TRAN	24872 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-372-16	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24862	RAYMOND PHUA	24862 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-372-17	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24842	LUIS LOZANO	24842 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-372-18	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24832	SHELDON KAWAHA	24832 GRISSOM	LAGUNA HILLS	CA	92653		B
620-372-20	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24802	HAGOP JACK BALTAYAN	24802 GRISSOM ROAD	LAGUNA HILLS	CA	92653		C
620-372-23	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24772	RENE JIMENEZ	24772 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B

2017 WEED ABATMENT LIST

APN	LOT SIZE	LOT ADDRESS	FULL NAME	MAILING ADDRESS	CITY	STATE	ZIP	ATTENTION	LOT SIZE
620-372-24	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24762	YA - ING LIN	10106 ANDY REESE CT.	GARDEN GROVE	CA	92843		B
620-372-25	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24752	CRAIG TALBOT	24752 GRISSOM ROAD	LAGUNA HILLS	CA	92653		B
620-372-26	C = 15,001 - 30,000 SQ. FT.	BARENTS 25485	HEDAYATULLAH AYOUB	25485 BARENTS	LAGUNNA HILLS	CA	92653		B
620-372-30	B = 7,501 - 15,000 SQ. FT.	BARENTS 25451	MOHAMMED DALATI	25451 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-372-33	B = 7,501 - 15,000 SQ. FT.	BARENTS 25421	FEROZE SHAIKH	25421 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-372-34	B = 7,501 - 15,000 SQ. FT.	BARENTS 25411	ISAAC GIRYAN	25411 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-372-35	B = 7,501 - 15,000 SQ. FT.	BARENTS 25391	MICHAEL L TANNER	25391 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-372-36	B = 7,501 - 15,000 SQ. FT.	BARENTS 25381	MOHAMMED FAZIL	17385 SUMMER OAK PL	YORBA LINDA	CA	92886		B
620-381-11		GRISSOM 24996	ALONSO J. FRANCISCO	12571 MARTHA ANN DRIVE	LOS ALAMITOS	CA	90720		
620-382-18	B = 7,501 - 15,000 SQ. FT.	GRISSOM 24946	BRADLEY MICHAELS	807 LINDARAXA PARK N	ALHAMBRA	CA	91801		B
620-384-03	B = 7,501 - 15,000 SQ. FT.	BARENTS 25291	ZAHOOR ALVI	25291 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-384-04	B = 7,501 - 15,000 SQ. FT.	BARENTS 25295	DONALD RABAS	25295 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-384-06	B = 7,501 - 15,000 SQ. FT.	BARENTS 25311	RICARDO SANTIAGO	25311 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-384-07	B = 7,501 - 15,000 SQ. FT.	BARENTS 25321	ROBERT KARR	25321 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-384-08	B = 7,501 - 15,000 SQ. FT.	BARENTS 25331	IRFAN HEMANI	25331 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-384-09	B = 7,501 - 15,000 SQ. FT.	BARENTS 25341	PAUL R KHOSHABA	25341 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-384-10	B = 7,501 - 15,000 SQ. FT.	BARENTS 25351	RAUL M GONZALEZ	25351 BARENTS ST.	LAGUNA HILLS	CA	92653		B
620-384-11	B = 7,501 - 15,000 SQ. FT.	BARENTS 25361	JAWID SAKHI	25361 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-384-12	B = 7,501 - 15,000 SQ. FT.	BARENTS 25371	SUSAN E BROWN	25371 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-401-01	B = 7,501 - 15,000 SQ. FT.	BARENTS 25181	HUZEFA HAKIM	25181 BARENTS STREET	LAGUNA HILLS	CA	92653		B
620-401-04	B = 7,501 - 15,000 SQ. FT.	BARENTS 25201	MARK LEAVITT	25201 BARENTS STREET	LAGUNA HILLS	CA	92653		E
620-401-05	B = 7,501 - 15,000 SQ. FT.	BARENTS 25211	CHRISTOPHER NGUYEN	25211 BARENTS STREET	LAGUNA HILLS	CA	92653		D
620-401-08		BARENTS 25241	GARRY GLATFELTER	17320 136TH AVENUE EE	PUYALLUP	WA	98374		
620-401-09	B = 7,501 - 15,000 SQ. FT.	BARENTS 25251	BOBBY ADAMS	25251 BARENTS STREET	LAGUNA HILLS	CA	92653		
620-491-17		AVE DE LA CARLOTA 24311	LAGUNA HILLS INVESTMENT CO	5950 BERKSHIRE LANE #800	DALLAS	TX	75225		
625-211-03		ALISO MEADOWS N/W SLOPE	ALISO MEADOWS CONDOS	3551 CAMINO MIRA COSTA, STE. N	SAN CLEMENTE	CA	92672	KELLY SHAW	
625-211-04		VIA LOMAS 25912	RANCHO NIGUEL PARTNERS	3803 E CASSELLE AVE	ORANGE	CA	92869		
625-301-54		OPEN SPACE E/O INDIAN HILLS	ALISO VIEJO COMMUNITY	95 ARGONAUT STE. 190	ALISO VIEJO	CA	92656		
625-311-02	E = OVER 1 ACRE	4.5 ACRE PARCEL BEHIND 24701 MANDEVILLE	CARMEN CARCIELLO	24701 MANDEVILLE DR.	LAGUNA HILLS	CA	92653		
625-322-26	E = OVER 1 ACRE	LA CIENEGA & LOS CERROS STREET	RIDGEFIELD HOMEOWNERS ASSOCIATION	2301 DUPONT DR, STE. 100	IRVINE	CA	92612		E
627-041-01	D = 30,001 - 43,560 SQ. FT.	NELLIE GAIL ROAD 24761	WILLIAM SULLIVAN	24761 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		D
627-041-12	C = 15,001 - 30,000 SQ. FT.	RED LODGE PLACE 24771	PARVIZ SHAMS	1234 ANACAPA WAY	LAGUNA BEACH	CA	92651		C
627-041-13	E = OVER 1 ACRE	RED LODGE PLACE 24781	THOMAS V BOYLES	24781 RED LODGE PLACE	LAGUNA HILLS	CA	92653		E
627-041-15	E = OVER 1 ACRE	RED LODGE PLACE 24811	JOHN FITZGERALD	24811 RED LODGE PLACE	LAGUNA HILLS	CA	92653		E
627-041-17	E = OVER 1 ACRE	RED LODGE PLACE 24831	JOHN R CRAIG	P. O. BOX 3339	LAGUNA HILLS	CA	92654		E
627-041-18	E = OVER 1 ACRE	RED LODGE PLACE 24841	BARRY D ANDREWS	24841 RED LODGE PLACE	LAGUNA HILLS	CA	92653		D
627-041-24	E = OVER 1 ACRE	RED LODGE PLACE 24761	RAMSEY FAMILY TRUST	24761 RED LODGE PLACE	LAGUNA HILLS	CA	92653		C
627-041-25	E = OVER 1 ACRE	RED LODGE PLACE 24762	ANNE MARIE COLE	24762 RED LODGE PLACE	LAGUNA HILLS	CA	92653		D
627-051-01	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 24891	WILLIAM FREY	24891 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		E
627-051-02		NELLIE GAIL ROAD 24911	JESSE AUTRY EHLE	P.O. BOX 11	SEASIDE	OR	97138		E
627-051-03	B = 7,501 - 15,000 SQ. FT.	NELLIE GAIL ROAD 24931	JOHN WURTH	24931 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		B
627-051-04	E = OVER 1 ACRE	NELLIE GAIL ROAD 24941	HOUSHANG ESFAHANI	27671 GOLD DUST LANE	LAGUNA HILLS	CA	92653		D
627-051-05	E = OVER 1 ACRE	NELLIE GAIL ROAD 24961	MATTHEW VUJOVICH	27282 WESTRIDGE LANE	LAGUNA HILLS	CA	92653		D
627-051-06	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 24981	AL-ABDULLA ANGHAM TRUST	24981 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		D
627-051-07		NELLIE GAIL ROAD 24991	DWIGHT NORDSTROM	24991 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		
627-051-08	C = 15,001 - 30,000 SQ. FT.	HIGHWOOD CIRCLE 26971	PHILIP COLLEN	16000 VENTURA BOULEVARD, STE. 90	ENCINO	CA	91436		E
627-051-09	C = 15,001 - 30,000 SQ. FT.	HIGHWOOD CIRCLE 26951	JOHN BARTLETT	26951 HIGHWOOD CIRCLE	LAGUNA HILLS	CA	92653		
627-051-10	D = 30,001 - 43,560 SQ. FT.	HIGHWOOD CIRCLE 26931	DAVID LUBOWE	26931 HIGHWOOD CIRCLE	LAGUNA HILLS	CA	92653		C
627-051-11	D = 30,001 - 43,560 SQ. FT.	HIGHWOOD CIRCLE 26921	DORMING WONG	26921 HIGHWOOD CIRCLE	LAGUNA HILLS	CA	92653		
627-051-13	C = 15,001 - 30,000 SQ. FT.	HIGHWOOD CIRCLE 26881	RICHARD CROWLEY	26881 HIGHWOOD CIRCLE	LAGUNA HILLS	CA	92653		C
627-051-14	E = OVER 1 ACRE	HIGHWOOD CIRCLE 26871	HAI NGUYEN	7525 N. WILLOW AVE APT 128	FRESNO	CA	93720		D
627-051-15	E = OVER 1 ACRE	HIGHWOOD CIRCLE 26861	PENNYMAC HOLDINGS LLC	26861 HIGHWOOD CIRCLE	LAGUNA HILLS	CA	92653		E
627-061-01	E = OVER 1 ACRE	HIGHWOOD CIRCLE 26872	MAHATHIRATH LIVING TRUST	26872 HIGHWOOD CIRCLE	LAGUNA HILLS	CA	92653		C
627-061-02	D = 30,001 - 43,560 SQ. FT.	HIGHWOOD CIRCLE 26882	JAMES D SUTHERLAND TRUST	26882 HIGHWOOD CIRCLE	LAGUNA HILLS	CA	92653		D
627-061-03	C = 15,001 - 30,000 SQ. FT.	HIGHWOOD CIRCLE 26902	BILLIE LOU MITCHELL	26902 HIGHWOOD CIRCLE	LAGUNA HILLS	CA	92653		C
627-061-13	D = 30,001 - 43,560 SQ. FT.	ROCKING HORSE LANE 26881	GEORGE REISMAN	26881 ROCKING HORSE LANE	LAGUNA HILLS	CA	92653		D
627-061-15	E = OVER 1 ACRE	ROCKING HORSE LANE 26872	JUNE D QUIRK	26872 ROCKING HORSE LANE	LAGUNA HILLS	CA	92653		C
627-061-17	D = 30,001 - 43,560 SQ. FT.	ROCKING HORSE LANE 26922	AUDREY LEE MILFS	26922 ROCKING HORSE LANE	LAGUNA HILLS	CA	92653		C
627-061-18	D = 30,001 - 43,560 SQ. FT.	ROCKING HORSE LANE 26932	ROBERT LEE WESSEL	26932 ROCKING HORSE LANE	LAGUNA HILLS	CA	92653		
627-061-20	D = 30,001 - 43,560 SQ. FT.	ROCKING HORSE LANE 26962	MICHAEL J SULLIVAN	26962 ROCKING HORSE LANE	LAGUNA HILLS	CA	92653		
627-071-05	E = OVER 1 ACRE	NELLIE GAIL ROAD 25202	NELLIE GAIL RANCH OWNERS	25211 EMPTY SADDLE DR	LAGUNA HILLS	CA	92653		
627-081-10	D = 30,001 - 43,560 SQ. FT.	SPOTTED PONY LANE 25372	BILL AINSWORTH	25372 SPOTTED PONY LANE	LAGUNA HILLS	CA	92653		D
627-081-11	E = OVER 1 ACRE	SPOTTED PONY LANE 25361	JAFFE FAMILY TRUST	25361 SPOTTED PONY LANE	LAGUNA HILLS	CA	92653		C
627-081-12	D = 30,001 - 43,560 SQ. FT.	SPOTTED PONY LANE 25371	DONAHUE FAMILY TRUST	25371 SPOTTED PONY LANE	LAGUNA HILLS	CA	92653		D
627-081-13		SPOTTED PONY LANE 25381	STEPHEN S. O'HARA	25381 SPOTTED PONY LANE	LAGUNA HILLS	CA	92653		E
627-081-15	C = 15,001 - 30,000 SQ. FT.	SPOTTED PONY LANE 25411	MARK SEAFORT	25411 SPOTTED PONY LN.	LAGUNA HILLS	CA	92653		C
627-081-16		SPOTTED PONY LANE 25431	ELIZABETH CAVALLO	25431 SPOTTED PONY LN	LAGUNA HILLS	CA	92653		D
627-081-19	C = 15,001 - 30,000 SQ. FT.	SPOTTED PONY LANE 25471	JAMES LUZZI	25471 SPOTTED PONY LANE	LAGUNA HILLS	CA	92653		D
627-081-20	D = 30,001 - 43,560 SQ. FT.	SPOTTED PONY LANE 25491	MISHELLE WEIDENHAMMER	25491 SPOTTED PONY LANE	LAGUNA HILLS	CA	92653		C
627-081-21		SPOTTED PONY LANE 25511	KAMBIZ HOSN	25511 SPOTTED PONY LN	LAGUNA HILLS	CA	92653		A
627-091-01	C = 15,001 - 30,000 SQ. FT.	HIDDEN TRAIL ROAD 27076	XUN LIAO	27076 HIDDEN TRAIL	LAGUNA HILLS	CA	92653		D
627-091-02	D = 30,001 - 43,560 SQ. FT.	HIDDEN TRAIL ROAD 27082	DEAN LARSEN	27082 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		C
627-091-03	C = 15,001 - 30,000 SQ. FT.	HIDDEN TRAIL ROAD 27086	WILLIAM WALLACE	27086 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		C
627-091-04	D = 30,001 - 43,560 SQ. FT.	HIDDEN TRAIL ROAD 27092	DONALD SEDGWICK	27092 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		C
627-091-05	D = 30,001 - 43,560 SQ. FT.	HIDDEN TRAIL ROAD 27096	DOUGLAS PRINS FAMILY TRUST	27096 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		C

Attachment: Copy of 2017 Weed Abatement List (1249 : 2017 Weed Abatement Program)

2017 WEED ABATMENT LIST

APN	LOT SIZE	LOT ADDRESS	FULL NAME	MAILING ADDRESS	CITY	STATE	ZIP	ATTENTION	LOT SIZE
627-091-11	E = OVER 1 ACRE	WAGON WHEEL CIRCLE 25421	RICHARD CHRISTIE	25421 WAGON WHEEL CIRCLE	LAGUNA HILLS	CA	92653		C
627-091-13	D = 30,001 - 43,560 SQ. FT.	WAGON WHEEL 25451	JOHN E YOUNG	25451 WAGON WHEEL	LAGUNA HILLS	CA	92653		B
627-092-10	C = 15,001 - 30,000 SQ. FT.	HIDDEN TRAIL 27073	JEFF KEANE	27073 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		C
627-101-01		HIDDEN TRAIL 27052	JAMES V. DI MARIA	27052 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		E
627-102-04		SHENANDOAH 27152	POHAN CHIANG	27152 SHENANDOAH DRIVE	LAGUNA HILLS	CA	92653		D
627-102-05		SHENANDOAH 27182	BRIAN ROBINSON	27182 SHENANDOAH DRIVE	LAGUNA HILLS	CA	92653		D
627-102-07	D = 30,001 - 43,560 SQ. FT.	SHENANDOAH DRIVE 27181	JIM BISHOP	27181 SHENANDOAH DRIVE	LAGUNA HILLS	CA	92653		E
627-102-13		HIDDEN TRAIL RD 27055	MOHAMED ELNACHEF	27055 HIDDEN TRAIL RD	LAGUNA HILLS	CA	92653		D
627-102-16	D = 30,001 - 43,560 SQ. FT.	NELLIE GAIL ROAD 25072	JOHN PARK	25072 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		D
627-102-17	E = OVER 1 ACRE	LOST COLT DRIVE 27222	STEPHEN & PAMINA BARKOW TRUST	25101 ANVIL CIRCLE	LAGUNA HILLS	CA	92653		E
627-102-18	D = 30,001 - 43,560 SQ. FT.	LOST COLT DRIVE 27232	WALTERS TIMOTHY & MEGAN TRUST	27232 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		E
627-111-01	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 25011	LARRY J HAMILTON	25011 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		C
627-111-02	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 25021	CHARLES SLOAN	25021 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		D
627-111-03	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 25041	ROBERT E ALVAREZ	25041 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		C
627-112-04		NELLIE GAIL ROAD 25022	TODD BARKOURAS	25022 NELLIE GAIL RD	LAGUNA HILLS	CA	92653		C
627-112-05	D = 30,001 - 43,560 SQ. FT.	NELLIE GAIL ROAD 25012	GEORGE HUNG	25012 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		C
627-112-06	D = 30,001 - 43,560 SQ. FT.	NELLIE GAIL ROAD 24992	IRVING GRAHAM AUSTIN	24992 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		C
627-112-09	C = 15,001 - 30,000 SQ. FT.	LOST COLT DRIVE 27162	WILLIAM KLAWITTER	27162 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		C
627-112-10	C = 15,001 - 30,000 SQ. FT.	LOST COLT DRIVE 27172	DEBRA MONAHAN TRUST	27172 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		C
627-112-11	D = 30,001 - 43,560 SQ. FT.	LOST COLT DRIVE 27182	DAVID J GUY	27182 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		D
627-112-13	D = 30,001 - 43,560 SQ. FT.	LOST COLT DRIVE 27196	KRZYSZTOF CHMIELOWSKI	27196 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		D
627-112-14	D = 30,001 - 43,560 SQ. FT.	LOST COLT DRIVE 27202	HOSN SHAHIN FAMILY TRUST	27202 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		C
627-112-15	E = OVER 1 ACRE	LOST COLT DRIVE 27212	MARK FISH	27212 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		B
627-113-01	C = 15,001 - 30,000 SQ. FT.	LOST COLT DRIVE 27261	PERON FAMILY TRUST	27261 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		C
627-113-04	C = 15,001 - 30,000 SQ. FT.	LOST COLT DRIVE 27211	JAMES R TR BOSEMER	27211 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		C
627-113-05	C = 15,001 - 30,000 SQ. FT.	LOST COLT DRIVE 27201	SCOTT PETERSON	27201 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		D
627-113-06	B = 7,501 - 15,000 SQ. FT.	LOST COLT DRIVE 27195	NEIL D TR SLATE	27195 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		D
627-113-07		LOST COLT DRIVE 27191	TERENCE & JOANNE FAMILY TRUST	27191 LOST COLT DR	LAGUNA HILLS	CA	92653		B
627-113-08	C = 15,001 - 30,000 SQ. FT.	LOST COLT DRIVE 27181	PICKETT FAMILY TRUST	27181 LOST COLT DR.	LAGUNA HILLS	CA	92653		D
627-113-09		LOST COLT DRIVE 27171	MATTHEW THOMAS HRDLICKA	27171 LOST COLT DR	LAGUNA HILLS	CA	92653		C
627-113-10	C = 15,001 - 30,000 SQ. FT.	LOST COLT DRIVE 27161	ROY POLIZZI	27161 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		C
627-121-02		NELLIE GAIL ROAD 24962	JAMES AND CYNTHIA RYDER TRUST	24962 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		
627-121-03	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 24942	MICHAEL SULLIVAN	24942 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		E
627-121-05	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 24892	JAMSHID NAJAH	24892 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		D
627-121-06	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 24872	DUMITRU FAMILY TRUST	24872 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		D
627-121-15		LOST COLT DRIVE 27086	JOHN ADAMS	27086 LOST COLT	LAGUNA HILLS	CA	92653		
627-121-17		LOST COLT DRIVE 27102	CHILDS FAMILY STRUST	27102 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		
627-122-01	C = 15,001 - 30,000 SQ. FT.	LOST COLT DRIVE 27151	SAEED SHAFIE-POUR	27151 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		B
627-122-03	B = 7,501 - 15,000 SQ. FT.	LOST COLT DRIVE 27131	NICHOLAS ANTHONY RAVLICH	27131 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		B
627-122-04	B = 7,501 - 15,000 SQ. FT.	LOST COLT DRIVE 27121	MAUREEN BALLAS	27121 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		C
627-122-07	C = 15,001 - 30,000 SQ. FT.	BEAR GRASS CIRCLE 24831	PHILIP GUIRAL	24831 BEAR GRASS CIRCLE	LAGUNA HILLS	CA	92653		C
627-122-11		LOST COLT DRIVE 2701	ROBERT KLEIN	2701 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		
627-131-01	C = 15,001 - 30,000 SQ. FT.	MUSTANG DRIVE 25071	ROBERT J TR WILNER	25071 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		C
627-131-03		MUSTANG DRIVE 25051	CHAD ALVES	25051 MUSTANG DR	LAGUNA HILLS	CA	92653		C
627-131-04	C = 15,001 - 30,000 SQ. FT.	MUSTANG DRIVE 25041	JAMES M THAYER	25041 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		E
627-131-05		MUSTANG DRIVE 25031	JANET DRYDEN FAMILY TRUST	25031 MUSTANG DR	LAGUNA HILLS	CA	92653		
627-131-06		MUSTANG DRIVE 25011	JUNE RODMAN	25011 MUSTANG DR	LAGUNA HILLS	CA	92653		D
627-132-01	D = 30,001 - 43,560 SQ. FT.	MUSTANG DRIVE 25082	GARY A MAGILL	25082 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		D
627-132-02	C = 15,001 - 30,000 SQ. FT.	MUSTANG DRIVE 25062	PAUL MOORE	25062 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		E
627-132-03		MUSTANG DRIVE 25052	FELIPE DELGADO	25052 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		
627-132-08		BUCKSKIN DRIVE 25131	STEVE PERRY	25131 BUCKSKIN DR	LAGUNA HILLS	CA	92653		D
627-132-09	D = 30,001 - 43,560 SQ. FT.	BUCKSKIN DRIVE 25151	SHIEN- CHIEN LIANG	25151 BUCKSKIN DRIVE	LAGUNA HILLS	CA	92653		D
627-141-03	C = 15,001 - 30,000 SQ. FT.	BUCKSKIN DRIVE 24861	JOE VARGAS	24861 BUCKSKIN DRIVE	LAGUNA HILLS	CA	92653		E
627-141-04	E = OVER 1 ACRE	BUCKSKIN DRIVE 24881	MOHAMMAD HASHEMI	24881 BUCKSKIN DRIVE	LAGUNA HILLS	CA	92653		E
627-141-05		BUCKSKIN DRIVE 24891	CODY GLENN	24891 BUCKSKIN DR	LAGUNA HILLS	CA	92653		D
627-141-12	D = 30,001 - 43,560 SQ. FT.	MUSTANG DRIVE 24971	THOMAS REILLY	24971 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		D
627-141-13	E = OVER 1 ACRE	MUSTANG DRIVE 24981	HODGES HARALSON	24981 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		D
627-151-02	E = OVER 1 ACRE	SADDLEHORN LANE 26561	JEFFREY L OTTMAN	26561 SADDLEHORN LANE	LAGUNA HILLS	CA	92653		E
627-151-07	B = 7,501 - 15,000 SQ. FT.	BUCKBOARD LANE 24851	FRED BARKER	24851 BUCKBOARD LN	LAGUNA HILLS	CA	92653		E
627-151-08	D = 30,001 - 43,560 SQ. FT.	BUCKBOARD LANE 24861	ELIZABETH RITZ	24861 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		D
627-152-01	A = 0001 - 7,500 SQ. FT.	BUCKSKIN DRIVE 24831	MAJID BABAZADEH	24831 BUCKSKIN DRIVE	LAGUNA HILLS	CA	92653		A
627-152-02	E = OVER 1 ACRE	BUCKSKIN DRIVE 24811	ALI SAMHAT	24811 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		C
627-152-03	E = OVER 1 ACRE	BUCKBOARD LANE 24792	JOSE A FRANCO	24792 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		
627-152-04	E = OVER 1 ACRE	BUCKBOARD LANE 24802	JASON BOUQUET	24802 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		B
627-152-05	E = OVER 1 ACRE	BUCKBOARD LANE 24812	DONALD OHLIG	24812 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		E
627-161-01	D = 30,001 - 43,560 SQ. FT.	STETSON PLACE 26641	LAWRENCE R JONES	26641 STETSON PLACE	LAGUNA HILLS	CA	92653		D
627-162-01	C = 15,001 - 30,000 SQ. FT.	STETSON PLACE 26642	ANDY HENG- SHIUNG LEE	26642 STETSON PLACE	LAGUNA HILLS	CA	92653		E
627-163-02	D = 30,001 - 43,560 SQ. FT.	BUCKBOARD LANE 24862	GERARD J PAPA	24862 BUCKBOARD LN	LAGUNA HILLS	CA	92653		A
627-163-04	D = 30,001 - 43,560 SQ. FT.	BUCKBOARD LANE 24882	CHARLES VAN DRUFF	24882 BUCKBOARD LN	LAGUNA HILLS	CA	92653		C
627-163-09	C = 15,001 - 30,000 SQ. FT.	BUCKBOARD LANE 24972	RICHARD SUTTON	24972 BUCKBOARD LN	LAGUNA HILLS	CA	92653		C
627-163-11	C = 15,001 - 30,000 SQ. FT.	BUCKBOARD LANE 25002	DAREN RHOADES	25002 BUCKBOARD LN	LAGUNA HILLS	CA	92653		D
627-172-02	D = 30,001 - 43,560 SQ. FT.	BUCKSKIN DRIVE 24912	DARA ALBOUYEH	24912 BUCKSKIN DRIVE	LAGUNA HILLS	CA	92653		C
627-172-05	C = 15,001 - 30,000 SQ. FT.	SADDLEHORN LANE 26542	ROBERT SLOAN	26542 SADDLEHORN LN	LAGUNA HILLS	CA	92653		E
627-172-06	C = 15,001 - 30,000 SQ. FT.	SADDLEHORN LANE 26552	MARTIN BOGANOVICH	26552 SADDLEHORN LN	LAGUNA HILLS	CA	92653		C
627-172-07	E = OVER 1 ACRE	SADDLEHORN LANE 26562	RAY YUE KWANG YANG	1279 TARTAN LANE	MORGANTOWN	WV	26505		C

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2017 WEED ABATMENT LIST

APN	LOT SIZE	LOT ADDRESS	FULL NAME	MAILING ADDRESS	CITY	STATE	ZIP	ATTENTION	LOT SIZE
627-172-12	D = 30,001 - 43,560 SQ. FT.	STETSON PLACE 26561	TIMOTHY J PARKER	26561 STETSON PLACE	LAGUNA HILLS	CA	92653		E
627-172-13		STETSON PLACE 26562	DONALD SMITH	P.O. BOX 3077	LAGUNA HILLS	CA	92654		E
627-172-14		STETSON PLACE 26566	SU TSAI	27592 DAISYFIELD DRIVE	LAGUNA NIGUEL	CA	92677		E
627-172-15	C = 15,001 - 30,000 SQ. FT.	STETSON PLACE 26576	JOSEPH LONG	23951 AZUSA ST	LAKE FOREST	CA	92630		E
627-172-16		STETSON PLACE 26592	TIMOTHY WELCH	26592 STETSON PL	LAGUNA HILLS	CA	92653		D
627-172-17	C = 15,001 - 30,000 SQ. FT.	STETSON PLACE 26602	RONALD GALONSKY	26602 STETSON PLACE	LAGUNA HILLS	CA	92653		C
627-172-18	C = 15,001 - 30,000 SQ. FT.	STETSON PLACE 26622	GERALD BREWER	26622 STETSON PLACE	LAGUNA HILLS	CA	92653		E
627-181-02	D = 30,001 - 43,560 SQ. FT.	BUCKSKIN DRIVE 25071	LINDA PIANTA	25051 BUCKSKIN DR	LAGUNA HILLS	CA	92653		C
627-181-03		BUCKSKIN DRIVE 25051	DOUGLAS NILSEN	25051 BUCKSKIN DR	LAGUNA HILLS	CA	92653		B
627-182-01	C = 15,001 - 30,000 SQ. FT.	BUCKSKIN DRIVE 24982	KITTS FAMILY TRUST	24982 BUCKSKIN DRIVE	LAGUNA HILLS	CA	92653		C
627-182-02	C = 15,001 - 30,000 SQ. FT.	BUCKSKIN DRIVE 24992	CURTIS SCHEETZ	24992 BUCKSKIN DRIVE	LAGUNA HILLS	CA	92653		B
627-182-08	D = 30,001 - 43,560 SQ. FT.	SILVER SADDLE LANE 26481	DANG FAMILY TRUST	17150 EUCLID STREET, STE. 100	FOUNTAIN VALLEY	CA	92708		C
627-183-01	C = 15,001 - 30,000 SQ. FT.	SILVER SADDLE LANE 26492	DEBORAH FISHER	26492 SILVER SADDLE LN	LAGUNA HILLS	CA	92653		C
627-183-02	D = 30,001 - 43,560 SQ. FT.	SILVER SADDLE LANE 26482	MICHAEL GAHAGAN	26482 SILVER SADDLE LANE	LAGUNA HILLS	CA	92653		
627-183-03	D = 30,001 - 43,560 SQ. FT.	SILVER SADDLE LANE 26462	PAUL J JR STANISLAW	26462 SILVER SADDLE LANE	LAGUNA HILLS	CA	92653		E
627-183-12	C = 15,001 - 30,000 SQ. FT.	BROKEN BIT LANE 26481	GREGORY PALMER	26481 BROKEN BIT LANE	LAGUNA HILLS	CA	92653		C
627-183-13	C = 15,001 - 30,000 SQ. FT.	BROKEN BIT LANE 26501	CARL STILSON	26501 BROKEN BIT LANE	LAGUNA HILLS	CA	92653		B
627-191-02	B = 7,501 - 15,000 SQ. FT.	BUCKSKIN DRIVE 25211	AISA PROPERTIES LLC	25211 BUCKSKIN	LAGUNA HILLS	CA	92653		B
627-191-03	B = 7,501 - 15,000 SQ. FT.	BUCKSKIN DRIVE 25231	GLENN LEW	25231 BUCKSKIN	LAGUNA HILLS	CA	92653		C
627-191-08	C = 15,001 - 30,000 SQ. FT.	SORRELL PL 26351	ENGELN LIVING TRUST 2007	26351 SORRELL PL	LAGUNA HILLS	CA	92653		
627-192-06	C = 15,001 - 30,000 SQ. FT.	BROKEN BIT LANE 26412	DAVID TOVEY	26412 BROKEN BIT LANE	LAGUNA HILLS	CA	92653		D
627-192-07	C = 15,001 - 30,000 SQ. FT.	BROKEN BIT LANE 26432	THEODORE MARAVICH	1842 SANTIAGO DRIVE	NEWPORT BEACH	CA	92660		C
627-192-08	C = 15,001 - 30,000 SQ. FT.	BROKEN BIT LANE 26452	BELLVIEW MANAGEMENT LTD	26452 BROKEN BIT LANE	LAGUNA HILLS	CA	92653		C
627-201-01	D = 30,001 - 43,560 SQ. FT.	SILVER SADDLE LANE 26491	JOHN P VORSHECK	26491 SILVER SADDLE LN	LAGUNA HILLS	CA	92653		C
627-201-03	C = 15,001 - 30,000 SQ. FT.	SILVER SADDLE LANE 26502	JENNIFER NICOLE GIRARD	26502 SILVER SADDLE LANE	LAGUNA HILLS	CA	92653		C
627-201-08	D = 30,001 - 43,560 SQ. FT.	BROKEN BIT LANE 26532	CHUNJIAN REN	153 PAVILLION PARK	IRVINE	CA	92618		D
627-201-09		BROKEN BIT LANE 26542	CHRISTOPHER SAVAGE	26542 BROKEN BIT LANE	LAGUNA HILLS	CA	92653		
627-201-11		BUCKBOARD LANE 25161	DAVID GIBSON	25161 BUCKBOARD LANE	LAGUNA HILLS	CA	91653		
627-201-12	D = 30,001 - 43,560 SQ. FT.	BUCKBOARD LANE 25151	SIRAGUSA JOHN R & GM TRUST	25151 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		E
627-201-13	D = 30,001 - 43,560 SQ. FT.	BUCKBOARD LANE 25145	MARK GALLUZZO	25145 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		E
627-211-01	B = 7,501 - 15,000 SQ. FT.	BUCKBOARD LANE 25141	CAROLINE TRAN	25141 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		D
627-211-02	D = 30,001 - 43,560 SQ. FT.	BUCKBOARD LANE 25131	ARTHUR B CORISH	25131 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		D
627-211-03	E = OVER 1 ACRE	BUCKBOARD LANE 25111	TODD MUDD	25111 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		C
627-211-04	C = 15,001 - 30,000 SQ. FT.	BUCKBOARD LANE 25091	PAUL WILLIAMS	25091 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		B
627-212-03	C = 15,001 - 30,000 SQ. FT.	BUCKBOARD LANE 25072	ALAN SPALDING	25072 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		D
627-212-04	C = 15,001 - 30,000 SQ. FT.	BUCKBOARD LANE 25092	WAQAR HAIDER	25092 BUCKBOARD LN	LAGUNA HILLS	CA	92653		E
627-212-05	D = 30,001 - 43,560 SQ. FT.	BUCKBOARD LANE 25102	RICARDO DAVALOS	25102 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		E
627-212-06	E = OVER 1 ACRE	BUCKBOARD LANE 25122	MACGILLIVRAY FAMILY TRUST	25122 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		D
627-212-07	D = 30,001 - 43,560 SQ. FT.	BUCKBOARD LANE 25132	WILLIAM FELLERS	25132 BUCKBOARD LN	LAGUNA HILLS	CA	92653		C
627-212-08	D = 30,001 - 43,560 SQ. FT.	BUCKBOARD LANE 25136	CARL M TR JEDNORALSKI	25136 BUCKBOARD LANE	LAGUNA HILLS	CA	92653		C
627-231-04	C = 15,001 - 30,000 SQ. FT.	DAPPLE GREY DRIVE 26531	CHARLES FULLER	26531 DAPPLE GREY DRIVE	LAGUNA HILLS	CA	92653		D
627-231-08	C = 15,001 - 30,000 SQ. FT.	DAPPLE GREY DRIVE 26611	GREGORY MOORE	26611 DAPPLE GREY DRIVE	LAGUNA HILLS	CA	92653		E
627-231-09	C = 15,001 - 30,000 SQ. FT.	DAPPLE GREY DRIVE 26631	KEIM JEWELL	26631 DAPPLE GREY	LAGUNA HILLS	CA	92653		D
627-232-01	D = 30,001 - 43,560 SQ. FT.	DAPPLE GREY DRIVE 26632	THOMAS W FARR	26632 DAPPLE GREY DRIVE	LAGUNA HILLS	CA	92653		D
627-232-02	D = 30,001 - 43,560 SQ. FT.	DAPPLE GREY DRIVE 26602	DAVIS FAMILY TRUST	26602 DAPPLE GREY DRIVE	LAGUNA HILLS	CA	92653		E
627-232-04	C = 15,001 - 30,000 SQ. FT.	DAPPLE GREY DRIVE 26552	SCOTT CONNELLA	26552 DAPPLE GREY DR.	LAGUNA HILLS	CA	92653		E
627-232-06	C = 15,001 - 30,000 SQ. FT.	DAPPLE GREY DRIVE 26512	PETER CARLSON	26512 DAPPLE GREY DR	LAGUNA HILLS	CA	92653		D
627-241-01	E = OVER 1 ACRE	CHAPARRAL PLACE 26411	ABBAS RAHMANI	26411 CHAPARRAL	LAGUNA HILLS	CA	92653		D
627-241-02	E = OVER 1 ACRE	CHAPARRAL PLACE 26421	KU-JUEY RAYMOND CHANG	26421 CHAPARRAL	LAGUNA HILLS	CA	92653		E
627-242-05		DAPPLE GREY DRIVE 26432	MARK SCHEELE	26432 DAPPLE GREY	LAGUNA HILLS	CA	92653		D
627-242-06	D = 30,001 - 43,560 SQ. FT.	DAPPLE GREY DRIVE 26452	KENNETH DOLL	26452 DAPPLE GREY DRIVE	LAGUNA HILLS	CA	92653		C
627-251-02	D = 30,001 - 43,560 SQ. FT.	WILDVIEW TERRACE 26502	DONALD E NORDSTROM	26502 WILD VIEW TERRACE	LAGUNA HILLS	CA	92653		B
627-251-03	D = 30,001 - 43,560 SQ. FT.	WILD VIEW TERRACE 26512	GREGORY R MAKIN	26512 WILD VIEW TER	LAGUNA HILLS	CA	92653		E
627-251-04	E = OVER 1 ACRE	WILD VIEW TERRACE 26522	ANTHONY L. GULLIFER	26522 WILD VIEW TERRACE	LAGUNA HILLS	CA	92653		D
627-251-05	E = OVER 1 ACRE	WILD VIEW TERRACE 26532	MEHDI MOTADI FAMILY TRUST	25921 PRAIRESTONE DR	LAGUNA HILLS	CA	92653		
627-251-06	E = OVER 1 ACRE	WILD VIEW TERRACE 26542	KURKEN ALYANAKIYAN	2455 COLORADO BLVD #400	LOS ANGELES	CA	90041		E
627-251-07		WILD VIEW TERRACE 26552	RICHARD RUSSELL	26552 WILD VIEW TERRACE	LAGUNA HILLS	CA	92653		C
627-251-08	E = OVER 1 ACRE	WILD VIEW TERRACE 26551	LA VONNE C HART	26551 WILD VIEW TERRACE	LAGUNA HILLS	CA	92653		C
627-251-09	B = 7,501 - 15,000 SQ. FT.	WILD VIEW TERRACE 26541	ROBERT J BLATTENBERG	26541 WILD VIEW TERRACE	LAGUNA HILLS	CA	92653		C
627-281-02		RANGEWOOD ROAD 25481	RONALD SOTO TRUST	25435 GALLUP CIRCLE	LAGUNA HILLS	CA	92653		
627-281-03	E = OVER 1 ACRE	RANGEWOOD ROAD 25491	CHESTER REYNOLDS	25491 RANGEWOOD	LAGUNA HILLS	CA	92653		D
627-281-04		RANGEWOOD ROAD 25511	JEFFERY B. ARMOUR	20320 SW BIRCH ST #110	NEWPORT BEACH	CA	92660		
627-281-05	E = OVER 1 ACRE	RANGEWOOD ROAD 25521	RANDALL WHITE	25521 RANGEWOOD RD.	LAGUNA HILLS	CA	92653		C
627-281-06	E = OVER 1 ACRE	RANGEWOOD ROAD 25541	JAIMIE JUSIDMAN	25541 RANGEWOOD ROAD	LAGUNA HILLS	CA	92653		D
627-281-07	D = 30,001 - 43,560 SQ. FT.	RANGEWOOD ROAD 25551	AHMAD-MAHER MOUBAYED	25551 RANGEWOOD ROAD	LAGUNA HILLS	CA	92653		C
627-281-10	E = OVER 1 ACRE	RANGEWOOD ROAD 25631	GENE WEINMEISTER	25631 RANGEWOOD RD	LAGUNA HILLS	CA	92653		C
627-281-11	D = 30,001 - 43,560 SQ. FT.	RANGEWOOD ROAD 25661	VINCENT G DI PROFIO	P. O. BOX 50698	IRVINE	CA	92619		C
627-282-10	D = 30,001 - 43,560 SQ. FT.	RANGEWOOD ROAD 25592	THOMAS FERLAUTO	25592 RANGEWOOD RD.	LAGUNA HILLS	CA	92653		C
627-282-11		RANGEWOOD ROAD 25612	ELIZABETH VIGEN	25612 RANGEWOOD ROAD	LAGUNA HILLS	CA	92653		
627-282-14	C = 15,001 - 30,000 SQ. FT.	RANGEWOOD ROAD 25642	DAVID MAC DONALD	25642 RANGEWOOD ROAD	LAGUNA HILLS	CA	92653		D
627-291-02	E = OVER 1 ACRE	NELLIE GAIL ROAD 25801	JAMES SEAT	25801 NELLIE GAIL RD	LAGUNA HILLS	CA	92653		D
627-291-04	C = 15,001 - 30,000 SQ. FT.	SHERIFF ROAD 25841	VITUS CHOW	25841 SHERIFF ROAD	LAGUNA HILLS	CA	92653		C
627-291-05	E = OVER 1 ACRE	SHERIFF ROAD 25851	GEORGE CECIL FRASER	25851 SHERIFF ROAD	LAGUNA HILLS	CA	92653		C
627-291-06		SHERIFF ROAD 25871	MASAYE STAFFORD	25871 SHERIFF RD	LAGUNA HILLS	CA	92653		D
627-291-07	E = OVER 1 ACRE	SHERIFF ROAD 25881	SAMUEL W LANDERS	25881 SHERIFF ROAD	LAGUNA HILLS	CA	92653		C

Attachment: Copy of 2017 Weed Abatement List (1249 : 2017 Weed Abatement Program)

2017 WEED ABATMENT LIST

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APN	LOT SIZE	LOT ADDRESS	FULL NAME	MAILING ADDRESS	CITY	STATE	ZIP	ATTENTION	LOT SIZE
627-291-08	D = 30,001 - 43,560 SQ. FT.	SHERIFF ROAD 25901	MURILLO FAMILY TRUST	25901 SHERIFF ROAD	LAGUNA HILLS	CA	92653		C
627-291-09	D = 30,001 - 43,560 SQ. FT.	SHERIFF ROAD 25921	HENRY PEPPER	25921 SHERIFF ROAD	LAGUNA HILLS	CA	92653		E
627-301-01	E = OVER 1 ACRE	SHERIFF ROAD 25931	MICHAEL MILLS	25931 SHERIFF ROAD	LAGUNA HILLS	CA	92653		D
627-301-02	D = 30,001 - 43,560 SQ. FT.	SHERIFF ROAD 25941	DANIEL BUSHNER	25941 SHERIFF ROAD	LAGUNA HILLS	CA	92653		D
627-301-03	D = 30,001 - 43,560 SQ. FT.	SHERIFF ROAD 25951	JIM CHEN	25951 SHERIFF ROAD	LAGUNA HILLS	CA	92653		C
627-301-12	E = OVER 1 ACRE	BUCKLESTONE COURT 25731	JUDY LEE WRIGHT	25731 BUCKLESTONE CT.	LAGUNA HILLS	CA	92653		D
627-301-14	E = OVER 1 ACRE	BUCKLESTONE COURT 25732	WALTHER BACA	25732 BUCKLESTONE COURT	LAGUNA HILLS	CA	92653		E
627-301-15	E = OVER 1 ACRE	BUCKLESTONE COURT 25742	ROBERT C/TR LENZ	25742 BUCKLESTONE COURT	LAGUNA HILLS	CA	92653		C
627-321-01	D = 30,001 - 43,560 SQ. FT.	NELLIE GAIL ROAD 25791	RYAN PERMEH	25791 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		C
627-321-03	D = 30,001 - 43,560 SQ. FT.	NELLIE GAIL ROAD 25761	DENNIS W. BLOUGH	25761 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		
627-321-04	C = 15,001 - 30,000 SQ. FT.	NELLEI GAIL ROAD 25741	SHERYLE ULYATE	25741 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		C
627-321-05	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 25731	GAINMORE LLC	25731 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		C
627-322-14	C = 15,001 - 30,000 SQ. FT.	NELLIE GAIL ROAD 25792	BRENDAN FLAHERTY	25792 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		C
627-322-27	D = 30,001 - 43,560 SQ. FT.	PRAIRESTONE DRIVE 25891	THOMAS YERKE	25891 PRAIRIESTONE DRIVE	LAGUNA HILLS	CA	92653		E
627-331-01	B = 7,501 - 15,000 SQ. FT.	GALLUP CIRCLE 25511	SONG KIM	25511 GALLUP CIRCLE	LAGUNA HILLS	CA	92653		C
627-331-07	E = OVER 1 ACRE	NELLIE GAIL ROAD 25671	RICK ERAM	25671 NELLIE GAIL RD	LAGUNA HILLS	CA	92653		D
627-331-08	D = 30,001 - 43,560 SQ. FT.	NELLIE GAIL ROAD 25681	RAEHEL E TR SKINNER	25681 NELLIE GAIL RD.	LAGUNA HILLS	CA	92653		C
627-331-09	A = 0001 - 7,500 SQ. FT.	NELLIE GAIL ROAD 25691	GEORGE KATSUYAMA	25691 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		D
627-332-04	B = 7,501 - 15,000 SQ. FT.	NELLIE GAIL ROAD 25682	JOSEPH CHUNG-FU CHENG	25682 NELLIE GAIL ROAD	LAGUNA HILLS	CA	92653		E
627-332-08	A = 0001 - 7,500 SQ. FT.	PRAIRESTONE DRIVE 25762	GREGORY P FURLONG	25762 PRAIRESTONE DR.	LAGUNA HILLS	CA	92653		
627-341-02	C = 15,001 - 30,000 SQ. FT.	PECOS ROAD 25766	BABAK FARJAMRAD	25766 PECOS ROAD	LAGUNA HILLS	CA	92653		
627-341-04	C = 15,001 - 30,000 SQ. FT.	PECOS ROAD 25792	CHARLES K RHEE	25792 PECOS ROAD	LAGUNA HILLS	CA	92653		
627-341-06	C = 15,001 - 30,000 SQ. FT.	PECOS ROAD 25832	JOHN E STONER	25832 PECOS ROAD	LAGUNA HILLS	CA	92653		
627-344-02	E = OVER 1 ACRE	HITCHING RAIL ROAD 25942	YOUNGA SEO	25942 HITCHING RAIL	LAGUNA HILLS	CA	92653		
627-344-03	D = 30,001 - 43,560 SQ. FT.	SPUR BRANCH LANE 26032	JOSEPH I-CHIH HUANGE	26032 SPUR BRANCH LANE	LAGUNA HILLS	CA	92653		
627-351-02	C = 15,001 - 30,000 SQ. FT.	WATERWHEEL PLACE 26072	RAYMOND M SHISHIDO	26072 WATERWHEEL PLACE	LAGUNA HILLS	CA	92653		
627-351-03	C = 15,001 - 30,000 SQ. FT.	WATERWHEEL PLACE 26076	ELLEN SCHULMAN- SCHREIBER	26076 WATERWHEEL PLACE	LAGUNA HILLS	CA	92653		
627-351-07	E = OVER 1 ACRE	SPUR BRANCH LANE 26052	PATRICIA LALAIA	26052 SPUR BRANCH LN.	LAGUNA HILLS	CA	92653		
627-351-09	E = OVER 1 ACRE	SPUR BRANCH LANE 26072	BERNARD F GIRMA	26072 SPUR BRANCH LANE	LAGUNA HILLS	CA	92653		
627-351-10	E = OVER 1 ACRE	SPUR BRANCH LANE 26062	STEPHEN MARGETIC	26062 SPUR BRANCH LANE	LAGUNA HILLS	CA	92653		
627-361-05	C = 15,001 - 30,000 SQ. FT.	SPUR BRANCH LANE 26131	JAMES W STRYKER	26131 SPUR BRANCH LANE	LAGUNA HILLS	CA	92653		
627-362-02	C = 15,001 - 30,000 SQ. FT.	SPUR BRANCH LANE 26102	ROBERT BETTEY	26102 SPUR BRANCH LN	LAGUNA HILLS	CA	92653		
627-362-03	E = OVER 1 ACRE	SPUR BRANCH LANE 26122	MOTAMED FAMILY TRUST	26122 SPUR BRANCH LANE	LAGUNA HILLS	CA	92653		
627-362-04	E = OVER 1 ACRE	SPUR BRANCH LANE 26132	LAGUNA HOLDINGS LLC	P.O. BOX 36616	LOS ANGELES	CA	90036		
627-362-05	E = OVER 1 ACRE	SPUR BRANCH LANE 26142	JOSEPH LEE	26142 SPUR BRANCH	LAGUNA HILLS	CA	92653		
627-372-08	B = 7,501 - 15,000 SQ. FT.	RICH SPRING CIRCLE 25901	JAMES CAHILL	25901 RICH SPRING CIRCLE	LAGUNA HILLS	CA	92653		
627-372-09	E = OVER 1 ACRE	RICH SPRING CIRCLE 25902	HAL MOOREFIELD	25902 RICH SPRING CIRCLE	LAGUNA HILLS	CA	92653		
627-372-12	E = OVER 1 ACRE	HITCHING RAIL ROAD 26171	PLUIMER FAMILY TRUST	26171 HITCHING RAIL ROAD	LAGUNA HILLS	CA	92653		
627-372-13	E = OVER 1 ACRE	HITCHING RAIL ROAD 26191	COLLINS FAMILY TRUST	26191 HITCHING RAIL	LAGUNA HILLS	CA	92653		
627-372-14	E = OVER 1 ACRE	HITCHING RAIL ROAD 26201	MICHAEL W MAYFIELD	26201 HITCHING RAIL ROAD	LAGUNA HILLS	CA	92653		
627-372-15	E = OVER 1 ACRE	HITCHING RAIL ROAD 26211	MADALENA TRUST	26211 HITCHING RAIL RD	LAGUNA HILLS	CA	92653		
627-372-16	D = 30,001 - 43,560 SQ. FT.	HITCHING RAIL ROAD 26221	IRA MARCUS	28 FAIRWAY PLACE	HALF MOON BAY	CA	94019		
627-381-02	C = 15,001 - 30,000 SQ. FT.	HITCHING RAIL ROAD 26212	CHRISTOPHER VARGA	26212 HITCHING RAIL ROAD	LAGUNA HILLS	CA	92653		
627-381-07	E = OVER 1 ACRE	SPUR BRANCH LANE 26152	JEANNE MCGOWEN-HOUGHTON	26152 SPUR BRANCH	LAGUNA HILLS	CA	92653		
627-401-01	E = OVER 1 ACRE	GALLUP CIRCLE 25435	RONALD SOTO	25435 GALLUP CIRCLE	LAGUNA HILLS	CA	92653		
627-401-02	E = OVER 1 ACRE	GALLUP CIRCLE 25421	EVAN G GOST	25421 GALLUP CIRCLE	LAGUNA HILLS	CA	92653		
627-401-03	E = OVER 1 ACRE	GALLUP CIRCLE 25411	MARTIN WILDGOOSE LIVING TRUST	P.O. BOX 600	TEMECULA	CA	92593		
627-401-04	C = 15,001 - 30,000 SQ. FT.	GALLUP CIRCLE 25391	RANDALL LUNN	25391 GALLUP CIRCLE	LAGUNA HILLS	CA	92653		
627-401-05		GALLUP CIRCLE 25385	CLARENCE HAUSCHILD	P.O. BOX 127	LAKE FOREST	CA	92609		
627-402-03	C = 15,001 - 30,000 SQ. FT.	BOOTSTRAP PLACE 25472	DONALD MC MULLIN	25472 BOOTSTRAP PL	LAGUNA HILLS	CA	92653		
627-402-09	B = 7,501 - 15,000 SQ. FT.	GALLUP CIRCLE 25422	NEIL A N BARKER	4 TERRA VISTA COURT	RANCHO MIRAGE	CA	92270		
627-402-13	B = 7,501 - 15,000 SQ. FT.	BOOTSTRAP PLACE 25471	GERALD SAYER	25481 BOOTSTRAP PLACE	LAGUNA HILLS	CA	92653		
627-411-07	C = 15,001 - 30,000 SQ. FT.	GALLUP CIRCLE 25294	K BUCKLEY	25294 GALLUP CIRCLE	LAGUNA HILLS	CA	92653		
627-412-07	B = 7,501 - 15,000 SQ. FT.	GALLUP CIRCLE 25311	HAROUN YVONNE EL FORKH	25311 GALLUP CIRCLE	LAGUNA HILLS	CA	92653		
627-422-06	C = 15,001 - 30,000 SQ. FT.	RED CORRAL ROAD 26116	VAN RHEBECK	26116 RED CORRAL ROAD	LAGUNA HILLS	CA	92653		
627-431-05		POKER FLATS PLACE 25961	RAMIN TAYANI	25961 POKER FLATS PL	LAGUNA HILLS	CA	92653		
627-431-15	C = 15,001 - 30,000 SQ. FT.	RED CORRAL ROAD 26035	WILLIAM Y JUI	26035 RED CORRAL ROAD	LAGUNA HILLS	CA	92653		
627-431-16	C = 15,001 - 30,000 SQ. FT.	RED CORRAL ROAD 26041	ENZO SCOGNAMIGLIO	26041 RED CORRAL ROAD	LAGUNA HILLS	CA	92653		
627-431-17		RED CORRAL ROAD 26045	JUNG JA SUNG	26045 FLINTLOCK LN	LAGUNA HILLS	CA	92653		
627-431-21	A = 0001 - 7,500 SQ. FT.	RED CORRAL ROAD 26065	GARY MOREAU	26065 RED CORRAL ROAD	LAGUNA HILLS	CA	92653		
627-431-22	B = 7,501 - 15,000 SQ. FT.	RED CORRAL ROAD 26071	VAN HOANG	26071 RED CORRAL ROAD	LAGUNA HILLS	CA	92653		
627-432-07		RED CORRAL ROAD 26012	RANIA A SLIHEET	26012 RED CORRAL	LAGUNA HILLS	CA	92653		
627-441-02	E = OVER 1 ACRE	FLINTLOCK LANE 26022	DAVID YOMTOOB	26022 FLINTLOCK LANE	LAGUNA HILLS	CA	92653		
627-451-06	D = 30,001 - 43,560 SQ. FT.	FLINTLOCK LANE 26062	FISCHER FAMILY TRUST	26062 FLINTLOCK LANE	LAGUNA HILLS	CA	92653		
627-451-16	C = 15,001 - 30,000 SQ. FT.	GLEN CANYON DRIVE 26091	GARY BELLEN	26091 GLEN CANYON DRIVE	LAGUNA HILLS	CA	92653		
627-452-02		GLEN CANYON DRIVE 25972	ALYANAKIAN FAMILY TRUST	25972 GLEN CANYON	LAGUNA HILLS	CA	92653		
627-452-06		HIGHPLAINS TERRACE 25725	JOHN A TAYLOR	25725 HIGHPLAINS TER	LAGUNA HILLS	CA	92653		
627-461-01	B = 7,501 - 15,000 SQ. FT.	HIGHPLAINS TERRACE 25751	EDWARD MESCHER	25751 HIGHPLAINS TERRACE	LAGUNA HILLS	CA	92653		
627-461-02	B = 7,501 - 15,000 SQ. FT.	HIGHPLAINS TERRACE 25761	HAMID HOJATI	25761 HIGHPLAINS TERRACE	LAGUNA HILLS	CA	92653		
627-461-03	B = 7,501 - 15,000 SQ. FT.	HIGHPLAINS TERRACE 25771	ALEXANDER BONAKDAR	25771 HIGHPLAINS TERRACE	LAGUNA HILLS	CA	92653		
627-461-04	D = 30,001 - 43,560 SQ. FT.	HIGHPLAINS TERRACE 25781 NO LETTER	ANTHONY LEVATINO NO LETTER	25781 HIGHPLAINS TERRACE	LAGUNA HILLS	CA	92653		
627-461-12	E = OVER 1 ACRE	OROVILLE PLACE 26126	BERNARD SJAUTA	26126 OROVILLE PLACE	LAGUNA HILLS	CA	92653		
627-461-13	C = 15,001 - 30,000 SQ. FT.	OROVILLE PLACE 26132	HSD KENSINGTON APTS	23361 EL TORO RD, SUITE 202	LAKE FOREST	CA	92630		
627-461-14	C = 15,001 - 30,000 SQ. FT.	OROVILLE PLACE 26152	JASON GLICKSMAN	26152 OROVILLE PLACE	LAGUNA HILLS	CA	92653		
627-461-16	D = 30,001 - 43,560 SQ. FT.	OROVILLE PLACE 26182	ROBERT WILLIAM BRUCE	26182 OROVILLE PLACE	LAGUNA HILLS	CA	92653		

2017 WEED ABATMENT LIST

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APN	LOT SIZE	LOT ADDRESS	FULL NAME	MAILING ADDRESS	CITY	STATE	ZIP	ATTENTION	LOT SIZE
627-463-03	C = 15,001 - 30,000 SQ. FT.	OROVILLE PLACE 26155	JAGTINDER DANG	17150 EUCLID STREET, STE. 101	FOUNTAIN VALLEY	CA	92708		
627-463-04	C = 15,001 - 30,000 SQ. FT.	OROVILLE PLACE 26171	BONUTTO J & T TRUST	26171 OROVILLE PLACE	LAGUNA HILLS	CA	92653		
627-463-05	C = 15,001 - 30,000 SQ. FT.	MOUNT DIABLO ROAD 26172	MICHAEL S SUTTON	26172 MT DIABLO ROAD	LAGUNA HILLS	CA	92653		
627-463-06		MOUNT DIABLO ROAD 26152	JASON LEVIN	26152 MOUNT DIABLO ROAD	LAGUNA HILLS	CA	92653		
627-471-05		MOUNT DIABLO ROAD 26251	WAYNE LEE	26251 MOUNT DIABLO RD	LAGUNA HILLS	CA	92653		
627-472-06	B = 7,501 - 15,000 SQ. FT.	MOUNT DIABLO ROAD 26212	ARTHUR MING JING CHEN	26212 MT DIABLO ROAD	LAGUNA HILLS	CA	92653		
627-472-07	C = 15,001 - 30,000 SQ. FT.	MOUNT DIABLO ROAD 26222	RANDY BEHRINGER	26222 MT DIABLO ROAD	LAGUNA HILLS	CA	92653		
627-472-09	D = 30,001 - 43,560 SQ. FT.	MOUNT DIABLO ROAD 26246	GAGIK OGANESYAN	26246 MT DIABLO	LAGUNA HILLS	CA	92653		
627-482-01	E = OVER 1 ACRE	SADDLE ROCK PLACE 25512	DOUGLAS PICK	27068 LA PAZ RD	ALISO VIEJO	CA	92656		
627-482-02	D = 30,001 - 43,560 SQ. FT.	SADDLE ROCK PLACE 25532	ROBERT HAUGAN	25532 SADDLE ROCK PLACE	LAGUNA HILLS	CA	92653		
627-482-03	E = OVER 1 ACRE	SADDLE ROCK PLACE 25552	ROY FRATUS	25552 SADDLE ROCK PLACE	LAGUNA HILLS	CA	92653		
627-491-09	E = OVER 1 ACRE	HOUSTON TRAIL 26442	CRAIG W NICKOLOFF	68 FREMONT PL	LOS ANGELES	CA	90005		
627-491-11	C = 15,001 - 30,000 SQ. FT.	HOUSTON TRAIL 26411	FREDERICK RUTH	26411 HOUSTON TRAIL	LAGUNA HILLS	CA	92653		
627-491-12	D = 30,001 - 43,560 SQ. FT.	HOUSTON TRAIL 26401	STEVEN CERVANTES	26411 HOUSTON TRAIL	LAGUNA HILLS	CA	92653		
627-511-01	B = 7,501 - 15,000 SQ. FT.	MUSTANG DRIVE 25092	DIANE LORRAINE FORTNEY	4910 CAMPUS DR	NEWPORT BEACH	CA	92660		
627-511-05	D = 30,001 - 43,560 SQ. FT.	MUSTANG DRIVE 25162	KAMRAN HERAVI	25162 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		
627-511-08	C = 15,001 - 30,000 SQ. FT.	MUSTANG DRIVE 25212	PATRICK G WINEGARD	25212 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		
627-511-10	C = 15,001 - 30,000 SQ. FT.	MUSTANG DRIVE 25252	ARTHUR ASTORINO	25252 MUSTANG DRIVE	LAGUNA HILLS	CA	92653		
627-511-11		MUSTANG DRIVE 25272	TIMOTHY EDRINGTON	25272 MUSTANG DR.	LAGUNA HILLS	CA	92653		
627-521-02	B = 7,501 - 15,000 SQ. FT.	GALLUP CIRCLE 25282	NELLIE GAIL RANCH OWNERS	25211 EMPTY SADDLE DR	LAGUNA HILLS	CA	92653		
627-551-02		BRADFORD LANE 25651	ROBERT WHEELER	25651 BRADFORD LANE	LAGUNA HILLS	CA	92653	OCFA	
627-551-03	E = OVER 1 ACRE	BRADFORD LANE 25641	THOMAS LUDEMA	25641 BRADFORD LANE	LAGUNA HILLS	CA	92653		
627-561-05	D = 30,001 - 43,560 SQ. FT.	STRATFORD PLACE 25601	MICHAEL MADLENER	25601 STRATFORD PLACE	LAGUNA HILLS	CA	92653		
627-561-06	E = OVER 1 ACRE	STRATFORD PLACE 25602	MOHAMED ELATROZY	25602 STRATFORD PLACE	LAGUNA HILLS	CA	92653		
627-561-17	E = OVER 1 ACRE	HARRINGTON COURT 25541	UPAINDER BAJAJ	25541 HARRINGTON COURT	LAGUNA HILLS	CA	92653		
627-561-18	E = OVER 1 ACRE	HARRINGTON COURT 25542	EDWARD L WISEMAN	25542 HARRINGTON COURT	LAGUNA HILLS	CA	92653		
627-561-19	C = 15,001 - 30,000 SQ. FT.	HARRINGTON COURT 25552	JOSEPH E WEISZ	25552 HARRINGTON COURT	LAGUNA HILLS	CA	92653		
627-571-01	D = 30,001 - 43,560 SQ. FT.	NOTTINGHAM COURT 25425	ANTHONY GRILLI	25425 NOTTINGHAM COURT	LAGUNA HILLS	CA	92653		
627-571-02	C = 15,001 - 30,000 SQ. FT.	NOTTINGHAM COURT 25441	DENNIS L MANDELL	25441 NOTTINGHAM COURT	LAGUNA HILLS	CA	92653		
627-571-03	C = 15,001 - 30,000 SQ. FT.	NOTTINGHAM COURT 25461	RAYMOND A SIMONCELLI	25461 NOTTINGHAM COURT	LAGUNA HILLS	CA	92653		
627-571-04	C = 15,001 - 30,000 SQ. FT.	NOTTINGHAM COURT 25481	DARYLL MILLIOT	25481 NOTTINGHAM COURT	LAGUNA HILLS	CA	92653		
627-571-05	C = 15,001 - 30,000 SQ. FT.	NOTTINGHAM COURT 25505	RICHARD M KIRAL	25505 NOTTINGHAM COURT	LAGUNA HILLS	CA	92653		
627-571-06	C = 15,001 - 30,000 SQ. FT.	NOTTINGHAM COURT 25515	MARK KORNEGAY	25515 NOTTINGHAM COURT	LAGUNA HILLS	CA	92653		
627-571-07	C = 15,001 - 30,000 SQ. FT.	NOTTINGHAM COURT 25545	BRIAN FREDETTE	25545 NOTTINGHAM COURT	LAGUNA HILLS	CA	92653		
627-572-02		25422 NOTTINGHAM	JOHN ARMSTRONG	25422 NOTTINGHAM	LAGUNA HILLS	CA	92653	OCFA	
627-572-03		25432 NOTTINGHAM	SOHAIL NAKHAIE	25432 NOTTINGHAM	LAGUNA HILLS	CA	92653	OCFA	
627-572-04		25442 NOTTINGHAM	JOHN & RITA ABBATE FAMILY TRUST	25442 NOTTINGHAM	LAGUNA HILLS	CA	92653	OCFA	
627-572-05		25462 NOTTINGHAM	CHRISTINE WILLETT	25462 NOTTINGHAM	LAGUNA HILLS	CA	92653	OCFA	
627-572-06		25472 NOTTINGHAM	JAMES HAWLEY	25472 NOTTINGHAM	LAGUNA HILLS	CA	92653	OCFA	
627-572-16		NOTTINGHAM COURT 25572	THI KHANH LE	22965 OAKSTONE	MISSION VIEJO	CA	92692		
627-661-37		HILLSIDE OPEN SPACE	MOULTON RANCH III	2603 MAIN STREET STE. 500	IRVINE	CA	92614		
627-671-01		HILLSIDE OPEN SPACE	MOULTON RANCH III	2603 MAIN STREET STE. 500	IRVINE	CA	92614		
627-711-03		HILLSIDE OPEN SPACE	MOULTON RANCH III HOA	2603 MAIN STREET STE. 500	IRVINE	CA	92614		
634-131-10		HILLSIDE SLOPE NORTH SIDE	VILLA SOLANA APARTMENTS	26033 MOULTON PARKWAY	LAGUNA HILLS	CA	92653	PROPERTY MANAGER	
634-131-12		HILLSIDE SLOPE NORTHEAST SIDE	VILLA SOLANA APARTMENTS	26033 MOULTON PARKWAY	LAGUNA HILLS	CA	92653	PROPERTY MANAGER	
634-131-14		HILLSIDE SLOPE WEST SIDE	VILLA SOLANA APARTMENTS	26033 MOULTON PARKWAY	LAGUNA HILLS	CA	92653	PROPERTY MANAGER	
634-131-23		ALICIA CREEK	ALICIA CREEK TRUST	600 B ST. SUITE 700	SAN DIEGO	CA	92101		
636-061-14		BEHIND WESTRIDGE	NELLIE GAIL RANCH OWNERS	25211 EMPTY SADDLE DR	LAGUNA HILLS	CA	92653		
636-061-15		CORRIDOR	CALTRANS DISTRICT 12	3337 MICHELSON DRIVE, SUITE C N 380	IRVINE	CA	92612	RIGHT OF WAY SECTION	
636-091-02	D = 30,001 - 43,560 SQ. FT.	DEPUTY CIRCLE 27602	DAVID HOLLANDER	336 SHERIDAN AVENUE	PIEDMONT	CA	94611		
636-091-03	D = 30,001 - 43,560 SQ. FT.	DEPUTY CIRCLE 27592	HAMID AHWAZI	27592 DEPUTY CIRCLE	LAGUNA HILLS	CA	92653		
636-091-04	E = OVER 1 ACRE	DEPUTY CIRCLE 27572	BRADLEY KAYS	27572 DEPUTY CIRCLE	LAGUNA HILLS	CA	92653		
636-091-05	E = OVER 1 ACRE	DEPUTY CIRCLE 27566	SAEED BEKAM	27566 DEPUTY CIRCLE	LAGUNA HILLS	CA	92653		
636-091-06		DEPUTY CIRCLE 27562	CHANGE HUNG LE	27562 DEPUTY CIRCLE	LAGUNA HILLS	CA	92653		
636-091-07	D = 30,001 - 43,560 SQ. FT.	DILLON ROAD 25746	DOUGLAS E CASEY	25746 DILLON ROAD	LAGUNA HILLS	CA	92653		
636-091-08	D = 30,001 - 43,560 SQ. FT.	DILLON ROAD 25752	FELIPE ANGEL	25752 DILLON ROAD	LAGUNA HILLS	CA	92653		
636-091-09	D = 30,001 - 43,560 SQ. FT.	DILLON ROAD 25762	MOKHTAR RAMADAN	25762 DILLON ROAD	LAGUNA HILLS	CA	92653		
636-091-10	D = 30,001 - 43,560 SQ. FT.	DILLON ROAD 25772	KHALED OBEID	25772 DILLON ROAD	LAGUNA HILLS	CA	92653		
636-091-11		DILLON ROAD 25782	GREG BROWN	25782 DILLON ROAD	LAGUNA HILLS	CA	92653		
636-091-13	E = OVER 1 ACRE	DILLON ROAD 25795	ROSALVA MARTINEZ GARCIA	25795 DILLION ROAD	LAGUNA HILLS	CA	92653		
636-091-14	E = OVER 1 ACRE	DILLON ROAD 25791	ROSALVA MARTINEZ GARCIA	27119 PACIFIC TERRACE DRIVE	MISSION VIEJO	CA	92692		
636-091-15	E = OVER 1 ACRE	DILLON ROAD 25781	EDWARD L TR CASTILLO	25781 DILLON ROAD	LAGUNA HILLS	CA	92653		
636-091-16	D = 30,001 - 43,560 SQ. FT.	DILLON ROAD 25771	HAYDER KUBA	25771 DILLON ROAD	LAGUNA HILLS	CA	92653		
636-091-17	D = 30,001 - 43,560 SQ. FT.	DILLON ROAD 25761	MICHAEL GARNREITER	25761 DILLON ROAD	LAGUNA HILLS	CA	92653		
636-091-18	D = 30,001 - 43,560 SQ. FT.	DILLON ROAD 25751	JOHN STAPLES	25751 DILLON ROAD	LAGUNA HILLS	CA	92653		
636-091-20	D = 30,001 - 43,560 SQ. FT.	DEPUTY CIRCLE 27622	JASON TUNCHIEH HSU	27622 DEPUTY CIRCLE	LAGUNA HILLS	CA	92653		
636-111-03		BOOTHILL COURT 27521	EILEEN GARRIGAN	27521 BOOTHILL COURT	LAGUNA HILLS	CA	92653		
636-111-04	D = 30,001 - 43,560 SQ. FT.	BOOTHILL COURT 27541	KYLE R TOLLY	27541 BOOTHILL COURT	LAGUNA HILLS	CA	92653		
636-123-02	E = OVER 1 ACRE	PINTO COURT 25671	JOSEPH W FAVELA	#2 TRESTLES	LAGUNA NIGUEL	CA	92677		
636-132-01	B = 7,501 - 15,000 SQ. FT.	SUNDOWNER DRIVE 27192	JOHN STECHERT	27192 SUNDOWNER DRIVE	LAGUNA HILLS	CA	92653		
636-132-02	B = 7,501 - 15,000 SQ. FT.	SUNDOWNER DRIVE 27212	TANNER-HARRISON-AYERS	27212 SUNDOWNER DRIVE	LAGUNA HILLS	CA	92653		
636-132-05	D = 30,001 - 43,560 SQ. FT.	RAPID FALLS ROAD 25901	RUDY LEKARCZYK	25901 RAPID FALLS ROAD	LAGUNA HILLS	CA	92653		
636-132-06	D = 30,001 - 43,560 SQ. FT.	RAPID FALLS ROAD 25911	NEVILLE JE HARAJAH	25911 RAPID FALLS ROAD	LAGUNA HILLS	CA	92653		
636-132-08	E = OVER 1 ACRE	RAPID FALLS ROAD 25941	WILLIAM RANDOLPH DODGE	25941 RAPID FALLS ROAD	LAGUNA HILLS	CA	92653		
636-141-04	C = 15,001 - 30,000 SQ. FT.	RODEO CIRCLE 25496	ADAM KARR	25496 RODEO CIRCLE	LAGUNA HILLS	CA	92653		

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APN	LOT SIZE	LOT ADDRESS	FULL NAME	MAILING ADDRESS	CITY	STATE	ZIP	ATTENTION	LOT SIZE
636-141-05	C = 15,001 - 30,000 SQ. FT.	RODEO CIRCLE 25502	MARVIN WINKLER	19881 BROOKHURST ST C305	HUNTINGTON BEACH	CA	92646		
636-141-07		RODEO CIRCLE 25495	HENNINGS PROPERTIES LLC	28241 CROWN VALLEY PARKWAY F-622	LAGUNA NIGUEL	CA	92677		
636-141-20		LOST TRAIL 27565	PAULA LUIZ DE	27565 LOST TRAIL	LAGUNA HILLS	CA	92653		
636-151-04	E = OVER 1 ACRE	LONE PINE CIRCLE 25532	KENNETH BURKE	25532 LONE PINE CIRCLE	LAGUNA HILLS	CA	92653		
636-151-08	D = 30,001 - 43,560 SQ. FT.	LONE PINE CIRCLE 25501	HONGGIN TANG	25501 LONE PINE CIRCLE	LAGUNA HILLS	CA	92653		
636-171-04	E = OVER 1 ACRE	STAGEWOOD COURT 27205	ROBERT KARR S R S TR	27205 STAGEWOOD COURT	LAGUNA HILLS	CA	92653		
636-171-05	E = OVER 1 ACRE	STAGEWOOD COURT 27206	GREGORY LOUCHART	27206 STAGEWOOD COURT	LAGUNA HILLS	CA	92653		
636-171-08		STAGELINE DRIVE 25241	ALI REZA TAVAKOLI	25241 STAGELINE DRIVE	LAGUNA HILLS	CA	92653		
636-171-09	C = 15,001 - 30,000 SQ. FT.	STAGELINE DRIVE 25261	DAVID LOWRIE LOWRIE FAMILY TRUST	25261 STAGELINE DRIVE	LAGUNA HILLS	CA	92653		
636-171-10	C = 15,001 - 30,000 SQ. FT.	STAGELINE DRIVE 25291	RICHARD CALANDRO	P.O. BOX 3045	LAGUNA HILLS	CA	92654		
636-171-11	C = 15,001 - 30,000 SQ. FT.	STAGELINE DRIVE 25321	LAURENCE ROBERTS	25321 STAGELINE DRIVE	LAGUNA HILLS	CA	92653		
636-171-12	C = 15,001 - 30,000 SQ. FT.	STAGELINE DRIVE 25341	GEORGE N HAYEK	25341 STAGELINE DRIVE	LAGUNA HILLS	CA	92653		
636-171-13	C = 15,001 - 30,000 SQ. FT.	STAGELINE DRIVE 25355	JAMES A TR STANFIELD	25355 STAGELINE DRIVE	LAGUNA HILLS	CA	92653		
636-171-14	C = 15,001 - 30,000 SQ. FT.	STAGELINE DRIVE 25361	THOMAS TAYLOR	25361 STAGELINE DRIVE	LAGUNA HILLS	CA	92653		
636-182-04	D = 30,001 - 43,560 SQ. FT.	STAGELINE DRIVE 25151	DENNY W STEELE	25151 STAGELINE DRIVE	LAGUNA HILLS	CA	92653		
636-183-05	C = 15,001 - 30,000 SQ. FT.	STAGELINE DRIVE 25182	RANDALL S SUCAMELE	25182 STAGELINE DRIVE	LAGUNA HILLS	CA	92653		
636-211-05	D = 30,001 - 43,560 SQ. FT.	DEPUTY CIRCLE 27702	SAMUEL LA ROSA	8271 W. ARGYLE STREET	NORRIDGE	IL	60706		
636-321-04	C = 15,001 - 30,000 SQ. FT.	WESTRIDGE LANE 27172	MAYBELYN PETTYJOHN	27172 WESTRIDGE LANE	LAGUNA HILLS	CA	92653		
636-321-05	C = 15,001 - 30,000 SQ. FT.	WESTRIDGE LANE 27182	JOSEPH BYBEL	27182 WESTRIDGE LANE	LAGUNA HILLS	CA	92653		
636-321-07	C = 15,001 - 30,000 SQ. FT.	WESTRIDGE LANE 27212	ANTHONY RAVLICH	27212 WESTRIDGE LANE	LAGUNA HILLS	CA	92653		
636-321-08	C = 15,001 - 30,000 SQ. FT.	WESTRIDGE LANE 27226	LEILANI TEJWANI	24461 MANDEVILLE DR	LAGUNA HILLS	CA	92653		
636-321-09	C = 15,001 - 30,000 SQ. FT.	WESTRIDGE LANE 27236	MIN-YING TSENG	27236 WESTRIDGE LANE	LAGUNA HILLS	CA	92653		
636-321-11	D = 30,001 - 43,560 SQ. FT.	WESTRIDGE LANE 27266	PETER BURKHARD	27266 WESTRIDGE LANE	LAGUNA HILLS	CA	92653		
636-321-12	D = 30,001 - 43,560 SQ. FT.	WESTRIDGE LANE 27282	MATTHEW VUJOVICH	27282 WESTRIDGE LANE	LAGUNA HILLS	CA	92653		
636-321-13	E = OVER 1 ACRE	WESTRIDGE LANE 27292	FRANCIS CARDONE	27292 WESTRIDGE LANE	LAGUNA HILLS	CA	92653		
636-321-15	C = 15,001 - 30,000 SQ. FT.	SANDRIDGE CIRCLE 24961	GREGORY LARSEN	24961 SANDRIDGE CIRCLE	LAGUNA HILLS	CA	92653		
636-321-16	D = 30,001 - 43,560 SQ. FT.	SANDRIDGE CIRCLE 24971	FONG FU CHANG	24971 SANDRIDGE CIRCLE	LAGUNA HILLS	CA	92653		
636-321-17	C = 15,001 - 30,000 SQ. FT.	SANDRIDGE CIRCLE 24972	ELLEN STUEBER	27068 LA PAZ ROAD, SUITE 636	ALISO VIEJO	CA	92656		
636-331-02		LOST COLT DRIVE 27341	GLEN SHULMAN	27341 LOST COLT DR	LAGUNA HILLS	CA	92653		
636-331-03	C = 15,001 - 30,000 SQ. FT.	LOST COLT DRIVE 27371	BABAK ALAVYNEJAD	27371 LOST COLT DRIVE	LAGUNA HILLS	CA	92653		
636-332-09	D = 30,001 - 43,560 SQ. FT.	MAVERICK CIRCLE 27472	STEVEN MC COMAS	27472 MAVERICK CIRCLE	LAGUNA HILLS	CA	92653		
636-341-08	C = 15,001 - 30,000 SQ. FT.	DERBYHILL DRIVE 25322	ROSHAN MOMTAZ SHENASI	25322 DERBYHILL DRIVE	LAGUNA HILLS	CA	92653		
636-341-09	D = 30,001 - 43,560 SQ. FT.	DERBYHILL DRIVE 25302	DAVID P REED FAMILY TRUST	25302 DERBYHILL DRIVE	LAGUNA HILLS	CA	92653		
636-341-10	C = 15,001 - 30,000 SQ. FT.	DERBYHILL DRIVE 25282	RICHARD ROBERTS	25282 DERBY HILL DRIVE	LAGUNA HILLS	CA	92653		
636-341-11	C = 15,001 - 30,000 SQ. FT.	DERBYHILL DRIVE 25272	CHARLES GRANVILLE	25272 DERBYHILL DRIVE	LAGUNA HILLS	CA	92653		
636-341-12	C = 15,001 - 30,000 SQ. FT.	DERBYHILL DRIVE 25252	JAMES DALE MILLER	25252 DERBYHILL DRIVE	LAGUNA HILLS	CA	92653		
636-341-15	C = 15,001 - 30,000 SQ. FT.	DERBYHILL DRIVE 25212	KHALILI FAMILY TRUST	28201 TINAJO	MISSION VIEJO	CA	92692		
636-341-16	E = OVER 1 ACRE	DERBYHILL DRIVE 25201	WEN LU	25201 DERBY HILL DRIVE	LAGUNA HILLS	CA	92653		
636-341-27	B = 7,501 - 15,000 SQ. FT.	DERBYHILL DRIVE 25391	GILLETT KENNETH M & K A TRUST	25391 DERBYHILL DR	LAGUNA HILLS	CA	92653		
636-341-51		DERBYHILL DRIVE 25342	MICHAEL TIDUS	25342 DERBYHILL DR	LAGUNA HILLS	CA	92653		
636-342-02	D = 30,001 - 43,560 SQ. FT.	HIDDEN TRAIL ROAD 27462	YAN ZHANG	27462 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		
636-342-03	D = 30,001 - 43,560 SQ. FT.	HIDDEN TRAIL ROAD 27472	ALI MIRHOSSEINI	27472 HIDDEN TRAIL RD.	LAGUNA HILLS	CA	92653		
636-342-04	D = 30,001 - 43,560 SQ. FT.	HIDDEN TRAIL ROAD 27492	RASHTCHI PEYMAN	27492 HIDDEN TRAIL	LAGUNA HILLS	CA	92653		
636-342-05	D = 30,001 - 43,560 SQ. FT.	HIDDEN TRAIL ROAD 27502	SALEEM S NABER	2809 ALTIVO PLACE	FULLERTON	CA	92835		
636-351-04	E = OVER 1 ACRE	ROCKRIDGE ROAD 25142	VIEJO PETROLEUM	25146 ROCKRIDGE RD	LAGUNA HILLS	CA	92653		
636-351-09	C = 15,001 - 30,000 SQ. FT.	ROCKRIDGE ROAD 25191	GEORGE Y L HUANG	18 SAIL VIS	NEWPORT BEACH	CA	92657		
636-351-10	C = 15,001 - 30,000 SQ. FT.	ROCKRIDGE ROAD 25211	GEORGE Y L HUANG, OWNER OF 25211 ROCKR	25191 ROCKRIDGE ROAD	LAGUNA HILLS	CA	92653		
636-351-19		ABILENE COURT 25282	ARNOLD D. PURISCH	25282 ABILENE COURT	LAGUNA HILLS	CA	92653		
636-351-20		ABILENE COURT 25281	JEFFERY SPELLENS	25281 ABILENE COURT	LAGUNA HILLS	CA	92653		
636-351-21		ABILENE COURT 25291	ABILENE COURT RESIDENCE LLC	28241 CROWN VALLEY PARKWAY, STE. F-622	LAGUNA NIGUEL	CA	92677		
636-351-22	C = 15,001 - 30,000 SQ. FT.	ABILENE COURT 25311	E SCOTT MEDLING	25311 ABILENE	LAGUNA HILLS	CA	92653		
636-361-02	C = 15,001 - 30,000 SQ. FT.	FARGO ROAD 27605	BRET JOHNSON	27605 FARGO ROAD	LAGUNA HILLS	CA	92653		
636-361-03	D = 30,001 - 43,560 SQ. FT.	FARGO ROAD 27621	MEHDI KOHNECHI	27621 FARGO ROAD	LAGUNA HILLS	CA	92653		
636-371-08	C = 15,001 - 30,000 SQ. FT.	GOLD DUST LANE 27642	ROBERT DOERFLER	27642 GOLD DUST LANE	LAGUNA HILLS	CA	92653		
636-372-04	C = 15,001 - 30,000 SQ. FT.	GOLD DUST LANE 27611	CARL SAMUEL	27611 GOLD DUST LANE	LAGUNA HILLS	CA	92653		
636-372-06	C = 15,001 - 30,000 SQ. FT.	GOLD DUST LANE 27641	JAMES CORMIE	27641 GOLD DUST LANE	LAGUNA HILLS	CA	92653		
636-381-01	C = 15,001 - 30,000 SQ. FT.	HIDDEN TRAIL ROAD 27662	SAMUEL L WONG	27662 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		
636-381-02	C = 15,001 - 30,000 SQ. FT.	HIDDEN TRAIL ROAD 27672	CARL CHIMES	27672 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		
636-381-04	C = 15,001 - 30,000 SQ. FT.	HIDDEN TRAIL ROAD 27712	MARK BURKHARDT	27712 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		
636-381-09	D = 30,001 - 43,560 SQ. FT.	GOLD DUST LANE 27701	DOO GI CHO	27701 GOLD DUST LN.	LAGUNA HILLS	CA	92653		
636-381-11	C = 15,001 - 30,000 SQ. FT.	GOLD DUST LANE 27671	HOUSHANG ESFAHANI	27671 GOLD DUST LANE	LAGUNA HILLS	CA	92653		
636-382-05	B = 7,501 - 15,000 SQ. FT.	HIDDEN TRAIL ROAD 27745	CURRENT OWNER	27745 HIDDEN TRAIL ROAD	LAGUNA HILLS	CA	92653		
636-391-02	D = 30,001 - 43,560 SQ. FT.	GOLD DUST LANE 27682	OLSON TERRY REVOCABLE TRUST	27682 GOLD DUST LANE	LAGUNA HILLS	CA	92653		
636-391-07		HIDDEN TRAIL ROAD 27792	ANNE SOLLNER	27792 HIDDEN TRAIL	LAGUNA HILLS	CA	92653		
636-391-11	C = 15,001 - 30,000 SQ. FT.	GREENFIELD DRIVE 27692	TZE KIN IP	27692 GREENFIELD DRIVE	LAGUNA HILLS	CA	92653		
636-391-15	D = 30,001 - 43,560 SQ. FT.	GREENFIELD DRIVE 27752	TINA ALDATZ	27752 GREENFIELD DRIVE	LAGUNA HILLS	CA	92653		
636-391-16	E = OVER 1 ACRE	GREENFIELD DRIVE 27766	CAIRA FAMILY TRUST	27766 GREENFIELD DRIVE	LAGUNA HILLS	CA	92653		
636-391-17	E = OVER 1 ACRE	GREENFIELD 27782	SABRINA FERNANDEZ	27782 GREENFIELD DRIVE	LAGUNA HILLS	CA	92653		
636-622-60	E = OVER 1 ACRE	CORRIDOR	NELLIE GAIL RANCH OWNERS	25211 EMPTY SADDLE DR	LAGUNA HILLS	CA	92653		



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Mayor and Council Members
FROM: Kenneth H. Rosenfield P.E.
Director of Public Services/City Engineer
ISSUE: Progress Payment No. 2 for Cabot Road Bioswale Project, CIP No. 410-A

RECOMMENDATION: That the City Council approve Progress Payment No. 2, in the net amount of \$63,464.08, to Wright Construction Engineering Corporation, and Approve Contract Change Order No. 1, for the Cabot Road Bioswale Project, CIP No. 410-A.

SUMMARY:

Work on the Cabot Road Bioswale Project, CIP No. 410-A, began on December 5, 2016, and is being performed by Wright Construction Engineering Corporation. Work performed in March included clearing and grubbing, rough grading and export of materials, construction of a concrete headwall, and preparation of a storm water control plan. Due to changed conditions and requirements by the Southern California Railroad Authority (SCRRA), Contract Change Order No. 1 has been prepared. The contractor has submitted the second progress payment request for approval.

BACKGROUND:

A routine monthly action for capital improvement projects is the submission, review, and approval of the contractor's invoice. Procedurally, field staff verifies the contractor's quantities and matches them with the submitted invoice. The unit prices and total costs of the project are confirmed by the office staff and a progress payment is then processed. A five-percent (5%) retention is withheld from each payment to assure final performance of the work. The contractor for this project, Wright Construction Engineering Corporation, has submitted the second progress payment for the subject project as follows:

Progress Payment No. 2 for Cabot Road Bioswale Project, CIP No. 410-A

April 11, 2017

Page 2

ITEM #	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	\$ AMOUNT
1	Clearing and grubbing	.25	LS	\$20,000.00	\$5,000.00
2	Rough grading and export materials	225	CY	\$77.00	\$17,325.00
6	Splitter structure/low headwall	1	LS	\$41,900.00	\$41,900.00
19	Preparation of SWPP & storm water control	.25	LS	\$3,500.00	\$875.00
CO#1	Change Order #1 (partial) Lump Sum				\$1,704.29

TOTAL TO DATE	\$137,119.29	
LESS PRIOR BILLING	\$70,315.00	
TOTAL THIS PERIOD	\$66,804.29	\$66,804.29
LESS 5% RETENTION		\$(3,340.21)
DUE		\$63,464.08

CONTRACT CHANGE ORDER NO. 1

Contract Change Order No. 1, attached, has been prepared to address field condition changes and fencing modifications required by SCRRA. Approval of this Change Order is recommended.

FISCAL IMPACT:

The progress payment is within the Capital Improvement Program Budget for the Cabot Road Bioswale Project, CIP No. 410-A.

ATTACHMENTS:

- Contract Change Order No 1

CITY OF LAGUNA HILLS CONTRACT CHANGE ORDER

CONTRACT CHANGE ORDER NO. 1

SHEET 1 OF 2 SHEETS

PROJECT: CABOT ROAD BIOSWALE, CIP NO. 410-A,

CONTRACTOR: WRIGHT CONSTRUCTION ENGINEERING CORPORATION

In accordance with contract provisions, the following changes in the contract and/or contract work are hereby authorized and as compensation therefore, the following addition to or deductions from the contract price are hereby approved.

Note: This change order is not effective until approved by the City Engineer.

Description of work to be done, estimate of quantities, and prices to be paid. Segregate between additional work at contract price, agreed price and force account. Unless otherwise stated, rates for rental of equipment is actually used and no allowance will be made for idle time.

Change requested by City Engineer

1. a) Change Chain Link Fence to Welded Wire Mesh Fence per the SCRRA Specifications and Contractor's Proposal (version 3) dated March 13, 2017. Agreed Price \$25,290.17.
1. b) Delete Chain Link Fence quantities per Bid Item 9 as replaced by 1a above. Change in quantities to be reflected in future progress payments at unit price bid.
2. Change RCP D-Load to 3000D as required by SCRRA. No cost change.
3. Increase quantities of Rough Grading and Export Materials reflected in Bid Item 2 to reflect actual quantities due to field conditions. Change in quantities to be reflected in future progress payments at unit price bid.
4. Add crushed rock and drain pipe install at Splitter Structure to address changed conditions as directed. Agreed Price \$1,704.29
5. a) Extend 4" subdrain located during construction, as directed, and b) add perforated pipe extensions at Splitter Structure. Time & Materials as reviewed with submission of extra work reports. Estimated cost at less than \$500.

Summary: Increase Contract Value \$ 26,913.46 plus T & M tickets for item 5

By reason of this order the time of completion will be adjusted as follows: Add Zero Working Days.

Attachment: Contract Change Order No 1 (1254 : Progress Payment No. 2 for Cabot Road Bioswale Project, CIP No. 410-A)

CONTRACT CHANGE ORDER NO. 1

SHEET 2 OF 2 SHEETS

The compensation (time and cost) set forth in this Change Order comprises the total compensation due the Contractor, all Subcontractors and all suppliers, for the work or change defined in this Change Order, including all impact on any unchanged work. By signing this Change Order, the Contractor acknowledges and agrees, on behalf of himself, all Subcontractors, and all suppliers, that the stipulated compensation includes payment for all work contained in this Change Order, plus all payment for the interruption of schedules.

Extended overhead costs, delay, and all impact, ripple effect or cumulative impact on all other work under this Contract. The signing of this Change Order shall indicate that the Change Order constitutes full mutual accord and satisfaction for the change, and that the time and/or cost under the Change Order constitutes the total equitable adjustment owed the Contractor, all Subcontractors, and all suppliers, as a result of the change. The Contractor, on behalf of himself, all Subcontractors, and all suppliers, agrees to waive all rights, without exception or reservation of any kind whatsoever, to file any further claim or request for equitable adjustment of any type, for any reasonably foreseeable cause that shall arise out of or as a result of this Change Order or the impact of this Change Order on the remainder of the work under this Contract.

SUMMARY OF CONTRACT TIME

Original Contract Date (Notice to Proceed):	December 5, 2016
Original Contract Time (working days):	75
Original Completion Date:	May 2, 2017 (including rain days to date)
Time Extension this C.O.:	0
Total Contract Time Extension:	0
Revised Contract Time:	75
Revised Final Completion Due Date:	No Change
Time Subject to Liquidated Damages:	0
Actual Final Completion Date:	0

Original Contract Price	\$248,477.00
Prev. Authorized Changes	\$ 0
This Change (Add)	\$ 26,913.46
Amended Contract Price	\$275,390.46

If the Contractor does not sign acceptance of this order, his attention to the requirements of the specifications as to proceeding with the order work and filing a written protest within the time therein specified.

Approved by:

Accepted by:

Director of Public Services_____
Date_____
Contractor_____
Date



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Mayor and Council Members
FROM: David Reynolds
Deputy City Manager
ISSUE: Letter of Support for Inside the Outdoors' Application for OC Waste & Recycling Grant Funds

RECOMMENDATION: That the City Council authorize the Mayor to sign a letter of support for Inside the Outdoors to include in its application for the Regional Recycling and Waste Diversion Grant Program sponsored by OC Waste and Recycling.

SUMMARY:

The fourth cycle of the County's Regional Recycling and Waste Reduction Grant (Grant) is accepting applications. There is up to \$600,000 available in the 5th Supervisorial District and Grant monies must be used to support or establish residential recycling programs, organic commercial and residential recycling programs, composting programs, and education and outreach programs. City staff favors supporting Inside the Outdoors' application for the Grant and is recommending that the City Council authorize the Mayor to sign the draft letter of support attached to this staff report. Inside the Outdoors is a nonprofit organization that provides recycling and waste diversion education at schools throughout the County. Supporting Inside the Outdoors will guarantee that educational programs will be implemented at Laguna Hills schools.

BACKGROUND:

On September 27, 2016, the Orange County Board of Supervisors approved a \$3 million grant that offers up to \$600,000 in each of the Supervisor's Districts for programs that contribute solutions to reducing waste and increasing recycling. The Grant program is administered by OC Waste and Recycling and is a five-year grant program. By years four

Inside the Outdoors

April 11, 2017

Page 2

and five of the Grant, applicants must be prepared to contribute all funds required to support the selected projects. Eligible projects include commercial and residential recycling programs, organic commercial and residential recycling programs, composting programs, and education and outreach programs.

City of Laguna Hills staff met, on more than one occasion, with other municipal staff that are part of Supervisor Bartlett's 5th District to discuss the possibility of joining forces to apply for the Grant and to discuss potential projects. During some of these meetings non-profit organizations were invited to attend to discuss their approach to the Grant application. One of these organizations was Inside the Outdoors. This nonprofit organization provides recycling and waste diversion education at schools throughout the County. Inside the Outdoors' Executive Summary of its approach to the Grant is attached to this Staff Report for more information.

Inside the Outdoors is applying for the Grant and has requested cities provide a Letter of Support. Inside the Outdoors will function as the lead agency for the Grant. City staff favors supporting Inside the Outdoors by submitting to them a letter of support to include in their Grant application because of its reputation of providing schools with environmental education programs, an interest from our local schools in such programs, nominal City costs to support their programs during the Grant's term, CalRecycle's (state agency) interest in local municipalities working with schools on recycling education, and Inside the Outdoors functioning as the lead agency for the Grant's application process and Grant administration. A draft letter of support for the Mayor to sign is included in this staff report.

Also attached to this report is Inside the Outdoors' expectations in regards to Grant collaboration efforts, see Summary of Collaboration. As stated in this Attachment, the City of Laguna Hills' collaboration efforts include:

- a. Provide Letter of Support to indicate support of collaboration
 - i. Priority registration for schools in cities that are collaborators
- b. Include student stories in community newsletters/updates (residential and business)
- c. Approve City-specific messages to be included in curriculum
- d. Provide data for grant reports

Inside the Outdoors

April 11, 2017

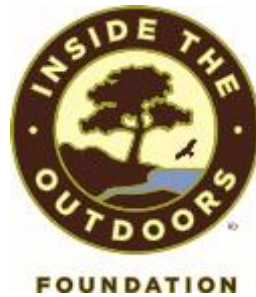
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FISCAL IMPACT:

Staff anticipates nominal staff costs and equipment costs (i.e. recycling containers) in supporting Inside the Outdoors during the Grant's five-year term. Any expenses can be covered with the City's Recycling Funds.

ATTACHMENTS:

- OC Waste ITOF overview
- 2017 Letter of Support - Cities



**Overview of Inside the Outdoors OC Waste & Recycling Grant Proposal
Regional Recycling and Waste Reduction Grant Program
2016/17 – 2020/21**

Executive Summary

Goal: To provide standards-aligned recycling and waste diversion education in elementary, middle, and high schools throughout Orange County including the unincorporated areas.

Overview: The project will educate and involve students throughout the county who are a critical part of making lasting change in recycling and waste diversion. The project will also include partners from cities and chambers of Commerce in each County Supervisorial District.

Enhancing recycling and improving diversion in Orange County schools represents a substantial and exciting opportunity to divert solid waste from OC landfills. Inside the Outdoors is uniquely positioned to lead this project. Since 1974, Orange County Department of Education's Inside the Outdoors (ITO) has been connecting students in Orange County to the natural world in which they live. Each year, over 100,000 students experience hands-on environmental education through ITO's Traveling Scientist, Field Trip and service learning programs.

Inside the Outdoors has proven results and sustainability through Project Zero Waste, an academic-standards aligned waste diversion program launched in 2009. Schools participating in the program have implemented campus-wide projects that resulted in measurable waste diversion. Because of the demonstrable impact, Project Zero Waste received the 2015 Governor's Award for Environmental and Economic Leaders and the California School Board Association's Golden Bell Award.

For the 2016/17-2020/21 grant cycle, it is anticipated that Inside the Outdoors will provide regional direct diversion education to approximately 25,000 students and teachers annually. Students will implement campus-wide projects that will result in solid waste diversion. Waste diversion is tracked by the school and reported to Inside the Outdoors. Student projects and take-home materials extend diversion education to an additional 350,000 students and community members.



Summary of Collaboration

1. Inside the Outdoors Foundation (grant applicant) & Orange County Department of Education (OCDE)
 - a. Key Elements of K-12 recycling and waste diversion education:
 - i. Each program includes two Traveling Scientist visits and partial funding of student fees for one field trip
 - ii. Schools complete a waste audit and diversion project designed to reduce campus and/or community solid waste
 1. School gardens with composting
 2. Food recovery
 3. Other projects as identified by the school
 - iii. Programs include partner education resources (guides, presentations, career panels)
 - b. Oversee implementation of student campus and community waste diversion projects
 - c. Oversee design and distribution of city-specific waste diversion educational guides/materials to OC students
 - d. Provide educational activities at a specified number of public events for each Supervisor's District
 - e. Complete all grant reports
 - f. Secure additional funding partners
2. Cities
 - a. Provide Letter of Support to indicate support of collaboration
 - i. Priority registration for schools in cities that are collaborators
 - b. Include student stories in community newsletters/updates (residential and business)
 - c. Approve city-specific messages to be included in curriculum
 - d. Provide data for grant reports
3. Schools and School Districts
 - a. Participate in waste diversion and recycling activities in K-12 schools
 - b. Provide waste diversion data to share with grant partners
 - c. Distribute take-home waste diversion educational guides/materials to students
4. Local Chambers of Commerce
 - a. Organize and host forums focused on the latest waste diversion and recycling requirements on business. Forums include high school students presenting solutions they have undertaken at their schools and in their communities

On City Letterhead

April 11, 2017

Shaw Lin, D. Env., P.E.
Acting Director
OC Waste & Recycling
300 North Flower Street
Santa Ana, CA 92703

Re: Letter of Support - Inside the Outdoors Foundation
Project Zero Waste Grant Application

Dear Mr. Lin:

The City of Laguna Hills supports Inside the Outdoors Foundation's application for funding the Project Zero Waste program through the Fourth Cycle Regional Recycling and Waste Reduction Grants Program.

The City of Laguna Hills strongly believes in providing quality educational programs that meet the needs of our students and are pleased the project will include measuring and reporting data to us on waste diversion. We are also excited that schools in our city will receive priority registration to participate in the Project Zero Waste program.

Inside the Outdoors is an important and vital resource that supports science education in Orange County schools. Project Zero Waste improves academic outcomes, builds 21st century skills, promotes civic engagement and provides important data on waste diversion.

The City of Laguna Hills is pleased to support the Project Zero Waste Grant Application. If funding is awarded to Inside the Outdoors Foundation, the City of Laguna Hills looks forward to working with Inside the Outdoors on implementing this grant.

Thank you for your consideration.

Sincerely,

Please sign in BLUE ink

Don Sedgwick
Mayor
City of Laguna Hills

Attachment: 2017 Letter of Support - Cities (1251 : Inside the Outdoors)



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Mayor and Council Members
FROM: Dan Meehan
Community Services Superintendent
ISSUE: 2017 Memorial Day Event and Marine Tribute Banners

RECOMMENDATION: That the City Council: (1) Receive and file the pre-event planning report; and (2) Approve the installation of 3/5 Marine Battalion Tribute Banners as recommended by staff in this report.

SUMMARY:

The 19th Annual City of Laguna Hills Memorial Day Half Marathon, 10K and 5K, honoring the USMC Dark Horse Battalion is scheduled for Monday, May 29, 2017. Event registration opened on October 1, 2016, and there are currently more than two hundred and fifty (250) runners registered for the event at this time. The 3/5 Marine Support Committee, Team Dark Horse, has chosen Hospital Corpsman Third Class Stuart Fuke to serve as the event Grand Marshall for 2017. In addition, Team Dark Horse has requested that the 25 banners honoring the Marines of the 3/5 Battalion that lost their lives in Operation Enduring Freedom be displayed for the 2017 event. The City once again intends to donate \$3 from each paid 5K, 10K, and Half Marathon race registration to the 3/5 Marine Support Committee at the conclusion of the event.

BACKGROUND:

The 19th Annual City of Laguna Hills Memorial Day Half Marathon, 10K and 5K, honoring the USMC Dark Horse Battalion is scheduled for Monday, May 29, 2017. All races will start at 7 a.m., which allows the streets impacted by the event to re-open as early as possible. Staff intends to once again work with the Toll Roads to waive the fees in exchange for booth space at the Community Expo. The tolls have been waived between

2017 Memorial Day Event and Marine Tribute Banners

April 11, 2017

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the hours of 7 a.m. and 9 a.m. during past years events to minimize the inconvenience for Aliso Viejo residents due to the road closures at Alicia Parkway and Moulton Parkway.

As the City Council may recall, a pledge formula was established by City Council direction whereby the City intends to donate \$3 from each paid 5K, 10K, and Half Marathon registration to the 3/5 Marine Support Committee at the conclusion of the event. Based on the City Council approved pledge formula, \$9,858 was provided to the 3/5 Marine Support Committee in 2016 by City Council Resolution for Community Assistance Funding.

Members of Team Dark Horse have selected Hospital Corpsman Third Class Stuart Fuke to serve as the Grand Marshall for the 2017 event. Mr. Fuke deployed twice to Afghanistan with the 3/5 Marines. He was injured during his second deployment while caring for a wounded Marine and was awarded both the Purple Heart and the Navy and Marine Corp Achievement Medal with Valor.

For the 2016 race event, the City Council approved the display of the City's patriotic banners from just prior to the Memorial Day event to July 5th. The banners were displayed on 26 light poles that follow the race route along Paseo de Valencia and on Alicia towards Moulton Parkway. Also approved was the inclusion of the Team Dark Horse banners honoring the 25 fallen 3/5 Battalion Marines into the patriotic banner display. The estimated cost for the 2017 banner display, which includes new hardware for the poles, is \$10,600. Staff's recommendation is to display these banners on the same route for the 2017 event.

In addition to the City's patriotic banners and the 3/5 Battalion Marines tribute banners, staff plans on hanging banners for two Laguna Hills High School alums, Derek Gardner and Scott Oldroyd, who died during their active military duty. These banners will be displayed near the intersection of Paseo de Valencia and El Toro Road.

All course maps are attached to this staff report. Staff will provide the City Council with a synopsis of the event, including the results of the charity outreach activity, when the post event report is brought to the City Council in August 2017.

2017 Memorial Day Event and Marine Tribute Banners

April 11, 2017

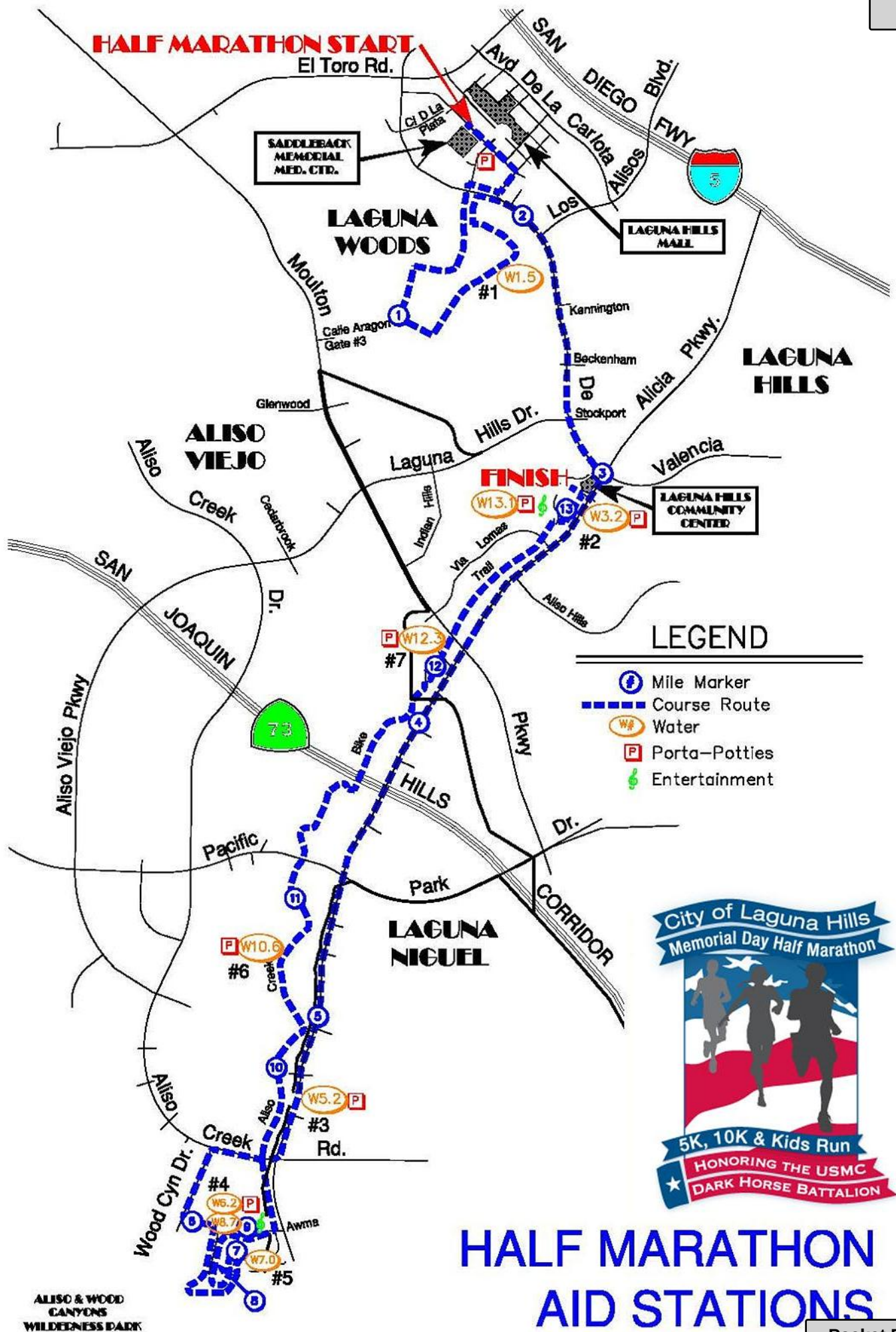
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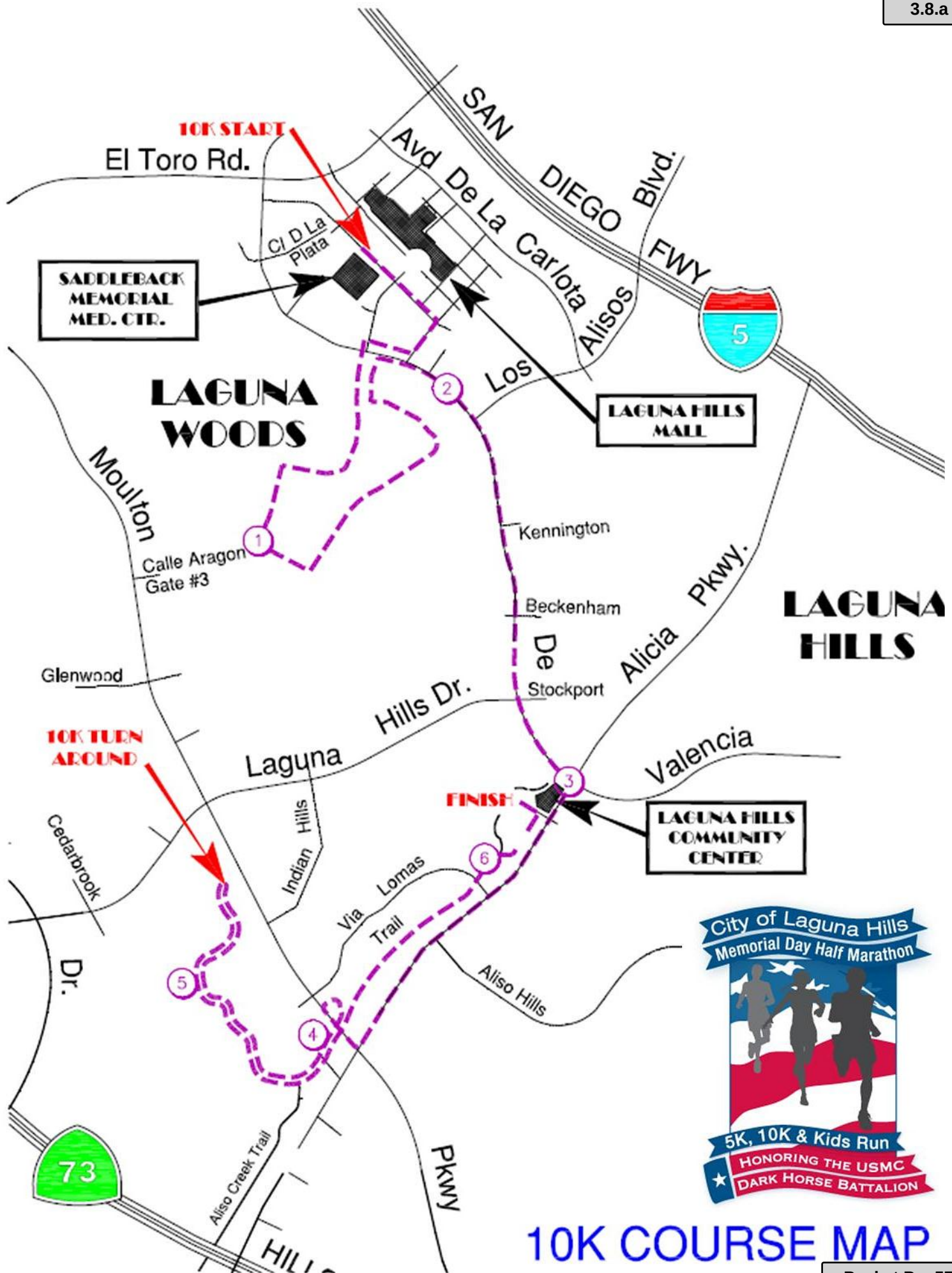
FISCAL IMPACT:

Revenue for the 2016 event was \$187,537 and expenditures (including staff costs) totaled \$204,737. The expenditure total for 2016 also included \$9,858 provided to the 3/5 Marine Support Committee. The 2017 budget planning worksheets with current estimated revenue and expenditure totals, including the costs for displaying 3/5 Tribute Banners (\$10,600), are attached to this staff report.

ATTACHMENTS:

- Attachment 1 - Course Maps
- Attachment 2 - Budget Planning Worksheets
- Attachment 3 - Proposed Banner Display for 2017 event





5K Course Map

5K START

**SADDLEBACK
MEMORIAL
MED. CTR.**

El Toro Rd.

Avd

De La

DIEGO

Blvd.

FWY



Carlota

**LAGUNA HILLS
MALL**

Laguna Woods Village

Calle Aragon
Serrita
Calle Cedar

Moulton

Calle Aragon
Gate #3

Glenwood

**ALISO
VIEJO**

Pkwy

Laguna

Hills
Indian

**LAGUNA
WOODS**

Kennington

Beckham

Stockport

Hills Dr.

Valencia

**LAGUNA HILLS
COMMUNITY
CENTER**

**LAGUNA
HILLS**

LEGEND



Mile Marker

Course Route



Water



Porta-Potties



Entertainment



Photographer



Event Budget for 2016/2017/2018 Half Marathon, 10K and 5k

Income

	Estimated	Actual
Total income	\$200,179.00	\$67,720.00

Admissions	Estimated	Actual	Fee	Fee late	Estimated	Actual
1/2 marathon	1440	1157	75	105	\$109,500.00	27,250.00
10K	650	878	32	43	\$22,500.00	19,780.00
5K	1200	1692	27	38	\$33,500.00	18,745.00
Kids Run	200	148	19	21	\$3,800.00	1,050.00
Diaper Dash	45	110	15	15	\$700.00	265.00
Total	3535					
Total race registration, including early-bird, team discounts, and race day registration:					\$170,000.00	\$67,090.00

Sponsors	Amount	Number of	Totals	Estimated	
SMMC/Presenting*	\$15,000.00	1	\$15,000.00	\$15,000.00	
Road Runner	\$3,500.00	1	\$3,500.00	\$3,500.00	
		1			
AG Laguna Hills	\$500.00	1	\$500.00	\$500.00	
Laguna Hills Mall	\$2,500.00	1	\$2,500.00	\$2,500.00	
Total			\$21,500.00	\$21,500.00	\$0.00

Exhibitors/vendors					
Ameriprise Financial		Large booths @	\$450.00	\$450.00	
True Drinks		Large booths @	\$500.00	\$350.00	
Renewal by Anderson		Large booths @	\$350.00	\$350.00	
Nutrishop		Large booths @	\$350.00	\$350.00	
Orange Theory Fitness		Large booths @	\$350.00	\$350.00	
Total Training		Large booths @	\$350.00	\$350.00	
NG Urgent Care		Large Booth+@	\$600.00	\$600.00	
TDH		Canopy Tent	\$100.00	\$100.00	
Raceforce LLC		Booth and Bag	\$550.00	\$550.00	
		Booth and Bag	\$500.00		
Lifeworks Chiropractic		Large booths @	\$425.00	\$425.00	
DAWG		Large booths @	\$350.00	\$350.00	\$350.00
Farm Fresh To You		Large booths @	\$350.00	\$350.00	
Renewal		Large booths @	\$350.00	\$350.00	
Crohn's & Colitis		Large booths @	\$350.00	\$350.00	\$280.00
Henry Kim DMD		Booth & Canopy	\$450.00	\$450.00	
Veshkini Ortho		Booth & Goodie Bag	\$350.00	\$350.00	
Big Air		Virtual Goodie Bag	\$250.00	\$250.00	
My Open Road		Large booths @	\$350.00	\$350.00	
Alicia Pkway Dental		Large booths @	\$350.00	\$350.00	
Horizon Solar		Booth	\$250.00	\$250.00	
Viking Truck		Food Truck	\$150.00	\$150.00	
Porko Rico		Food Truck	\$150.00	\$150.00	
The Cut		Food Truck	\$150.00	\$150.00	
Devilicious		Food Truck	\$150.00	\$150.00	
Dos Chinos		Food Truck	\$150.00	\$150.00	
		Food Truck	\$150.00		
Beach Bus Bistro		Shaved Ice	\$150.00	\$150.00	
		Donation	\$175.00		
		Hotel Sponsor @	\$0.00	\$0.00	\$0.00
				\$8,175.00	\$630.00

		Donation	\$0.00	\$0.00	
Donations	0		\$0.00	\$0.00	\$0.00
OCSD-Cadets	0		\$504.00	\$504.00	
	0			\$0.00	\$0.00
	0			\$504.00	\$0.00

Event Budget for 2016/2017/2018 Half Marathon, 10K & 5k

Expenses

		Estimated	Actual
Total Expenses		\$191,001.00	\$42,159.98

		Estimated	Actual
Pemits			
Laguna Hills High School	\$125.00		
Laguna Woods	\$300.00		
Health Dept.	\$160.00		
ABC Permit	\$25.00		
Laguna Niguel	\$0.00		
OC Permits	\$1,200.00		
OCFA	\$210.00		
Police-OCSD	\$16,000.00		
Totals	\$18,020.00		\$0.00

		Estimated	Actual
Advertising			
Race Grader	\$1,000.00		
VGB	\$900.00		
Race Place	\$850.00	\$180.00	
	\$0.00		
Facebook	\$1,000.00		
Booth Space/Bags	\$1,600.00	\$1,082.66	
Misc event reimb.	\$1,200.00		
Runners on the Go	\$800.00		
Active.com web/e-news	\$700.00		
Totals	\$8,050.00		\$1,262.66

		Estimated	Actual
Graphics			
Website	\$1,200.00	\$1,150.00	
Post card printing 20K	\$0.00		
Postcard printing 7.5K	\$568.00	\$558.44	
Postcard printing 10K	\$900.00	\$783.13	
RaceBanners/Signs	\$1,500.00	\$587.34	
Flyer Distribution/PCRT	\$1,000.00	\$100.91	
Domain Fees	\$65.00		
Web Hosting	\$103.00		
Mail Fee-Custom Quick	\$1,000.00		
Sponsor materials	\$500.00		
Totals	\$6,836.00		\$3,179.82

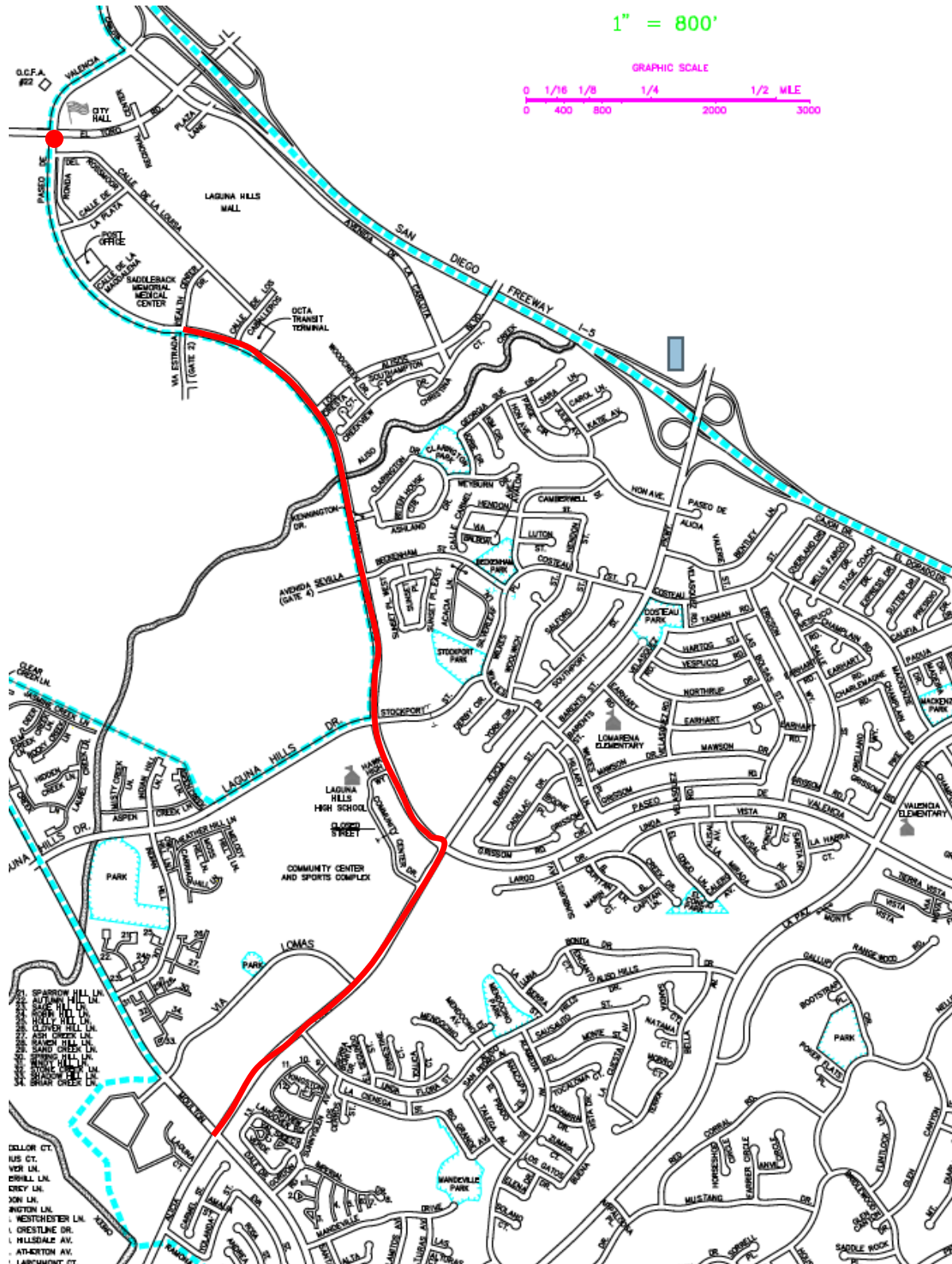
		Estimated	Actual
Miscellaneous			
Insurance	\$1,420.00	\$1,710.00	
Ritz Day Porter	\$300.00		
Ice Truck	\$500.00		
Trucks/Gas	\$1,500.00		
Labor Ready	\$500.00	\$0.00	
Distrobution	\$600.00		
Virtual Goodie Bag	\$500.00	\$500.00	
Kids Zone-L. Murray	\$250.00		
Wristbands	\$100.00		
Traffic Control	\$500.00	\$250.00	
Ads (Sinta)	\$2,000.00	\$682.50	
Scaffolding	\$500.00		
EMT Services	\$800.00		
Volunteer Food	\$300.00		
Security-Expo Overnight	\$500.00		
Security-Beer Garden	\$145.00		
Comm./sponsors 20%	\$4,500.00		
Totals	\$14,915.00		\$3,142.50

		Estimated	Actual
Race Expenses			
Food/Water/Cups	\$1,500.00		
Course Cert.	\$500.00		
Awards Div/Kids Medals	\$650.00		
Medals or Drinking Glasses	\$8,000.00		
Busses	\$1,500.00		
T-Shirts/Hats	\$31,000.00		
Walkie Talkies	\$600.00		
Bibs	\$1,767.50		
Totals	\$43,750.00		\$0.00

		Estimated	Actual
Services			
Timing Services base	\$800.00		
Timing Services \$3 per registered	\$10,605.00	\$4,575.00	
Electrical & sound	\$3,000.00		
Banner Install/Removal	\$10,600.00		
Portable Restrooms/Fencing	\$3,500.00		
Announcer	\$400.00		
American Barr./Traffic Plan	\$15,000.00		
Renegade Racing	\$48,000.00	\$30,000.00	
RR over 3500 part. Bonus \$2	\$500.00		
Totals	\$92,405.00		\$34,575.00

		Estimated	Actual
Expo			
Bounce Houses	\$825.00		
Balloons	\$1,200.00		
tents, tables, chairs	\$5,000.00		
Totals	\$7,025.00		\$0.00

Attachment 3

Proposed Banner Street Coverage for **2017** Race Event



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017

TO: Mayor and Council Members

FROM: Dan Meehan
Community Services Superintendent

ISSUE: 2017 Fourth of July Celebration and Fireworks Agreement

RECOMMENDATION: That the City Council: (1) Receive and file the 2017 Fourth of July Celebration pre-event report; (2) Approve the Fireworks Display Agreement between Fireworks and Stage FX America, Inc., and the City of Laguna Hills for 2017; and (3) Authorize the City Manager to execute the Agreement.

SUMMARY:

The City of Laguna Hills will host its annual Fourth of July celebration at the Laguna Hills Sports Complex on Tuesday, July 4, 2017. The special event will be held from 4:00 p.m. to 9:30 p.m. and includes a number of activities in addition to the fireworks show. Staff's recommendation is to authorize the City Manager to execute an Agreement with Fireworks and Stage FX America, Inc. (FA), for the 2017 fireworks display. The proposed show for 2017 will have approximately one thousand, one hundred and three (1,103) shells with a total cost of \$26,500. The show will be approximately 18 minutes in length.

BACKGROUND:

The City of Laguna Hills will host its annual Fourth of July celebration at the Laguna Hills Sports Complex on Tuesday, July 4, 2017. For the Fourth of July Celebration event this year the following activities are tentatively scheduled:

Main Stage Entertainment:

- Straight 78 (70's through Contemporary Funk, Soul, and Rock)

2017 Fourth of July Celebration and Fireworks Agreement

April 11, 2017

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Games:

- Soccer Kick
- Double Hoop Shot
- Football Toss

Carnival Rides:

- Two carnival rides

Activities:

- 40-foot obstacle Course
- Spacewalk-Airwalk

Children's Activities

- Face Painting
- Crafts

City Information Booth: (To Date)

- Community Services Class/Event Promotion
- Recycling Information
- City Commissions
- Vector Control Display

Vendor Booths: (TBD, invitations sent to the following)

- Dippin Dots - LHHS PTSA
- Churros, candy, pretzels, & nachos - LHHS Music Boosters
- Roasted corn, iced tea, lemonade & pizza - Boy Scout Troop 1602
- Shaved ice - LHHS Water Polo Boosters
- Hot dogs & brownies - Festival Singers
- Chili & Cornbread - AYSO 1422
- Water, soda & Gatorade - LHHS Football Boosters
- Cupcakes and iced coffee - LHHS Lacrosse Boosters
- Hamburgers and chips - LHHS Boys Basketball

The following is the tentative schedule of events:

- 4:00 p.m.** Event Begins
 Activities, games, music, food and vendor booths
- 8:50 p.m.** Mayor's Welcome/Comments
- 9:00 p.m.** National Anthem
- 9:05 p.m.** Fireworks Display

In addition to the activities listed above, it is anticipated that "Team Dark Horse" will be present to support the adopted Marines of the 3/5 Battalion at this year's event.

Vendor booth rental forms were sent to all past vendors. Vendors who have previously participated in the Fourth of July Celebration have until late May to submit their request for a booth for 2017. After this date, food items that have not been secured by a past vendor may be given away to other interested Laguna Hills non-profit organizations.

Based on successful fireworks displays in 2014, 2015, and 2016, and in accordance with Section 3-08.170 of the City's Municipal Code which states that entertainment services are exempt from Chapter 3-08 of the Municipal Code which requires an informal bid process for services with a cost greater than \$15K and up to \$50K, staff does not think it necessary to initiate another bid process for this year's fireworks show. Staff is again recommending that the City Council approve the attached Fireworks Display Agreement and authorize the City Manager to execute an agreement with FA for the 2017 fireworks display. The proposed show for 2017 will include approximately one thousand, one hundred and three (1,103) shells, and cost \$26,500. The fireworks display will be approximately 18 minutes in length.

FISCAL IMPACT:

The budget for the 2017 Fourth of July event is \$58,450 which includes a fireworks budget of \$26,500. Estimated overall expenditures total \$58,450. Estimated net costs total \$52,250, which accounts for an estimated \$5,000 in ticket sales revenue and \$1,200 in vendor booth rentals.

ATTACHMENTS:

- Attachment 1 - Firework Display Agreement

FIREWORKS DISPLAY AGREEMENT

Fireworks and Stage FX America, Inc.

THIS FIREWORKS DISPLAY AGREEMENT (the "Agreement") is made, entered into, and effective this ____ day of April 2017, by and between the CITY OF LAGUNA HILLS, a California general law city organized and existing under the laws of the State of California ("City"), and FIREWORKS AND STAGE FX AMERICA, INC., a California corporation, dba FIREWORKS AMERICA ("FA").

RECITALS

- A. FA designs, produces, and conducts public fireworks displays; and
- B. City desires to engage FA to design, produce and perform a public fireworks display on July 4, 2017, pursuant to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the terms, conditions, and covenants contained herein, both parties hereto do mutually agree as follows.

AGREEMENT

1. Engagement. City hereby engages FA to provide to City one public fireworks display ("Display"), and FA accepts such engagement upon all of the promises, terms and conditions hereinafter set forth.

1.1 FA Duties. FA shall provide all pyrotechnic equipment, trained pyrotechnicians, shipping, pyrotechnic products, application for specific pyrotechnic permits (the cost of which, including standby fees, shall be paid by City) relating to the Display, and insurance covering the Display. Subject to Paragraph 18, FA shall provide the Display in substantial conformance with the duration, quantities and format outlined in the "Land Of The Free" Scope of Work, a copy of which is attached hereto as Exhibit "A" and is incorporated herein by this reference and made a part of this Agreement as though set forth fully herein. In the event of any inconsistency between the terms contained in Exhibit "A" and the terms set forth in the main body of this Agreement, the terms set forth in the main body of this Agreement shall govern.

1.2 City Duties. City shall provide the Site, as defined in Paragraph 2, for the discharge of the Display, access to the Site, security for the Site as set forth in Paragraph 11, and any authorization necessary for FA to utilize the Site for the Display.

1.3 FA Performance. As a material inducement to the City entering into this Agreement, FA acknowledges and understands that the Display contracted for under this Agreement requires specialized skills and abilities and that, consistent with this understanding, FA represents and warrants that it shall conduct the Display and perform all related services and work under this Agreement in a skillful and competent manner, and that it shall be held to a standard of quality and performance prevalent in the pyrotechnic industry for such Display service and work and with the standards recognized as being employed by contractors in the

pyrotechnic field in the State of California. FA further represents and warrants that it is skilled in the field of public fireworks displays and that it holds the necessary skills and abilities to satisfy the standard of quality and performance as set forth in this Agreement. FA further represents and warrants that it and all of its employees and subcontractors, if approved, providing services under this Agreement shall have sufficient skill and experience to perform the Display services and work assigned to them. All Display services and work shall be completed to the reasonable satisfaction of the City.

1.4 Term. This Agreement shall commence upon the effective date of this Agreement and continue in full force and effect until completion of all Display services and work.

2. Time and Place. The Display shall take place on July 4, 2017 ("Scheduled Date"), at approximately 9:00 p.m. ("Scheduled Time"), at the Laguna Hills High School located at 25401 Paseo de Valencia, Laguna Hills, CA, between the Tennis Court and Baseball Field, which is adjacent to the Laguna Hills Community Center located at 25555 Alicia Parkway, Laguna Hills, CA ("Site"). The Display will be under the direct supervision and control of a lead FA pyrotechnician as set forth in Paragraph 3. It is agreed that FA shall be the exclusive fireworks supplier and producer for the Display contracted for herein. City reserves the right to determine the actual start and stop time of the Display.

3. Lead Pyrotechnician.

3.1 Experience. The Display shall be conducted by and discharged under the direct supervision and control of a lead FA pyrotechnician that: (i) has a minimum of three years of experience providing public fireworks displays; and/or (ii) has successfully provided no less than ten public fireworks displays.

3.2 Verification of Credentials. FA shall furnish City with the name of the lead FA pyrotechnician responsible for the Display, a copy of his/her Basic Commercial or Special Effects 1st Class License, and a written summary of his/her prior experience and credentials. FA shall provide the documentation required by this Paragraph to the City by no later than May 29, 2017.

4. Fees, Interest, and Expenses.

4.1 Fee. City agrees to pay FA a fee of \$26,500.00 (Twenty Six Thousand Five Hundred Dollars) ("Display Fee") for the Display. City shall pay to FA \$13,250.00 (Thirteen Thousand Two Hundred Fifty Dollars) of the Display Fee as a deposit ("Deposit") upon execution of this Agreement by both parties. Except as otherwise provided below, the balance of the Display Fee shall be paid by City no later than July 18, 2017.

4.2 Interest. In the event that the Display Fee is not paid in a timely manner, City will be responsible for the payment of 1.5% interest per month or 18% annually on the unpaid balance.

4.3 Expenses. FA shall pay all normal expenses directly related to the Display including, but not limited to, freight, insurance as set forth herein, pyrotechnic products,

pyrotechnic equipment, experienced pyrotechnic personnel to set up and discharge the pyrotechnics, and those additional items outlined as FA's responsibility under this Agreement. City shall pay all costs related to the Display not supplied by FA including, but not limited to, all governmental fees and taxes, including sales, use, excise, license, permit, entertainment, or other fees, taxes or surcharges imposed or otherwise applied to the Display.

5. Force Majeure. City agrees to partially assume the risks of weather, strike, civil unrest, terrorism, military action, governmental action, and other causes beyond the control of FA, which may prevent the Display from being safely discharged on the Scheduled Date. If, for any such reason, FA is not reasonably able to safely discharge the Display on the Scheduled Date, City may: (i) reschedule the Display on a mutually agreed upon date occurring no later than six months from the Scheduled Date, and pay to FA the balance of the Display Fee within 15 business days of completion of the rescheduled Display; or (ii) cancel the Display, forfeit the Deposit, and be relieved of any obligation to pay to FA the balance of the Display Fee.

6. Rescheduling. City shall have the option to unilaterally reschedule the Display at any time prior to the Scheduled Date. Except as provided otherwise in Paragraph 5, if City elects to reschedule the Display, it shall pay to FA the balance of the Display Fee within 15 business days of completion of the rescheduled Display plus: (i) 5% of the Display Fee, or \$1,325.00 (One Thousand Three Hundred Twenty Five Dollars), if the City notifies FA of the request to reschedule before 12:00 a.m. on July 3, 2017; or (ii) 15% of the Display Fee, or \$3,975.00 (Three Thousand Nine Hundred Seventy Five Dollars), if the City notifies FA of the request to reschedule on or after 12:00 a.m. on July 3, 2017. The Display shall be rescheduled on a mutually agreed upon date occurring no later than six months from the Scheduled Date.

7. Right to Cancel, Substantial Delay or Postponement.

7.1 Right to Cancel. City shall have the option to unilaterally cancel the Display at any time prior to the Scheduled Date. If City elects to cancel the Display prior to the Scheduled Date for any reason other than force majeure pursuant to Paragraph 5, FA's inability to perform as a result of operator error, or malfunction or failure of pyrotechnic equipment or materials as provided in Paragraph 7.2(C), or FA's failure to fulfill its obligations under this Agreement, FA shall retain the Deposit, and the City shall pay to FA as liquidated damages: (i) 50% of the balance of the Display Fee, or \$6,625.00 (Six Thousand Six Hundred Twenty Five Dollars), if the City notifies FA of the cancellation at least 30 days prior to the Scheduled Date; (ii) 75% of the balance of the Display Fee, or \$9,937.50 (Nine Thousand Nine Hundred Thirty Seven Dollars and Fifty Cents), if the City notifies FA of the cancellation 15 to 29 days prior to the Scheduled Date; or (iii) 100% of the balance of the Display Fee, or \$13,250.00 (Thirteen Thousand Two Hundred Fifty Dollars), if the City notifies FA of the cancellation less than 15 days prior to the Scheduled Date.

7.2 Substantial Delay or Postponement. Both parties agree that the City will suffer damages as a result of any substantial delay or postponement of the Display resulting from operator error, or malfunction or failure of the pyrotechnic equipment or materials, and therefore agree to the following liquidated damages provisions:

A. If FA, as a result of operator error, or malfunction or failure of the pyrotechnic equipment or materials, is unable to start the Display within 5 to 15 minutes after the Scheduled Time, or if at any time after the Display has begun and is underway, there is/are a gap(s) or break(s) in the program lasting 2 to 5 minutes in total, FA shall pay to the City as liquidated damages 20% of the Display Fee, or \$5,300.00 (Five Thousand Three Hundred Dollars).

B. If FA, as a result of operator error, or malfunction or failure of the pyrotechnic equipment or materials, is unable to start the Display more than 15 to 30 minutes after the Scheduled Time, or if at any time after the Display has begun and is underway, there is/are a gap(s) or break(s) in the program lasting more than 5 to 15 minutes in total, FA shall pay to the City as liquidated damages 50% of the Display Fee, or \$13,250.00 (Thirteen Thousand Two Hundred Fifty Dollars).

C. If FA, as a result of operator error, or malfunction or failure of the pyrotechnic equipment or materials, is unable to start the Display for more than 30 minutes after the Scheduled Time, or at any time after the Display has begun and is underway, there is/are a gap(s) or break(s) in the program lasting more than 15 minutes in total, the City, in its sole discretion, may cancel the Display without incurring any liability for payment to FA and without any obligation to reschedule the Display. In either event, it is expressly agreed that FA shall pay to the City as liquidated damages 100% of the Display Fee, or \$26,500.00 (Twenty Six Thousand Five Hundred Dollars).

8. Notice of Rescheduling or Cancellation.

8.1 Notice Prior to Scheduled Date. In the event that the City elects to reschedule or cancel the Display prior to the Scheduled Date, the City shall communicate its decision to Robert Wozniak of FA at bob@fireworksamerica.com and/or by phone to (800) 464-7976.

8.2 Notice on Scheduled Date. In the event that the City elects to reschedule or cancel the Display on the Scheduled Date, the City shall communicate its decision to Robert Wozniak of FA at bob@fireworksamerica.com and/or by phone to (800) 464-7976. In addition, the City shall inform the lead FA pyrotechnician onsite of its decision as appropriate.

9. City Contract Officer. The City Manager, or his/her designee, shall be solely authorized to make decisions concerning this Agreement and the Display including, but not limited to, requests to reschedule or cancel the Display.

10. Safety. FA shall comply with applicable federal, state and local laws and regulations and employ safety policies and procedures, programs, protocols and other measures consistent with recognized applicable industry standards and practices. At all times before and during the Display, it shall be within FA's sole discretion and control to determine whether or not the Display may be safely discharged or continued. It shall not constitute a breach of this Agreement by FA to determine that the Display cannot be discharged or continued as a result of any conditions or circumstances affecting safety beyond the reasonable control of FA. Conditions or circumstances resulting from operator error, or malfunction or failure of the

pyrotechnic equipment or materials shall not be deemed "beyond the reasonable control of FA" for purposes of this Paragraph and shall remain subject to the liquidated damages provisions set forth in Paragraph 7.2.

11. Security. City shall provide and maintain sufficient security personnel, barricades, and police services before, during and after the Display until the lead FA pyrotechnician declares the Site clear. The City shall also provide and maintain a shell casing fallout area clear of any buildings, cars and spectators with a minimum 500-foot radius, or as may otherwise be specified by the current edition of *National Firework Protection Association 1123: Code for Fireworks Display* ("NFPA 1123"), as a Fire Safety Zone ("FSZ") from the time the fireworks are delivered to the Site until the lead FA pyrotechnician declares the Site clear. The approximate location and scope of the FSZ is depicted in Exhibit "B" attached hereto. It is understood and agreed that FA will cease the discharge of all fireworks due to any security breach of the FSZ. FA shall not be responsible for personal injury, vehicle or property damage occurring within the FSZ as a result of the City's failure to maintain the 500-foot radius FSZ clear of any buildings, cars, or spectators. Furthermore, City shall be responsible for any property damage to the Laguna Hills High School Tennis Court, Baseball Field, Track and/or Football Field solely within the FSZ caused by ordinary fallout from the Display. City acknowledges and agrees that FA's responsibilities are limited to the Display and that FA is relying on City to maintain the aforementioned FSZ and to comply with all Federal, State, and local laws, orders, regulations and ordinances pertaining to the implementation of any and all security measures at the FSZ. Any inspections of the FSZ by or on behalf of City made during setup of the Display shall be in accordance with the current edition of NFPA 1123, and under the direct supervision of the lead FA pyrotechnician. Any such inspection shall not interfere with the safety of the setup, discharge, or disassembly of the Display. The lead FA pyrotechnician may, at his/her sole discretion, cancel any inspection that in his/her opinion may compromise the safety of the setup, discharge, or disassembly of the Display.

12. Continuity. FA shall establish Display "continuity" (i.e., test and confirm the functionality of electrically fired pyrotechnic lines, channels and circuits) by no later than 7:00 p.m. on the Scheduled Date, or no less than two hours prior to the Scheduled Time as such time may be modified by the City.

13. Contract Subject to Government Regulation. This Agreement and FA's obligations and FA's performance hereunder are subject to all applicable Federal, State, and local laws, rules, ordinances, regulations and codes, now or hereinafter in effect, and to the conditions and limitations contained in any necessary permits, as set forth in Paragraph 14 ("Display Permits"). In the event any Federal, State, or local law, rule, regulation or ordinance shall be enacted which in any way prohibits, limits or restricts the sale, performance or operation of the exhibition of the Display or in the event the Display Permits in any way limit or restrict the sale, performance or operation of said exhibition, FA shall limit or restrict its performance of the Display so as to comply with such law, rule, regulation or ordinance or limitation or restriction of Display Permits. The City acknowledges that any such limit or restriction placed on the performance or operation of the Display shall in no way result in or entitle City to a reduction or abatement in the full contract price.

14. Permits. FA agrees to apply for permits for the firing of pyrotechnics from the Orange County Fire Authority, and if required, the FAA. The City shall be responsible for any fees associated with these permits, including standby fees. The City shall be responsible for obtaining any other necessary permits, paying associated fees, and making other appropriate arrangements for police services, other fire departments, road closures, event/activity or land use permits or any permission or permit required by any local, regional, state or federal government.

15. Cleanup. FA shall be responsible for the removal of all Display equipment and any live pyrotechnics from the Site. The City shall be responsible for cleaning the Site and FSZ.

16. Insurance and Indemnification.

16.1 Insurance. FA shall procure and maintain, at its sole cost and expense, and submit concurrently with its execution of this Agreement, in a form and content satisfactory to City, public liability and property damage insurance against any and all claims for injuries against persons or damages to property resulting from FA's performance under this Agreement. FA shall also carry workers' compensation insurance in accordance with California workers' compensation laws. Such insurance shall be kept in full force and effect during the term of this Agreement, including any extension thereof, and shall not be cancelable without thirty (30) days written notice to City of any proposed cancellation. Certificates of insurance evidencing the foregoing and designating the City and the Saddleback Valley Unified School District, their elected and appointed officials and officers, employees, agents, and volunteers as additional insureds by original endorsement shall be delivered to and approved by City prior to commencement of services. The procuring of such insurance and the delivery of policies, certificates, and endorsements evidencing the same shall not be construed as a limitation of FA's obligation to indemnify City and the Saddleback Valley Unified School District, their elected and appointed officials and officers, agents, employees, and volunteers.

16.1.1 Minimum Scope of Insurance. The minimum amount of insurance required hereunder shall be as follows:

A. Comprehensive general liability and personal injury with limits of at least five million dollars (\$5,000,000.00) per occurrence, six million dollars (\$6,000,000.00) in the general aggregate, and six million dollars (\$6,000,000.00) for products and completed operations; the commercial general liability policy shall name the City of Laguna Hills and the Saddleback Valley Unified School District as additional insureds;

B. Automobile liability insurance with limits of at least one million dollars (\$1,000,000.00) per occurrence;

C. Workers' compensation insurance in the statutory amount as required by the State of California, and Employer's Liability Insurance with limits of at least one million dollars (\$1,000,000.00) per accident for bodily injury or disease.

For any claims related to this Agreement, FA's insurance coverage shall be primary insurance as respects City and the Saddleback Valley Unified School District, and their respective elected and appointed officials and officers, employees, agents, and volunteers. Any

insurance or self-insurance maintained by City or the Saddleback Valley Unified School District and their respective elected officials, officers, employees, agents, and volunteers shall be in excess of FA's insurance and shall not contribute with it. For workers' compensation and employer's liability insurance only, the insurer shall waive all rights of subrogation and contribution it may have against City, its elected and appointed officials and officers, employees, agents, and volunteers.

16.1.2 Sufficiency of Insurers. Insurance required herein shall be issued by a licensed company authorized to transact business in the state by the Department of Insurance for the State of California with a current rating of A:VII or better (if an admitted carrier), or a current rating of A:X or better (if offered by a non-admitted insurer listed on the State of California List of Eligible Surplus Lines Insurers (LESLI), by the latest edition of A.M. Best's Key Rating Guide, except that the City will accept workers' compensation insurance from the State Compensation Fund.

16.1.3 Verification of Coverage. FA shall furnish City with both certificates of insurance and original endorsements, including additional insured endorsements, effecting all of the coverages required by this Agreement. The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. All proof of insurance is to be received and approved by the City by no later than May 30, 2017. City reserves the right to require FA's insurers to provide complete, certified copies of all required insurance policies at any time. Additional insured endorsements are not required for workers' compensation policies.

16.1.4 Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City and the Saddleback Valley Unified School District, their elected officials, officers, employees, agents, and volunteers; or, FA shall procure a bond guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

16.1.5 Separation of Insureds; No Special Limitations. All insurance required by this Section shall contain standard separation of insureds provisions. In addition, such insurance shall not contain any special limitations on the scope of protection afforded to the City and the Saddleback Valley Unified School District, their directors, officials, officers, employees, agents, and volunteers.

16.2 Indemnification. To the fullest extent permitted by law, FA shall defend (at FA's sole cost and expense with legal counsel reasonably acceptable to the City), indemnify, protect, and hold harmless City and the Saddleback Valley Unified School District, their elected and appointed officials, officers, directors, employees, agents, and volunteers (collectively the "Indemnified Parties"), from and against any and all liabilities, actions, suits, claims, demands, losses, costs, judgments, arbitration awards, settlements, damages, demands, orders, penalties, and expenses including legal costs and attorney fees (collectively "Claims"), including but not limited to Claims arising from injuries to or death of persons (FA's employees included), for damage to property, including property owned by City and the Saddleback Valley Unified School District, or from any violation of any federal, state, or local law or ordinance, which Claims arise out of, pertain to, or are related to FA's performance under this Agreement. Under

no circumstances shall the insurance requirements and limits set forth in this Agreement be construed to limit FA's indemnification obligation or other liability hereunder.

17. Attorney Fees. In the event any dispute between the parties with respect to this Agreement results in litigation or any non-judicial proceeding, the prevailing party shall be entitled, in addition to such other relief as may be granted, to recover from the non-prevailing party all reasonable costs and expenses, including but not limited to reasonable attorney fees, expert consultant fees, court costs and all fees, costs, and expenses incurred in any appeal or in collection of any judgment entered in such proceeding.

18. Substitutions. FA shall have the right, at its discretion, to substitute any fireworks it deems necessary provided same does not detract from the aesthetic value or quality of the Display. This includes, but is not limited to, shell sizes, quantities, types and brand names. Any substitutions shall in no way result in or entitle City to a reduction or abatement of the full contract price.

19. California Law. This Agreement shall be construed and interpreted both as to validity and to performance of the parties in accordance with the laws of the State of California. Legal actions concerning any dispute, claim, or matter arising out of or in relation to this Agreement shall be instituted in the Superior Court of the County of Orange, State of California, or any other appropriate court in such county, and FA covenants and agrees to submit to the personal jurisdiction of such court in the event of such action.

20. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes all prior negotiations, arrangements, agreements, representations, and understandings, if any, made by or among the parties with respect to the subject matter hereof, and may not be changed, modified, renewed or extended except by a written agreement, signed by both parties.

21. Severability. In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this Agreement, which shall be interpreted to carry out the intent of the parties hereunder

22. Amendment. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

23. Prohibition Against Subcontracting or Assignments. The experience, knowledge, capability, expertise, and reputation of FA, its principals and employees, were a substantial inducement for City to enter into this Agreement. Therefore, FA shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, voluntarily or by operation of law, without the prior written consent of City. FA shall not contract with any other entity to perform the Display service and work required without prior written consent of City. If FA is permitted to subcontract any part of this Agreement by City, FA shall be responsible to City for the acts and omissions of its subcontractor(s) in the same manner as it is

for persons directly employed. Nothing contained in this Agreement shall create any contractual relationships between any approved FA subcontractor and City.

24. Independent Contractor.

A. The legal relationship between the parties is that of an independent contractor, and nothing herein shall be deemed to make FA a City employee. During the performance of this Agreement, FA and its officers, employees, and agents shall act in an independent capacity and shall not act as City officers or employees. The personnel performing the Display services under this Agreement on behalf of FA shall at all times be under FA's exclusive direction and control. Neither City nor any of its officers, employees, or agents shall have control over the conduct of FA or any of its officers, employees, or agents, except as set forth in this Agreement. FA, its officers, employees, or agents shall not maintain an office or any other type of fixed business location at City's offices. City shall have no voice in the selection, discharge, supervision, or control of FA's employees, servants, representatives, or agents, or in fixing their number, compensation, or hours of service. FA shall pay all wages, salaries, and other amounts due its employees in connection with this Agreement and shall be responsible for all reports and obligations respecting them, including but not limited to social security income tax withholding, unemployment compensation, workers' compensation, and other similar matters. City shall not in any way or for any purpose be deemed to be a partner of FA in its business or otherwise a joint venturer or a member of any joint enterprise with Consultant.

B. FA shall not incur or have the power to incur any debt, obligation, or liability against City, or bind City in any manner.

C. No City benefits shall be available to FA, its officers, employees, or agents in connection with any performance under this Agreement. Except for professional fees paid to FA as provided for in this Agreement, City shall not pay salaries, wages, or other compensation to FA for the performance of the Display services and work under this Agreement. City shall not be liable for compensation or indemnification to FA, its officers, employees, or agents, for injury or sickness arising out of performing the Display services and work hereunder. If for any reason any court or governmental agency determines that the City has financial obligations, other than pursuant to Section 4 herein of any nature relating to salary, taxes, or benefits of FA's officers, employees, servants, representatives, subcontractors, or agents, FA shall indemnify City for all such financial obligations.

25. Interpretation. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties. The terms of this Agreement are contractual and the result of negotiation between the parties. Accordingly, any rule of construction of contracts (including, without limitation, California Civil Code Section 1654) that ambiguities are to be construed against the drafting party, shall not be employed in the interpretation of this Agreement. The caption headings of the various sections and paragraphs of this Agreement are for convenience and identification purposes only and shall not be deemed to limit, expand, or define the contents of the respective sections or paragraphs.

26. **Waiver.** No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought. Any waiver by the parties of any default or breach of any covenant, condition, or term contained in this Agreement, shall not be construed to be a waiver of any subsequent or other default or breach, nor shall failure by the parties to require exact, full, and complete compliance with any of the covenants, conditions, or terms contained in this Agreement be construed as changing the terms of this Agreement in any manner or preventing the parties from enforcing the full provisions hereof.

27. **Rights and Remedies Cumulative.** Except with respect to rights and remedies expressly declared to be exclusive in this Agreement, the rights and remedies of the parties are cumulative and the exercise by either party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other party.

28. **Legal Action.** In addition to any other rights or remedies, either party may take legal action, in law or in equity, to cure, correct or remedy any default, to recover damages for any default, to compel specific performance of this Agreement, to obtain declaratory or injunctive relief, or to obtain any other remedy consistent with the purposes of this Agreement.

29. **Third Party Beneficiary.** Except as may be expressly provided for herein, nothing contained in this Agreement is intended to confer, nor shall this Agreement be construed as conferring, any rights, including, without limitation, any rights as a third-party beneficiary or otherwise, upon any entity or person not a party hereto.

30. Notice. Except as set forth in Paragraph 8, any notice, request, demand, direction, or other communication required or permitted hereunder shall be in writing, and shall be personally delivered, sent by registered or certified mail, postage prepaid, return-receipt-requested, or delivered or sent by facsimile with attached evidence of completed transmission, and shall be deemed received upon the earlier of (i) the date of delivery to the address of the person to receive such notice if delivered personally or by messenger or overnight courier; (ii) five (5) business days after the date of posting by the United States Post Office if by mail; or (iii) when sent if given by facsimile. Any notice or other communication sent by facsimile must be confirmed within forty-eight (48) hours by letter mailed or delivered. Other forms of electronic transmission such as e-mails, text messages, instant messages are not acceptable manners of notice required hereunder. Notices or other communications shall be addressed as follows:

To City:

City of Laguna Hills
 Attention: City Manager
 24035 El Toro Road
 Laguna Hills, CA 92653
 Telephone: (949) 707-2600
 Facsimile: (949) 707-2614

To Fireworks and Stage FX America, Inc.:

Fireworks America
 Attention: Kevin T. Brueckner, President
 12485 Highway 67 North
 Lakeside, CA. 92040
 Telephone: (800) 464-7976
 Facsimile: (619) 938-8273

31. Binding Effect. This Agreement shall not be binding on either party until executed by both City and FA.

32. Corporate Authority. Each of the undersigned represents and warrants that (i) the party for which he/she is executing this Agreement is duly authorized and existing, (ii) he/she is duly authorized to execute and deliver this Agreement on behalf of the party for which he/she is signing, (iii) by so executing this Agreement, the party for which he/she is signing is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which the party for which he/she is signing is bound.

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates stated below.

"CITY"
City of Laguna Hills

Date: _____

By: _____
 Bruce E. Channing,
 City Manager

APPROVED AS TO FORM:

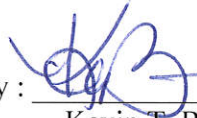
ATTEST

By: _____
 Gregory E. Simonian,
 City Attorney

By: _____
 Melissa Au-Yeung,
 City Clerk

"FA"
Fireworks and Stage FX America, Inc.

Date: 3/30/17

By:  _____
 Kevin T. Brueckner, President

Date: 3/30/17

By:  _____
 Scott Danielson, General Manager

Exhibit A
Scope of Work
for
City of Laguna Hills
2017 Fourth of July Celebration

Attachment: Attachment 1 - Firework Display Agreement (1255 : 2017 Fourth of July Celebration and Fireworks Agreement)

City of Laguna Hills



Presents

Celebrate Freedom

A Fireworks Extravaganza

July 4th, 2017

Produced by



"The Difference is Quality"

City of Laguna Hills
Celebrate Freedom
July 4th, 2017

3.9.a

National Anthem

Program A

Rockets Red Glare
4" 2

Bombs Bursting In Air
3" 10

Red, White & Blue Finale
3" 10

Aerial Grand Finale

Program A

Color and Multi-Color Finale Shells
3" 300
4" 16

Aerial Flash Salutes
3" 200

Finale Crown
5" 10

Aerial Show Presentation

Aerial Titanium Flash Salutes
3" 20

Color and Multi-Color Aerial Shells
3" 130
4" 60
5" 45

Flitter, Glitter, Electric Color and
Color Changing Shells
3" 100
4" 50
5" 25

Distinctive and Unique Aerial Shells
3" 50
4" 25
5" 12

Streaking Comets & Tiger Tails
3" 10

Premium Aerial Shells
3" 10
4" 10
5" 8

Grand Totals

Aerial Shells
3" 840
4" 163
5" 100

Total Aerial Shells
1103

Program Price

Total Program Price Inclusive of
Insurance, Operator and
Transportation

Cost \$26,500
Show Duration 18 Minutes



Attachment: Attachment 1 - Firework Display Agreement (1255 : 2017 Fourth of July Celebration and Fireworks Agreement)

Fireworks America Products

The Quality Difference

Fireworks America has sought to affiliate itself with world renown-award winning manufacturers, both foreign and domestic. In every show you will find only the highest quality products and variety which will far surpass those of our competitors.

Product Definitions Are:

Color and Multi-Color include standard one color products and multiple colors such as Chrysanthemums, Peonies and Hearts, Red, Green and Blue, Variegated, etc.

Our variety is unmatched and as such we can guarantee over 40 varieties in this category.

Compare to our competitors "Color", "Fancy", some "Extra Fancy", "Standard" or "Japanese Style Deluxe" Shells.

Classic: includes Flitter, Glitter, Electric Color and Color Changing Transformation Penny Glitter, Glitter & Color, Magnesium Red Electric, Red to Blue, Comets, etc. Our variety is unmatched and as such we can guarantee over 50 varieties in this category.

Compare to our competitors "Extra Fancy", "Floral", "Classic" or "Japanese Style Super Effect" Shells

Select: Shells feature Distinctive and Unique Aerial Shells including, Spiders, Multiple Reports, Strobes, Multiple Effect Shells, Domestic Glittering Comets, Crackling Effects, Double Ring Shells, Saturn Shells, Tourbillion Shells, Special Pattern Shells, Weeping Willow Shells, Shell of Shells and Serpentine Shells, etc..

Compare to our competitors "Special", "Special Effect", or "Japanese Style Special Effect" Shells.

Premium: Aerial Shells include Crossettes, Serpents, Whistles, Whistles and Reports, Serpents and Strobes, Fish and Whistles, Tourbillions to Reports, Thunder and Rainbow, Serpents and Stars, Nishiki Kamuros, and many other American Made Specialty Shells.

Our competitors cannot compare with our Domestically-Made Superstars.



City of Laguna Hills
Show Concept, Services List,
and Miscellaneous Details

Services List:

Fireworks America to Provide:

- 1) Permit Filings as Required
- 2) Storage and Delivery of fireworks
- 3) All Equipment to produce the display
- 4) Insurance Aggregate amount of \$10,000,000 (Sample attached)
- 5) Worker's Compensation Insurance (Statute)
- 6) Music CD or MP3
- 7) Choreography

City of Laguna Hills to Provide:

- 1) A Suitable Firing Site
- 2) Adequate Security for Firing Site
- 3) Sand & Sand Removal, if req'd
- 4) Permit Fees
- 5) Standby Firefighter Fees, if req'd
- 6) Sound System and Playback
- 7) Minimum permit times as required below

Minimum Time Required

Fireworks America will provide permitting services on your behalf. There are minimum times required to pull these permits. Contracts and deposits must be signed and back to us prior to starting these services. Here are the **minimum permit times**.

Land Based Shows require a minimum of **30 days** to permit based on Local and State Ordinance, FAA and other requirements.

Water based shows require a minimum of **60 days** to permit based on all of the above PLUS Coast Guard requirements.

Please plan your show accordingly.

Operators and Assistants:

Fireworks America will provide the services of a State Licensed Pyrotechnic Operator and experienced crew to fire your display. The entire crew will be covered under Fireworks America's Worker's Compensation Insurance.

City of Laguna Hills
**Show Concept, Services List,
 and Miscellaneous Details**

Payment Terms:

50% of the Sum is to be paid to FA at the signing of the Contract,
 Balance Net 10 Days After Display

Method of Discharge:

The show will be fired electrically. Each fireworks event will have its own ignitor for precise timing. Fireworks America will provide the firing panel, cable, distribution system and power for the show.

Choreography:

The program will be choreographed utilizing the latest innovation in computerized-fireworks choreography. This will allow maximum accuracy in firing and timing of the display. The fireworks will follow the music precisely and provide an exhilarating experience for the viewer.

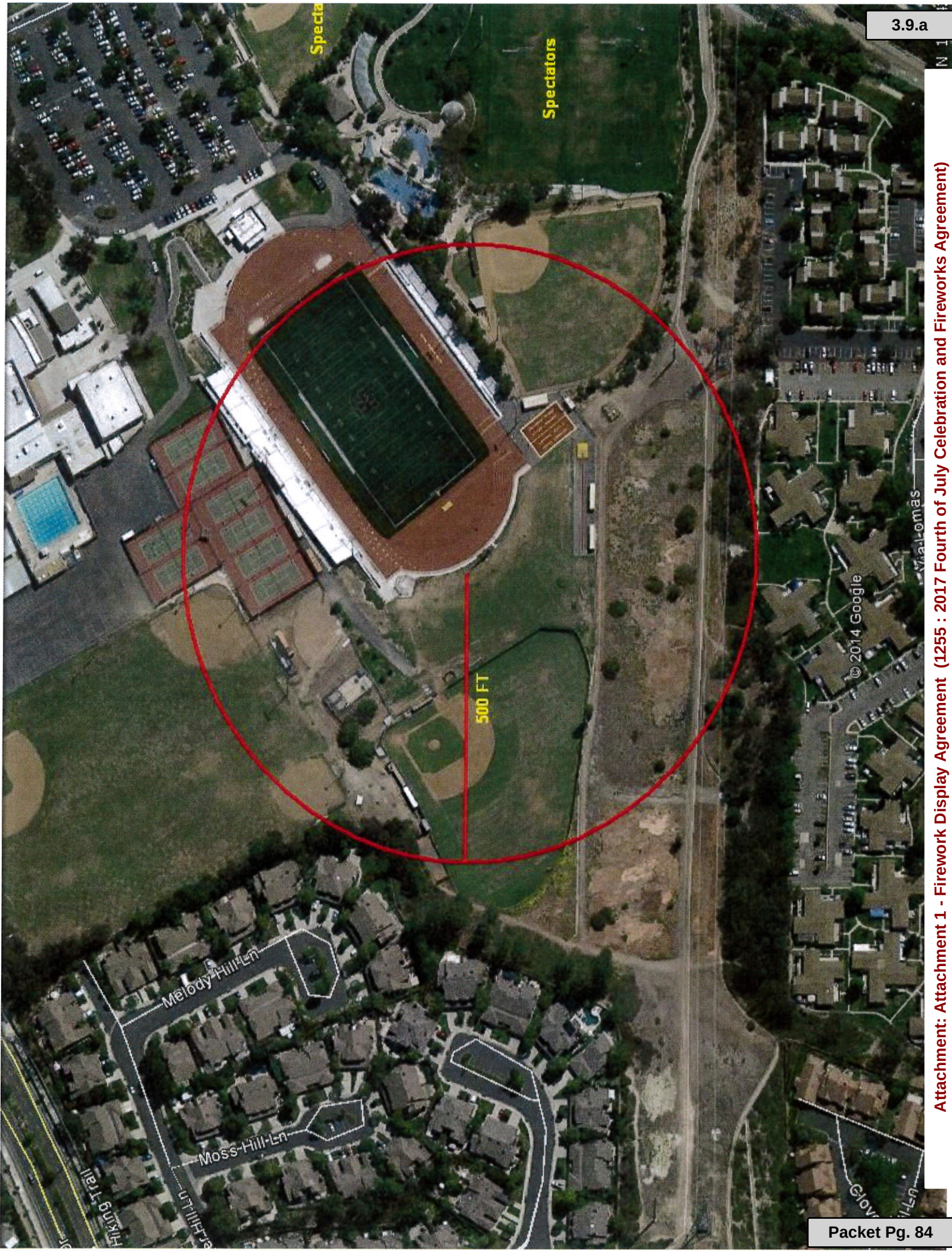



**Fireworks
 & Stage FX
 America**



Exhibit B
Approximate Fire Safety Zone
for
City of Laguna Hills
2017 Fourth of July Celebration

Attachment: Attachment 1 - Firework Display Agreement (1255 : 2017 Fourth of July Celebration and Fireworks Agreement)





City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017

TO: Mayor and Council Members

FROM: David Chantarangsu
Community Development Director

ISSUE: 2016 General Plan Annual Report

RECOMMENDATION: That the City Council receive the report and direct staff to forward the 2016 General Plan Annual Report and Annual Element Progress Report-Housing Implementation to the State of California.

SUMMARY:

State law requires each city to submit an annual report to the state describing steps it took to implement its General Plan during the previous calendar year. The Annual Report provides the City Council with a snapshot of how the City implemented the General Plan and also assists the state in understanding how each jurisdiction is progressing toward meeting its regional housing needs.

Attached is the City's 2016 Annual Report, which provides the status of the City's General Plan implementation efforts and the purpose of each General Plan Element (i.e. Land Use, Mobility, Conservation and Open Space, Community Services and Facilities, Safety, Noise, and Housing).

The activities described in the Annual Report depict the major accomplishments during 2016, and do not reflect every aspect of an adopted goal or policy which may be more routine in nature. A summary of the activities described by the Annual Report is described by the following:

Land Use Element: The report describes the progress made on land use approval projects including Five Lagunas and Oakbrook Village.

Mobility Element: The report describes progress made on street maintenance and participation in the City's Senior Dial-a-Taxi program.

Housing Element: The report provides information on the City's on-going efforts to participate in the Orange County Consolidated Plan Programs, the Orange County Continuum of Care local housing process, and progress towards implementation of the City's regional housing need. During the Housing Element cycle, which covers years 2013-2021, two hundred and ninety-six (296) units have been built to date. Attached to the report is a worksheet identified as the "HCD Form" which lists each of the goals and policies identified by the Housing Element and the status of each. "HCD" is the acronym for the Department of Housing and Community Development which is the state agency that reviews Housing Elements from each city for compliance with state law.

Conservation and Open Space: The report provides a description of programs and events the City participated in or sponsored to promote the conservation of natural resources and promote sustainability of the environment.

Noise Element: The report describes the implementation of routine tasks the City undertook to ensure new or proposed uses would not be exposed to significant noise levels.

Safety Element: The report describes routine tasks the City undertook to maintain the community's safety in evaluating new development and identified a number of programs and services implemented by the Orange County Sheriff's Department on behalf of the community that promote public safety. Response times and crime statistics were also provided.

Community Services and Facilities Element: The report highlights City-sponsored special events, funding the Florence Sylvester Senior Center, and community outreach tools.

BACKGROUND:

The City's General Plan was updated in 2009 and includes an Updated Housing Element, for the planning period covering 2013-2021.

Government Code Section 65400 requires that all cities and counties submit to their legislative bodies an Annual Report on the status of the General Plan and progress of its

2016 General Plan Annual Report

April 11, 2017

Page 3

implementation. Senate Bill No. 375 requires that the General Plan Annual Report (Annual Report) include a section describing the actions taken by the local government to complete the programs and meet the deadlines specified in the Housing Element. SB 375 builds on the existing framework of regional planning to tie together the regional allocation of housing needs and regional transportation planning in an effort to reduce greenhouse gas (GHG) emissions.

Previously, there were no consequences if a local government failed to prepare an Annual Report. However, with the enactment of SB 375, failure to comply with the reporting requirements can now lead to court injunctions and sanctions. The Annual Report must be forwarded to the HCD and the Governor's Office of Planning and Research within 60 days of April 1st of each year.

The State of California has created a standardized format that each city is expected to use in preparing an Annual Report on the status of the Housing Element and the City's progress in implementing its goals and programs. These forms are included in the City's General Plan Annual Report. Following the City Council's review and receipt of the 2016 General Plan Annual Report, staff will forward the Annual Report to the State of California as required.

CEQA FINDINGS:

A General Plan Annual Report is not considered a "project" subject to the California Environmental Quality Act (CEQA).

ATTACHMENTS:

- 2016 Annual Report
- Annual Element Progress Report- Housing Element Implementation (HCD) Form

CITY OF LAGUNA HILLS

General Plan Annual Report

Calendar Year 2016

Background

Government Code Section 65400(b) mandates that all cities and counties submit to their legislative bodies an annual report on the status of the General Plan and progress in its implementation; otherwise referred to as the “Annual Report.” The Annual Report is intended as a tool for informing local legislative bodies of the jurisdiction’s effectiveness in implementing its General Plan. A copy of the Annual Report must also be sent to the Governor’s Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

The purpose and intent of this statute is to ensure that the General Plan directs all land use decisions and remains an effective guide for the long-term physical development of a community. The Annual Report is a tool for doing this. The Annual Report provides a correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies and implementation programs of the adopted General Plan.

Providing a copy of the Annual Report to OPR provides information that allows OPR to monitor local planning activities and to identify trends in land use planning and decision-making throughout the State of California. The information is necessary for OPR to serve in its capacity as the statewide planning agency. It can also provide the State with information to identify necessary modifications and improvements to its *General Plan Guidelines*, while serving to apprise state government of local planning activities and facilitating the legislative process as it pertains to land use and local planning issues.

Providing a copy of this report to HCD fulfills a statutory requirement to report certain housing information, including the local agency’s progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing (as defined in Government Code Sections 65584 and 65583(c)(3)).

The focus of the Annual Report should be on implementation of the General Plan’s goals, policies and implementation measures. It can provide information to identify necessary “course adjustments” or modifications to the General Plan and means to improve local implementation. Since there is no specific form provided by OPR, the Annual Report can vary in format and approach from jurisdiction to jurisdiction.

City of Laguna Hills General Plan Implementation

After an extensive two year process, the City adopted a Comprehensive Update to the General Plan in July 2009. This was the first comprehensive revision of the General Plan since the City's first general Plan was adopted in 1994. The General Plan is based on extensive research and analysis of existing conditions, changing local and regional conditions, evolving trends in urban planning and a collaborative partnership with community members through an extensive public participation process.

The Laguna Hills General Plan is organized into 10 sections. The sections include an introduction, seven General Plan elements, a general Plan Implementation Program, description of related plans and programs, and a glossary of terms used throughout the General Plan.

The seven General Plan elements encompass all of the elements required by California General Plan law. The Laguna Hills General Plan combines the mandatory Open Space and Conservation Elements required by State law, and includes a separate, optional element on Community Services and Facilities. The seven General Plan elements in the Laguna Hills General Plan include: Land Use, Mobility, Conservation and Open Space, Community Services and Facilities, Safety, Noise, and Housing.

The seven elements are generally organized in a similar format. Each element contains an Introduction, Background, and Plan section. The "Introduction" indicates the purpose of each element and how it will help Laguna Hills achieve its vision for the community as articulated through the eight Guiding Themes. The "Background" provides the reader with the existing conditions and/or the environmental setting particular to that element topic. The "Plan" section is composed of three sections: issues, goals and policies, and approach. The issues section describes issues and concerns expressed by the community, City staff, and the City Council. The goals and policies section sets both broad and specific direction for the future of the City based on the identified issues and concerns. The approach section provides a general description and summary of the City's course of action to achieve the goals and policies.

The Laguna Hills General Plan also contains the following appendices, which are integral parts of the General Plan: 1) Implementation Program - The Implementation Program follows the elements and identifies the specific actions that will achieve the goals, policies, and plans identified in each element; 2) Related Plans and Programs - This section identifies plans and programs related to the General Plan and applicable to future activities and land use decisions within Laguna Hills; 3) Glossary - This section provides definitions for technical terms used throughout the General Plan.

Land Use Element

The Land Use Element is the foundation of the General Plan and serves as a compass that guides citizens, planners, and decision makers on the desired pattern of growth, development, and change in Laguna Hills. This Element describes both existing and future land use activities and unifies the other elements of the General Plan by providing an overall policy context. The Land Use Element deals with the central issues of development and growth, and the quality of the community, and helps define the desired balance among the social, environmental, and economic costs and benefits associated with growth.

The Land Use Element identifies the distribution, location, and intensity of all land use types throughout the City. Text, maps, and diagrams establish the direction for land uses within the City and describe how these uses are integrated with other General Plan Elements and policies.

As a built-out community with no remaining residential or commercial vacant land, new development opportunities are focused on larger existing developed parcels that are considered underutilized and/or can be reasonably intensified by incorporating parking structures within parking lot areas. The Laguna Hills Mall and the Oakbrook Village Shopping Center are both examples of these new development opportunities and are zoned for a range of mixed land uses, including residential uses. The General Plan focuses on those sites within the community that have redevelopment potential.

The City's Land Use Element was adopted in July 2009 with the City's comprehensive update of the General Plan. Previously, the City had amended the 1994 adopted Land Use Element twice: In July of 2000, with the West-side annexation, and in June of 2001, with the Saddleback Valley Unified School District Surplus Property Land Use Designation Change.

The following Land Use goals and programs were implemented in 2016:

- Five Lagunas

In March 2016, the City Council approved redevelopment plans submitted by Merlone Geier Partners (MGP), the owner of the former Laguna Hills Mall, to redevelop the existing project site- a project called "Five Lagunas." The Five Lagunas project includes major development and redevelopment activities, some of which include: demolition of approximately 449,000 square feet of existing space; exterior façade renovations; construction of approximately 410,000 square feet of commercial buildings for retail, restaurant, entertainment, and fitness uses; construction of a six-story parking structure containing over 1,500 parking stalls; development of three multifamily buildings; and various site improvements related to pedestrian walkways, plaza and park areas, and landscaping.

MGP held a project groundbreaking event on August 5th commemorating the beginning of the Five Lagunas project. As of the end of December, the former Sears building and its surrounding parking areas that were built in the early 1970s, have been completely demolished to make way for the luxury theater building, the project's main plaza area (Sycamore Park), and the new retail shops and restaurant spaces that will surround the Sycamore Park area. This \$500,000,000 project is scheduled to be completed in summer 2018.

- Oakbrook Village

The owner of Oakbrook Village received approval from the City Council at its November 13, 2012, City Council meeting to create a mixed-use development with new retail and residential units. This project intends to turn the aging shopping center into the City's first urban village by demolishing 148,530 square feet of the existing 200,000 square-foot center and replacing it with 489 homes in multistory residential buildings and up to 82,574 square feet of new retail space. The project is broken up into two phases. Phase One includes the demolition of 82,730 square feet of retail uses and development of 289 dwelling units and 23,974 square feet of new retail space. The new retail square footage includes 9,000 square feet of ground-level retail integrated into the residential building. Phase Two will include the demolition of 65,800 square feet of retail uses and development of up to 200 dwelling units and 58,600 square feet of new retail space.

Throughout the year, the City took an active role in monitoring the first phase of construction of the Reata luxury apartments at Oakbrook Village. Built by Shea Properties, the 289-unit project features a sky deck, pool with private cabanas, outdoor barbecues and an outdoor movie theater. Other resident amenities include a clubhouse lounge, game room, and state-of-the-art fitness center. Rent at the Reata, which offers one and two bedroom floor plans, is expected to range from \$1,800 to \$2,700 a month. Due to the complexities involved with completing building improvements in an active shopping center, an amendment to the project's 2012 development agreement was completed in March. As of December 1, the Reata is 70% leased up. Shea Properties expects to be fully stabilized (95% occupancy) in early 2017. Additionally, renovations to commercial building facades are underway and will be completed in January 2017.

- Other Development Activities

Other notable new development projects completed during the year included the completion of the Raising Canes drive-thru restaurant and approval of a new Farmer Boys which will replace the former Carrows

Restaurant located off I-5 and Avenida de la Carlota. Additionally, the City completed a zoning approval process for a 21,000 square foot central plant for Saddleback Memorial Medical Center. The \$30 million project will also include improvements that will enable the hospital to meet state mandated seismic safety requirements, become more energy efficient, and enhance the hospital's ability to operate in the event of a significant emergency by including potable water, fuel, and waste holding tanks.

- ICSC Conventions and Shows

Since 2004, the City has regularly attended the International Council of Shopping Centers (ICSC) conventions and shows. Given the development opportunities that arose at the Village at Nellie Gail, Oakbrook Village, and the Laguna Hills Mall, the City began sponsoring a booth at the 2010 ICSC Western Division Conference in San Diego. The City has subsequently sponsored a booth every year since at the ICSC Western Division Conference, as well as the annual national ICSC RECon Convention. In 2016, the City of Laguna Hills partnered with the City of Dana Point again to provide a booth featuring both cities at the national ICSC RECon Convention.

As in the past, this year's ICSC conventions and shows have provided staff with the opportunity to easily meet with prospective businesses; market development opportunities to developers, hoteliers, and retailers; and distribute leasing information on behalf of various retail centers throughout the City.

- Helping Local Business

In an effort to promote a business friendly environment in Laguna Hills, the City has put an emphasis on providing resources and support for the local business community and to businesses looking to locate in the City. Consequently, the Community Development Department has met with several commercial property owners and has maintained a regular dialogue regarding issues that impact parking, leasing, uses, and signage. In addition, staff has assisted several owners in evaluating conceptual plans for remodeling activities. With the support of the Community Development Department, several businesses have been able to locate in the City including Fit Body Boot Camp, Ironwood Restaurant, Coastal Kids Pediatrics, Golden Touch Auto Body, Cycle Bar, and Sumit's Yoga. By providing assistance to businesses regarding best practices in obtaining zoning permits necessary to begin tenant renovations, among other things, staff has contributed to processes that support businesses.

- Building and Safety Activity

In 2016, the Building Division issued approximately 2,000 building permits for the third year in a row, continuing an upward trend in activity that began in 2012. General remodeling activity in residential and commercial properties continues to drive building activity in Laguna Hills. The City continues to complete over 97 percent of its building plan checks within 10 days for first review, and 5 days for second review, which is the customer service goal of the Community Development Department. In addition, the City provided nearly 6,000 building inspections.

The City also took preparatory steps to adopt the new state building codes that will take effect on January 1, 2017.

- Massage Business Regulations

Prior to 2008, the City regulated massage establishments in order to prevent illicit activities known to be associated with the massage industry. Due to state intervention, between 2008 and 2015, all cities were prevented from regulating massage businesses. In 2015, the state made significant changes to regulations pertaining to the massage industry, which has enabled cities to once again establish requirements for massage businesses. As a result, with guidance from the City Attorney, the City developed a new ordinance to re-establish the City's authority to regulate massage businesses consistent with state law. The ordinance requires massage business operators to provide detailed and thorough background information and also requires that all of their service providers hold certification consistent with state law. Additionally, the new regulations include provisions for the suspension and/or revocation of a massage business operator's permit if they are found to be in violation of the City's requirements.

- Medical Marijuana

In 2013, the City amended the Laguna Hills Municipal Code, adopting a prohibition on the establishment of medical marijuana dispensaries. While the ban effectively prohibited the establishment or operation of all marijuana-related commercial uses, the state's recent enactment of the Medical Marijuana Regulations and Safety Act, which became effective in 2016, required the City's regulations from 2013 be updated. Consequently, the City developed an ordinance continuing the prohibition of the establishment and operation of commercial marijuana activities consistent with the newly enacted state law.

- Hospitality Overlay Zone

In 2014, the City Council created a “Hospitality Overlay Zone” (HOZ) to encourage the development of hotel uses near Lake Forest Avenue and I-5. Properties within the HOZ area were granted additional development benefits, such as the ability to exceed the maximum allowable building area for hotel uses. Staff will be recommending that the City Council increase the allowable building limits within the HOZ, enabling potential hotel developments to maximize the number of rooms while including amenities such as conference rooms, fitness centers, and business centers. An amendment to the current standards has been drafted by Staff and will be completed early in 2017.

Mobility Element

The Mobility Element describes existing and future transportation conditions and systems. The Element establishes goals and policies that will guide the City’s mobility system, including streets, transit facilities and services, bicycle and pedestrian facilities, and the recreational trail system. The text, maps, and diagrams are a basis for the development of the City’s approach to maintaining and improving the mobility network.

The City’s Mobility Element was adopted in July 2009 with the Comprehensive General Plan Update. The City had not adopted any amendments to the previous element, which was adopted in 1994 with the original General Plan.

The following Mobility goals and programs were implemented in 2016:

- Street Maintenance

Routine street maintenance activities generated the installation and/or replacement of 452 signs, the replacement of 940 square feet of sidewalk panels, the repainting of all stripes and markings citywide, and the preparation for winter rain events including staging sandbags, cleaning of all 550 catch basins, and pre-inspections of offsite drain inlets. Approximately 412 task orders were issued and completed last fiscal year including several nighttime emergency call outs to address traffic collision debris or storm event debris.

- Senior Transportation

A work program in the current budget cycle was to evaluate the Senior Dial-a-Taxi program and determine if it should continue in light of the Orange County Transportation Authority (OCTA) Senior Mobility (SMP) contract expiration of June 30, 2016. Staff evaluated the city’s current senior transportation program and determined that the program’s

participation has steadily increased through the years and is a well-received program. The County of Orange and the City worked together to execute a 5-year extension to the OCTA SMP Agreement in the form of an amendment to the Agreement. OCTA's SMP is the source of funding for the City's program, and the City Council approved the amendment to the Agreement on June 28, 2016. In addition, staff conducted a competitive bid process for the procurement of the taxi service provider for the City's program. Only one bid was received by the incumbent, California Yellow Cab (CYC), and CYC was awarded a contract by the City Council on July 12, 2016 to provide the dial-a-taxi transportation service to the currently 510 seniors that are signed up to use the program for the next five years. Of the program registrants, approximately 31 seniors actively use the program and take an average of 320 trips per month.

Housing Element

Every California city and county is required to include a housing element in its general plan which establishes housing goals, policies, and programs that respond to community housing conditions and needs. The purpose of the Laguna Hills Housing Element is to identify housing opportunities and solutions specific to the housing issues of the City.

The 2013-2021 Housing Element was adopted in October 2013. The City received State Certification for its 2013-2021 Housing Element in November 2013.

The following Housing goals and programs were implemented in 2016:

- Housing Availability

In 2016, Shea Properties completed the construction of 289 multifamily residential units. The project includes features such as a sky deck, pool with private cabanas, outdoor barbecues and an outdoor movie theater. Other resident amenities include a clubhouse lounge, game room, and state-of-the-art fitness center.

In March 2016, the City Council approved redevelopment plans submitted by Merlone Geier Partners (MGP), the owner of the former Laguna Hills Mall, to redevelop the existing project site- a project called "Five Lagunas." The Five Lagunas project includes major development and redevelopment activities, including development of three multifamily buildings for a total of 988 multifamily residential units.

- Continuum of Care Funding and Consolidated Plan Participation

The City continues to participate in the Orange County Consolidated Plan Programs and in the Orange County Continuum of Care local housing

process to facilitate obtaining funds for affordable housing and related social services for special needs populations.

- Section 8 Rental Assistance

The City continues to cooperate with Orange County Housing Authority (OCHA) and provide referral services and information to the City's residents.

- Annual Progress Reports

The City prepared a 2015 annual report on citywide housing programs as part of its annual General Plan review and distributed the annual report on Housing Implementation to the California Department of Housing and Community Development (HCD) in April 2016.

Note: In addition to the information provided above, the status of the housing element and progress in its implementation are described in an attachment to this Annual Report – Annual Element Progress Report - Housing Element Implementation.

Conservation and Open Space Element

The purpose of the Conservation and Open Space Element is to identify natural, cultural, and open space resources, ensuring a high-quality living environment for residents of Laguna Hills. This Element provides goals, policies, and programs related to open space and conservation as well as a wide range of other topics that together comprise the natural setting of Laguna Hills, including biological, scenic, cultural, and historical resources. The goals and policies contained in this element also address global climate change and sustainable practices related to water conservation, energy conservation, air quality, and water quality.

The City's Conservation Element and Open Space Element were adopted in July 2009 with the Comprehensive General Plan Update. The following Conservation and Open Space goals and programs were implemented in 2016:

- Water Quality
 - The City participated in the 20th Annual Inner Coastal Watershed Cleanup Day on September 17, 2016. This was the thirteenth year the City participated in this event where volunteers worked together and cleaned a portion of the Aliso Hills Channel and wetlands. Approximately 215 pounds of trash and debris was removed from the habitat area by 24 volunteers.

- The City has continued its efforts on a multi-year project to install catch basin auto retractable debris screens on all of the approximately 550 inlets in the City in order to reduce litter and other debris from entering the storm drain system and downstream drainage courses. In June 2016, the fifth phase of the project, CIP No. 412-E, resulted in the installation of screens at 49 catch basin locations utilizing Measure M2 grant funds from the County of Orange.
- As part of this year's 4th of July Celebration at the Laguna Hills Community Center, City staff hosted a water quality booth with brochures and other educational information relating to water quality. Some of the materials available for residents included water quality educational coloring books, posters, magnets, and brochures such as "The Ocean Begins at Your Front Door" and "Household Tips."

- Cabot Bioswale Improvements

The Cabot Bioswale project will convert a drainage area along the easterly side of Cabot Road northerly of Paseo de Valencia into a wetlands/bioswale area to filter and clean storm water runoff as a part of CIP No. 410-A. The construction period is late November 2016 to February 2017. As part of the \$473,375 project, the work includes approximately 450 cubic yards of grading, 60 cubic yards of rip-rap, new concrete diversion structures, fencing and landscaping.

- Landfill Diversion

The 2015 Annual Disposal Report, which uses per capita disposal figures, was submitted to the State of California Department of Resource Recycling and Recovery (CalRecycle) on August 1, 2016. This detailed report summarizes, among other things, recycling programs and services provided by the City such as residential curbside, commercial, and multi-family; outreach and educational efforts; green-waste recycling; electronic waste recycling; Household Hazardous Waste Curbside pickup service; and material recovery processing centers. For 2015, the City achieved a per capita disposal rate (pounds/person/day) of 3.0, which is well below the maximum per capita disposal rate target of 5.8 pounds per day. Since the City's per capita disposal rate is below the target rate, it is in compliance with the State's recycling and diversion mandates. The City's 2015 Annual Disposal Report, after CalRecycle's review, was accepted and approved by CalRecycle on October 18, 2016.

- Volunteer Connection Day

The City held its annual Volunteer Connection Day activities at the Laguna Hills Community Center and Sports Complex on Saturday, April 4, 2016.

The Volunteer Connection Day is a time for volunteers to come together to beautify the City with community projects such as trail clean-ups and planting of trees. Fifty-one (51) volunteers participated in this year's event and collected 580 pounds of trash and recyclables from City trails and planted 11 Ornamental Pear and Jacaranda trees at Veeh Ranch Park. The event also included an onsite paper shredding event where 158 residents dropped off approximately 6,150 lbs. of documents to shred. Additionally, the City re-qualified for its designation as a Tree City USA by the National Arbor Day Foundation.

Noise Element

The purpose of the Noise Element is to identify and assess existing noise sources in the community, and to discuss the City's role in ensuring comfortable and safe noise levels in the future. As a part of the General Plan process, citizens and City officials identified goals for the future relating to balancing land uses in the City, in part to minimize incompatibilities and exposure to excessive noise while providing the range of uses needed to maintain a high quality of life. The goals, policies, and programs will assist in achieving noise compatibility between land uses.

The City's Noise Element was adopted in July 2009 with the Comprehensive General Plan Update. The City had not adopted any amendments to the previous element, which was adopted in 1994 with the original General Plan.

The following goals and programs were implemented in 2016:

- Noise Standards and Acoustical Studies

The City reviewed development proposals to ensure that the noise standards and compatibility criteria set forth in the Noise Element were met.

Safety Element

The Safety Element establishes policies and programs to protect the community from risks associated with seismic, geologic, flood, and wildfire hazards.

The City's Safety Element was adopted in July 2009 with the Comprehensive General Plan Update. The City had not adopted any amendments to the previous element, which was adopted in 1994 with the original General Plan.

The following safety goals and programs were implemented in 2016:

- Public Safety

There were 11,790 total calls for service in Laguna Hills in the first three quarters of 2016, which represents an increase of 14% in reported incidents when compared to the same period in 2015.

Part I and II crimes in Laguna Hills have changed moderately in the first three quarters of 2016. The total number of Part I crimes experienced an overall increase of 2.6% when compared to last year. This increase is largely attributed to the number of reported thefts. Part II crimes are generally considered proactive deputy initiated activities carried out while a deputy is on patrol and not responding to a call. Part II crimes, which include driving under the influence (DUI), narcotics, and vandalism incidents, have decreased by 4.9% when compared to the same period last year.

- Response Times

Response times continue to remain within the expected parameters for all four levels of priority calls. The average response times for 2016 are 4:09 for Priority 1 calls, 8:11 for Priority 2 calls, 13:24 for Priority 3 calls, and 25:14 for Priority 4 calls. It remains the goal of Laguna Hills Police Services to respond to all Priority 1 calls within five minutes from the time of dispatch to arrival, twelve minutes for Priority 2 calls, and twenty minutes for Priority 3 calls. There is no standard response time goal for Priority 4 calls but rather deputies are dispatched as they become available.

- Community Involvement Grows

Well organized community programs have helped maintain strong relations with residents and Laguna Hills Police Services. The Neighborhood Watch Program continues to maintain steady participation with five meetings conducted so far this year. For the second time, the Parent Project, a 10-week program aimed at educating adults in parental techniques for strong willed children, was organized in the City. Two deputies presented the program and utilized subject-matter experts for the course. Police Services continues to partner with the Saddleback Community Church for the Good Neighbor Program. This program was marked for the Aliso Meadows residential area, where staff has focused on improved relations and education with at-risk youths and families. Additionally, Police Services continues to provide our residents with Child Car Seat Safety Inspections to help reduce the misuse rate of child car seats that are installed or used incorrectly. The City's Crime Prevention Specialist performed 28 safety inspections.

Police Services also participated in various community events such as National Take Back Day, 4th of July Expo, National Night Out, Nellie Gail

Ranch Concerts in the Park, Valencia Elementary's Boo Bash Carnival, Lomarena Elementary's Community Read-In Day, and Moulton Niguel Water District's Live Smart event. Furthermore, Police Services partnered with the Special Olympics of Southern California for a "Tip a Cop" charitable event at a local restaurant.

Police Services has continued its Community Oriented Policing Plan, focusing on the community. Patrol deputies have concentrated on building and maintaining trusting relations within the community with emphasis placed on our residential and business areas, schools, and parks, in an attempt to reduce crime and keep the public and its deputies engaged in healthy relations.

- Code Enforcement Activities

The City's Code Enforcement function continued its strategy of obtaining voluntary compliance from residents and businesses through frequent public engagement and education, maintaining a consistent presence in commercial areas prone to violations, and the implementation of code enforcement processes that resolve potential violations before the need for formal prosecution arises. Complaints concerning potential violations on residential properties generated over 500 calls for service, while complaints regarding commercial properties resulted in less than 250 calls for service. In a limited number of instances, cases had to be referred to the City Attorney office for additional assistance. There are currently 28 open cases that are being monitored for compliance.

- Police Services Honorees

One Police Services member was honored by the Orange County Sheriff's Department for his life saving efforts of a man who was experiencing a heart attack inside the movie theaters at the Laguna Hills Mall. Also, our School Resource Officer, Brian Gunsolley, was promoted to the rank of Sergeant and was recognized by the City Council for his outstanding work and dedication to the City.

Community Services and Facilities Element

The purpose of the Community Services and Facilities Element is to assess the current status of community services as well as evaluate their long-term provision to ensure that adequate services and facilities are both planned and provided proportionate with the projected growth, as well as development and redevelopment, as it occurs within the City. The Community Services and Facilities Element also establishes the City's plan to provide and maintain infrastructure and public services for future growth, without diminishing services to existing development. Community services collectively refer to law enforcement, fire protection, water, sewer, solid waste, electricity and natural

gas, communication, and animal care services. Community facilities collectively refer to schools, libraries, parks, and recreational facilities.

The City's Community Services and Facilities Element was adopted in July 2009 with the Comprehensive General Plan Update. The City had not adopted any amendments to the previous element, which was adopted in 1994 with the original General Plan.

The following goals and programs were implemented in 2016:

- Cabot Park Renovation

Construction began in late September on the renovation of the physical infrastructure of Cabot Park as a part of CIP No. 241-A, a \$312,000 project. The works is expected to be complete in early 2017 and includes the replacement of approximately 14,000 board feet of equestrian trail fencing, the replacement of backstop padding in both baseball fields, the repair and repainting of handrails, trash can lids, and the restroom building, the replacement of 3,200 square feet of sidewalk, the construction of three ADA access ramps, the replacement of the playground surfacing and the addition of shade structures on the southerly edge of both baseball field bleacher areas.

- Special Events

The City hosted two signature events this past year. The 2016 Memorial Day Half Marathon, 5K, and 10K, honoring the USMC Dark Horse Battalion, was held on May 30, 2016, with 3,696 runners participating. The City collected a total of \$187,537 in revenues from this event. Direct expenses (not including staff costs) totaled \$174,202. One hundred and fifty (150) marines ran in the half marathon which, along with the 5K and 10K, was started by event Grand Marshal Cpl. Jorge Ortiz. All previous Grand Marshalls were also in attendance at this year's event. Based on the City Council approved pledge formula of \$3 per paid participant, \$9,858 was provided to the 3/5 Marine Support Committee by City Council Resolution on July 12, 2016. In addition, South County Outreach received 140 pounds of donated food items and \$500 from the sale of beer garden tickets.

The second signature event was the City's annual 4th of July celebration. It is estimated that more than 10,000 people attended the City of Laguna Hills 2016 Fourth of July event which featured rides, games, live music, and static displays manned by Marines from the 1st Division. Total expenditures for this event were \$50,879 (not including staff time). Net costs totaled \$45,120, which accounts for \$4,759 in ride ticket sales and \$1,000 in vendor booth rentals.

- Senior Center Facility Grant

The City successfully competed for an award of 2016/2017 Community Development Block Grant (CDBG) funding for Public Facilities and Improvement monies to be used at the Florence Sylvester Senior Center. The City was awarded \$60,000 to remodel the Center's restrooms to bring the restrooms into compliance with American with Disabilities Act (ADA) requirements. Over the last eight years, the City has been awarded funds totally over \$415,000 to complete a number of improvements and address deferred maintenance issues at the Florence Sylvester Senior Center.

- Community Center & Sports Complex Renovation

The sports complex physical infrastructure was updated and repaired as a part of CIP No. 514, a \$210,000 project, completed in June 2016. The work included the replacement of 5,000 square feet of sidewalk, the construction of 16 Americans with Disabilities Act (ADA) access ramps, refurbishment of the fountain wall tiles, the addition of a storage unit for Little League usage, the replacement of wall caps, the replacement of barbecue units, various restroom repairs, and painting of the restroom building.

- Sports Complex Soccer Field Turf Replacement

The biennial replacement of the natural turf on the two soccer fields at the Community Center & Sports Complex was completed in September 2016 as a part of CIP No. 238, in time for the first of the season AYSO soccer games. The \$200,000 project also included freshening up the infield lines and surfacing of the Little League baseball field at the same location.

- Parks & Landscape

The annual weed abatement program was completed in June 2016 to include all public properties and compliance of all private properties

The City continued its compliance with drought conservation measures including ceasing the watering of median islands that are irrigated with potable water and reducing watering at all parks and landscape areas. In addition, through collaborative work with Moulton Niguel Water District, new acreage of landscaped areas were converted from potable water to reclaimed water along Alicia Parkway to include parkway areas and median islands.

Tree care activities included 821 trees trimmed, 152 trees removed and 43 trees planted in this last fiscal year.

- Recreation Programs and Senior Services

The City of Laguna Hills continued to host numerous programs provided by the Saddleback College Emeritus Institute. Over the course of the year, more than 2,500 individuals participated in a variety of classes held at the Community Center facility such as yoga, Pilates, art appreciation, sketching, and Spanish. The large majority of these participants are seniors. In regards to the City of Laguna Hills recreation programs, a total of 6,390 individuals signed up for one of the 450 recreation classes/activities/sports leagues offered by the City. This is an increase of 1,072 participants and 35 more classes compared to last year; and this does not include participation numbers from the Emeritus program or the City's two signature community events.

2016 was a successful year for the cultural arts theatre program. Partnered with On the Edge Theater Productions, the City presented the highly received musical stage play *Into the Woods*, which attracted 615 patrons. During the summer, the annual "Shakespeare in the Hills" event showcased two outdoor stage plays at the Laguna Hills Community Center and Sports Complex's gazebo, including *Twelfth Night* and *Macbeth*. Both of these plays were performed to a total audience of 495 patrons. Beginning in April, 2016, On the Edge Theater Productions began presenting monthly noon-hour "Lunch Time Theater" at no cost to the public. Performances have included *The Legend of Sleepy Hollow*, *The Most Important Person in the Universe*, and *Two Pictures in One*. Two shows were also presented by the Laguna Hills High School drama department as part of the "Lunch Time Theater" production: *What I Wanted to Say* and *12 Angry Jurors*.

The City Council also approved of staff introducing Pickleball at the hockey rink as a new recreation program for 2016. Pickleball began on June 13, 2016, and is offered four times a week. Currently there are 130 patrons of all ages signed up to participate in this program. The majority of the participants are senior citizens.

- For the first time in the City's history, the City Council voted to establish a new provider and contract partner for animal control and sheltering services. Beginning on January 1, 2017, the City of Mission Viejo will be the sole provider of animal services instead of the County of Orange. Contracting with the City of Mission Viejo provides the City with the ability to better control operating and service costs over the lifetime of the contract. Additionally, the Mission Viejo Animal Services Center is a pro-humane animal shelter that provides a high level of service in a more convenient location for Laguna Hills residents.

Conclusion

This Annual report documents the City's recent progress in updating and implementing the General Plan. The information contained herein will be forwarded to the Governor's Office of Planning and Research and the Department of Housing and Community Development to serve as the City of Laguna Hills' General Plan Annual Report for calendar year 2016.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

JurisdictionCity of Laguna Hills

Reporting Period1/1/2016 - 12/31/2016

Table A

Annual Building Activity Report Summary - New Construction

Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information								Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions	
N/A											
(9) Total of Moderate and Above Moderate from Table A3 • •			291	1	292	0					
(10) Total by income Table A/A3 • •					291	1	292				
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction

City of Laguna Hills

Reporting Period

1/1/2016 - 12/31/2016

Table A2

Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity					
(2) Preservation of Units At-Risk					
(3) Acquisition of Units					
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3

Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate			289	2		291	
No. of Units Permitted for Above Moderate	1					1	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Laguna Hills

Reporting Period 1/1/2016 - 12/31/2016

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.			2013	2014	2015	2016	2017	2018	2019	2020	2021	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	1											1
	Non-deed restricted												
Low	Deed Restricted	1											1
	Non-deed restricted												
Moderate	Deed Restricted												
	Non-deed restricted				291					291			
Above Moderate			4			1						5	
Total RHNA by COG. Enter allocation number:		2	4			292						296	2
Total Units • • •													
Remaining Need for RHNA Period • • • • •													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Laguna Hills
Reporting Period 1/1/2016 - 12/31/2016

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Code Enforcement Program	Preserve community housing stock	Ongoing	Code Enforcement continues to assist in preserving the community's housing stock
State Franchise Tax Board Code Enforcement	Promote maintenance of existing rental properties	Ongoing	Code Enforcement works with CA State Franchise Tax Board to enforce provisions of Ca Revenue and Taxation Code Section 17274 and 24436.5
Housing Rehabilitation	Preserve affordable housing	Annually by Sept. of each year	The City was unable to apply for CDBG funds in 2016 due to limited staff resources required to process major development entitlements including Five Lagunas and Oakbrook Village.
At-Risk Units	Pursue extension of affordability controls	By January of each year	Prepared a Risk Assessment report provided by the California Housing Partnership Corporation (CHPC)
Foreclosure Referral Program	Address the increased incidence of residents facing foreclosure	Jan-14	Provided foreclosure information and resources at the City to refer residents to external agencies to assist in reducing incidents of foreclosures in Laguna Hills
UVSP Area for Housing Opportunities	Provide housing opportunities	Ongoing	City continues to inform existing property owners and prospective developers that housing opportunities are available in the Urban Village Specific Plan area. In November 2011, the City Council approved a development project (Oakbrook Village Redevelopment Project) for a two-phased mixed-use project in the UVSP area that includes 289 multi-family units in Phase I and up to 200 multi-family units in Phase II. Phase I has been constructed. Additionally, in March 2016, the City Council approved a redevelopment project (Five Lagunas) that includes 988 multifamily residential units. Permits for the residential units have not been issued yet.
Alicia Gateway for Housing Opportunities	Provide housing opportunities	Ongoing	City continues to inform prospective developers that housing opportunities are available in the Alicia Gateway area.
Zoning Ordinance Update	Remove constraints for the development of housing affordable to low and moderate income households with special needs	Oct-14	City Council adopted an amendment to the City's Municipal Code to allow emergency shelters by-right in the mixed use zone and to allow supportive housing and transitional housing as residential uses in all residential zones in December 2012

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Laguna Hills
Reporting Period 1/1/2016 - 12/31/2016

Second Units	Provide housing opportunities	Ongoing	City continues to implement the Second Unit provisions of the Zoning Ordinance consistent with state law - City permits second units by right in all residential zones of the City, requiring only ministerial approval
Continuum of Care Funding & Consolidated Plan	Affordable housing and related social services for special needs	Annually by Sept. of each year	City continues to participate in the OC Consolidated Plan Programs and in the OC Continuum of Care local housing process to facilitate obtaining funds for affordable housing and related social services for special needs populations
Section 8 Rental Assistance	Cooperate with OCHA	Ongoing	City continues to cooperate with OCHA
Affordable Housing Developer Partnerships	Provide housing opportunities	Ongoing	City continues to develop partnerships with mainstream and/or affordable special needs affordable housing developers that could result in set-asides in existing and planned low income housing projects
Fair Housing Program	Further fair housing practices	Ongoing	City continues to advertise the Fair Housing Council's services
Universal Design Features in Housing	Equal housing opportunities	Oct-14	Staff is researching Universal Design Ordinances from other cities and looking into preparing one for Laguna Hills
Annual Progress Report	Plan for and monitor the long-term affordability of sound, quality housing	Annually	City Council reviewed the 2015 General Plan Annual Report (including Housing Element) in April 2016 and forwarded it to the State in April 2016
Housing Issues Monitoring	Plan for and monitor the long-term affordability of sound, quality housing	Ongoing	City continues to monitor existing affordable housing developments in the City and monitors legislation, trends, and policy issues related to the development and maintenance of affordable housing
Local Housing Efforts Coordination	Plan for and monitor the long-term affordability of sound, quality housing	Annually by Sept. of each year	City coordinated local housing efforts with federal, state, regional, and local government agencies and cooperated in implementation of intergovernmental housing programs to ensure maximum effectiveness in solving local and regional housing problems

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of Laguna Hills	
Reporting Period	1/1/2016	12/31/2016



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017

TO: Mayor and Council Members

FROM: Kenneth H. Rosenfield P.E.
Director of Public Services/City Engineer

ISSUE: Subdivision Improvement Agreement with MGP Fund X Laguna Hills, LLC, for the Five Lagunas Project Related to Avenida De La Carlota Parkway Improvements and Tract No. 18035

RECOMMENDATION: That the City Council approve the Subdivision Improvement Agreement with MGP Fund X Laguna Hills, LLC, for the Five Lagunas Project and authorize the Mayor to execute the Agreement upon satisfactory submittal of Surety Instruments, as required, and in a form approved by the City Attorney and City Engineer.

SUMMARY:

The Conditions of Approval for the Five Lagunas project includes an obligation of the Owner to enter into a Subdivision Improvement Agreement to guarantee the performance of specific obligations. In the case of this development, the obligation is the timely completion of the widening of Avenida de la Carlota and related improvements to City standards. The City Attorney's office has prepared the Subdivision Improvement Agreement and the Owner, MGP Fund X LLC, is in the process of providing signatures and required sureties. Approval of the Agreement is recommended subject to the receipt of the sureties to the satisfaction of the City Attorney and City Engineer.

BACKGROUND:

On March 22, 2016, pursuant to Resolution No. PA2016-03-22-1, the City approved land use approvals for redevelopment of the existing Laguna Hills Mall site, including Vesting

Subdivision Improvement Agreement for Five Lagunas

April 11, 2017

Page 2

Tentative Tract Map No. 18035 (the “Project”), subject to certain Conditions of Approval (the “Conditions of Approval”). The Conditions of Approval include the construction of certain required public improvements including, but not limited to, the construction of certain enhanced parkway improvements along the west side of Avenida de la Carlota, the repaving of a portion of Avenida de la Carlota, and related storm drainage and ADA accessibility improvements.

Condition of Approval No. 125 provides that prior to the issuance of any building permits or the recordation of any Final Maps for the Project, whichever occurs first, Owner shall enter into a Subdivision Improvement Agreement and post securities with the City, to the satisfaction of the City Attorney and City Engineer, to guarantee the construction of certain required enhanced parkway improvements along the westerly side of Avenida de la Carlota within 180 days of the completion of the shifting of the westerly side of Avenida de la Carlota by the I-5 Widening Segment 3 project being implemented by Caltrans as determined by the City or, if said I-5 Widening Segment 3 project does not proceed, within five (5) years of the approval of the Project.

Owner has agreed to complete certain required public improvements along Avenida de la Carlota and post security in accordance with the Conditions of Approval, Laguna Hills Municipal Code Chapter 9-86 (the “City’s Subdivision Ordinance”), the terms and conditions of the Subdivision Improvement Agreement, and the California Subdivision Map Act (Govt. Code Sections 66410 *et seq.*). The Agreement addresses the construction of specified public improvements along Avenida de la Carlota defined herein as the “Works of Improvement” and does not specifically address the construction of any other public improvements required by the Conditions of Approval, which other public improvements, if any, shall be constructed and completed in accordance with the Conditions of Approval.

The City Attorney’s office has prepared the attached Subdivision Improvement Agreement and the Owner, MGP Fund X LLC, is in the process of providing required sureties. Approval of the Agreement is recommended subject to the receipt of the sureties to the satisfaction of the City Attorney and City Engineer.

ATTACHMENTS:

- Signed Subdivision Improvement Agreement - Five Lagunas

SUBDIVISION IMPROVEMENT AGREEMENT
MGP Fund X Laguna Hills, LLC
(Five Lagunas Project – Avenida de la Carlota Parkway Improvements)

THIS SUBDIVISION IMPROVEMENT AGREEMENT (the "Agreement") is made and entered into, to be effective this ___ day of _____, 2017, by and between the CITY OF LAGUNA HILLS, a municipal corporation organized and existing under the laws of the State of California (hereinafter referred to as "City"), and MGP FUND X LAGUNA HILLS, LLC, a Delaware limited liability company corporation (hereinafter referred to as "Owner"). City and Owner are sometimes hereinafter individually referred to as "Party" and are hereinafter collectively referred to as the "Parties."

RECITALS

A. On March 22, 2016, pursuant to Resolution No. PA2016-03-22-1, the City approved land use approvals for redevelopment of the existing Laguna Hills Mall site, including Vesting Tentative Tract Map No. 18035 (the "Project"), subject to certain conditions of approval (the "Conditions of Approval"). The Conditions of Approval include the construction of certain required public improvements, including, but not limited to, the construction of certain enhanced parkway improvements along the west side of Avenida de la Carlota, the repaving of a portion of Avenida de la Carlota, and related storm drainage and ADA accessibility improvements.

B. Condition of Approval No. 125 provides that, prior to the issuance of any building permits or the recordation of any Final Maps for the Project, whichever occurs first, Owner shall enter into a subdivision improvement agreement and post securities with City, to the satisfaction of the City Attorney and City Engineer, to guarantee the construction of certain required enhanced parkway improvements along the westerly side of Avenida de la Carlota within 180 days of the completion of the shifting of the westerly side of Avenida de la Carlota by the I-5 Widening Segment 3 project being implemented by Caltrans as determined by the City or, if said I-5 Widening Segment 3 project does not proceed, within five (5) years of the approval of the Project.

C. Pursuant to Condition of Approval No. 81, the City's Building Official is authorized to issue building permits for construction of the Project prior to Final Map approval, subject to specified conditions, including, but not limited to, the subsequent approval and recordation of a Final Map before certificates of occupancy will be issued. Owner desires to obtain building permits for construction of portions of the Project prior to Final Map approval in accordance with Condition of Approval No. 81.

D. Owner has agreed to complete certain required public improvements along Avenida de la Carlota and post security in accordance with the Conditions of Approval, Laguna Hills Municipal Code Chapter 9-86 (the "City's Subdivision Ordinance"), the terms and conditions of this Agreement, and the California Subdivision Map Act (Govt. Code Sections 66410 *et seq.*). This Agreement addresses the construction of specified public improvements along Avenida de la Carlota defined herein as the "Works of Improvement" and does not specifically address the construction of any other public improvements required by the Conditions of Approval, which other

public improvements, if any, shall be constructed and completed in accordance with the Conditions of Approval, including, but not limited to, Condition of Approval No. 97.

E. Owner has delivered to City and City is in the process of approving plans and specifications and other construction related documents for the "Works of Improvement," as hereinafter defined, which are required to be constructed and installed by Owner in order to accommodate the development of the Project. Based upon the foregoing Recitals, and in consideration of City permitting development of the Project to proceed, Owner agrees to timely perform all of its obligations as set forth herein.

NOW, THEREFORE, in consideration of the promises and mutual obligations, covenants, and conditions contained herein, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. Construction Obligations.

1.1 Works of Improvement. Owner agrees to construct or install, or cause to be constructed or installed, the public improvements, hereinafter collectively referred to as the "Works of Improvement," as identified and described in Exhibit "A" attached hereto, and in accordance with the plans and specifications and other construction related documents identified in Exhibit "A", as the same may be supplemented and revised from time to time as set forth herein, and which upon final approval by the City shall be incorporated herein by reference. The estimated costs for the Works of Improvement are set forth in Exhibit "B" attached hereto. Both Exhibit "A" and Exhibit "B" are attached hereto and are incorporated herein by reference.

1.2 Obligations in Conditions of Tentative Map Approval. Owner shall satisfy all of the conditions of approval for Tentative Map 18035 for the Project.

1.3 Monuments. Owner shall also set sufficient durable monuments in accordance with the approved Final Maps for the Project and the relevant provisions of the City's Municipal Code and the Subdivision Map Act, and Certificates of Occupancy shall not be issued until such monuments have been set.

1.4 Purpose and Intent of Plans and Specifications. The purpose and intent of the plans and specifications referenced in Paragraph 1.1 above is to prescribe a complete work of improvement which Owner shall perform or cause to be performed in a manner acceptable to the Director of Public Services/City Engineer, or his/her designee, and in full compliance with all applicable codes and the terms and conditions of this Agreement. Owner shall complete a functional and operable improvement or facility, even though the plans and specifications may not specifically call out all items of work required for the contractor to complete its tasks, incidental appurtenances, materials and the like. If any omissions are made of information necessary to carry out the full intent and meaning of the plans and specifications, Owner or its contractor shall immediately notify its design engineer who will seek approval of the Director of Public Services/City Engineer for furnishing of detailed instructions. In the event of any doubt or question arising regarding the true meaning of any of the plans, specifications or other construction related

documents, reference shall be made to the Director of Public Services/City Engineer whose decision thereon shall be final.

Owner recognizes that the plans consist of general drawings. All authorized alterations affecting the requirements and information given on the plans shall be in writing and approved by the Director of Public Services/City Engineer. The plans shall be supplemented by such working or shop drawings as are necessary to adequately control the work. Without the Director of Public Services/City Engineer's prior written approval, no change shall be made by Owner or Owner's contractor to any plan, specification, or working or shop drawing after it has been stamped by the City as approved.

1.5 Performance of Work. Owner shall furnish or cause to be furnished all materials, labor, tools, equipment, utilities, transportation and incidentals required to perform Owner's construction obligations under this Agreement.

1.6 Changes in the Work. The Director of Public Services/City Engineer, without invalidating this Agreement and without notification to any of the sureties referenced in Paragraph 4 below, may order extra work or may make changes by altering or deleting any portion of the Works of Improvement, as specified herein, or as deemed necessary or desirable by the Director of Public Services/City Engineer as determined reasonably necessary to accomplish the purpose and intent of this Agreement and to protect the public health, safety and general welfare. It is mutually understood and agreed that it is inherent in the nature of the work contemplated by this Agreement that some changes in the plans and specifications and other construction related documents attached hereto as Exhibit "A" may be necessary during the course of construction to adjust them to field conditions and to assure the protection of the public health, safety and general welfare. The Director of Public Services/City Engineer shall notify Owner or Owner's contractor in writing (by Correction Notice) at the time a determination has been made to require changes in the work. No field changes performed or proposed by Owner or its contractor shall be approved, authorized or binding unless and until approved in writing in advance by the Director of Public Services/City Engineer.

1.7 Defective Work. Owner shall cause its contractor to repair, reconstruct, replace, or otherwise make acceptable any work performed under this Agreement that is found by the Director of Public Services/City Engineer to be defective, at no cost to the City.

1.8 No Warranty by City. The plans and specifications and other construction related documents for the Works of Improvement have been prepared by or on behalf of Owner or its consultants or contractors, and City makes no representation or warranty whatsoever, express or implied, to Owner or to any other person or third-party regarding the adequacy of the plans or specifications or other construction related documents.

1.9 Authority of the Director of Public Services/City Engineer. In addition to the authority granted to the Director of Public Services/City Engineer elsewhere in this Agreement, the Director of Public Services/City Engineer shall have the authority to decide all questions which may arise as to the quality and acceptability of materials furnished and work performed under this Agreement, and all questions as to the satisfactory and acceptable performance of the terms and conditions of this Agreement by Owner and Owner's contractor.

1.10 Documents Available at the Site. Owner shall cause its contractor to keep a copy of all approved plans and specifications and other construction related documents for the Works of Improvement at the job site and shall give access thereto to the City's inspectors and engineers at all times.

1.11 Inspection. Owner shall have an authorized representative on the job site at all times during which work is being done who has full authority to act for Owner, or its design engineer, and Owner's contractor(s) regarding the Works of Improvement. Owner shall cause its contractor to furnish the City with every reasonable facility for ascertaining whether or not the Works of Improvement as performed are in accordance with the terms and conditions of this Agreement, including the plans and specifications and other construction related documents, including but not limited to, geotechnical compaction and material testing reports. If the City inspector requests it, the contractor, at any time before acceptance of the Works of Improvement, shall remove or uncover such portions of the finished work as may be directed which have not previously been inspected. After examination, the contractor shall restore said portions of the work to the standards required hereunder. Inspection or supervision by the City shall not be considered as direct control or supervision of the individual workmen on the job site. City's inspector shall have the authority to stop any and all work that is determined by the City to not be in accordance with the requirements set forth in this Agreement.

The inspection of the work by City shall not relieve Owner or the contractor of any obligations to fulfill its performance obligations under this Agreement as herein provided, and any unsuitable materials or work may be rejected by the City in its sole discretion notwithstanding that such materials or work may have been previously overlooked or accepted.

1.12 Compliance with Law. In addition to the express provisions of this Agreement and the plans and specifications and other construction related documents, as the same may be supplemented and amended from time to time, Owner shall cause construction of the Works of Improvement to be completed in accordance with all other applicable federal, State and local laws, ordinances, rules and regulations, including without limitation the applicable requirements of the most recently adopted editions of the Uniform Building, Mechanical, Plumbing, Electrical, Fire and other State and local codes, including all local amendments thereto, the City's Grading and Excavation Code, and the most recent edition of the "Standard Specifications for Public Works Construction." Owner shall not be responsible for complying with any changes to such laws, ordinances, rules and regulations adopted after the commencement of construction of the Works of Improvement to which such change relates.

1.13 Suspension of Work. In case of suspension of work for any cause whatsoever, Owner and its contractor shall be responsible for all materials and shall store them properly, if necessary, and shall provide suitable drainage and erect temporary structures where necessary.

1.14 Erosion and Dust Control and Environmental Mitigation. All grading, landscaping and construction activities shall be performed in a manner to control erosion and prevent flooding problems. The Director of Public Services/City Engineer shall have the authority to require erosion plans to prescribe reasonable controls on the method, manner and time of grading, landscaping and construction activities to prevent nuisances to surrounding properties. Plans shall include without limitation temporary drainage and erosion control requirements, dust control procedures, restrictions

on truck and other construction traffic routes, noise abatement procedures, storage of materials and equipment, removal of garbage, trash and refuse, securing the job site to prevent injury, and similar matters. All grading activities shall be performed and completed in accordance with the City's Grading and Excavation Code and the City of Laguna Hills Grading Manual.

1.15 Final Acceptance of Works of Improvement. After Owner's contractor has completed all of the Works of Improvement, the Owner shall then request a final inspection of the work. If items are found by the inspector to be incomplete or not in compliance with this Agreement or any of the requirements contained or referenced herein, City will inform the contractor of such items. After the contractor has completed these items, the procedure shall then be the same as specified above for the contractor's initial request for final inspection. If items are found by the City's inspector to be incomplete or not in compliance after two "final" inspections, City may require the contractor, as a condition to performing further field inspections, to submit in writing a detailed written statement of the work performed subsequent to the date of the previous inspection which was found to be incomplete or not in compliance at that time.

Prior to final approval of the Work of Improvement, Owner must submit to City copies of any and all relevant certifications and as-built plans for the Project. Such final certifications and as-built plans must be signed and stamped by the project engineer(s) prior to submission.

No inspection or acceptance pertaining to specific portions or parts of the Works of Improvement shall be construed as final acceptance of any part until the overall final acceptance of all Works of Improvements by City is made. Final acceptance shall not constitute a waiver by City of defective work subsequently discovered.

The date on which the Works of Improvement will be considered as complete shall be that date on which the City Council accepts the Works of Improvements and authorizes the City Clerk to file a Notice of Completion with respect thereto.

2. Time for Performance.

2.1. Outside Completion Date. Subject to Paragraphs 2.2 and 2.3 below, Owner shall complete or cause to be completed all of the Works of Improvement by the earlier of the following two dates: (a) one hundred eighty (180) days from the date of written notice from City that the shifting of the westerly side of Avenida de la Carlota by the I-5 Widening Segment 3 project being implemented by Caltrans has been completed, or (b) March 22, 2021.

2.2. Phasing Requirements. Notwithstanding Paragraph 2.1, City reserves the right to control and regulate the phasing of completion of specific Works of Improvement as required to comply with applicable City ordinances, regulations and rules relating to the timely provision of public services and facilities. In addition to whatever other remedies City may have for Owner's failure to satisfy such phasing requirements, as the same now exist or may be amended from time to time, Owner acknowledges City's right to withhold the issuance of further building permits on the Project until such phasing requirements are satisfied. Prior to issuance of building permits, Owner shall provide satisfactory evidence that all applicable requirements that are a condition to issuance of building permits have been satisfied. Such requirements may include the payment of fees, construction of improvements, or both.

2.3. Force Majeure. Notwithstanding the provisions of Paragraph 2.1 herein, Owner's time for completion of the Works of Improvement shall be extended for the period of any forced delay caused due to circumstances beyond the control and without the fault of Owner, including to the extent applicable adverse weather conditions, flood, earthquakes, strikes, lockouts, acts or failures to act of a public agency, including City, required changes to the Works of Improvement required by City, and similar causes; provided, however, that the period of any forced delay hereunder shall not include any period longer than thirty (30) days prior to City's receipt of a written notice from Owner or its Contractor detailing the grounds for Owner's claim to a right to extend its time for performance hereunder.

2.4. Continuous Work. After commencement of construction of the Works of Improvement, or any separable portion thereof, Owner shall cause such work to be diligently pursued to completion, and shall not abandon the work for a consecutive period of more than thirty (30) days, events of force majeure excepted. Erosion and storm water quality measures shall be kept in working order at all times.

2.5. Reversion to Acreage. In addition to whatever other rights City may have due to Owner's failure to timely perform its obligations hereunder, Owner recognizes that City reserves the right to revert the property covered by the Project to acreage subject to the limitations and requirements set forth in California Government Code Sections 66499.11 through 66499.20.3. In this regard, Owner agrees that if none of the Works of Improvement referenced herein has been made within the time allowed herein, and if City thereafter initiates proceedings to revert the property covered by the Project to acreage, any improvements made by or on behalf of Owner after the date City initiates such action shall not be considered in determining City's authority to revert the property covered by the Project to acreage.

2.6. Time of the Essence. Time is of the essence of Owner's performance of all of its obligations under this Agreement.

3. Labor.

3.1. Labor Standards. Owner shall be responsible for causing all contractors and subcontractors performing any of the Works of Improvement to comply with all applicable federal and State labor standards, including all applicable federal and State labor laws and requirements and shall investigate the applicability of and, if and to the extent applicable, pay prevailing wages meeting the requirements of State law or Davis-Bacon Act wages required by federal law, or if both are applicable, meeting the higher of the foregoing requirements. The Owner hereby agrees that with respect to the Works of Improvement, Owner shall be fully responsible for determining whether the foregoing wage requirements are applicable and agrees to indemnify, defend and hold the City and its elected and appointed officials, employees, agents, attorneys, affiliates, representatives, contractors, successors and assigns free and harmless from and against any and all claims arising from or related to compliance by the Owner or the Owner's officers, directors, employees, agents, representatives, consultants and/or contractors, at every tier in construction of the Works of Improvement, with the applicable prevailing wage requirements imposed by State law and/or the Davis-Bacon Act requirements imposed by federal law.

3.2. Nondiscrimination. Owner agrees that no contractor or subcontractor performing any of the Works of Improvement shall discriminate against any employee or prospective employee with respect to such work in hiring, promotion, seniority, or any other terms and conditions of employment on the grounds of race, creed, color, national origin, ancestry, religion, sex or marital status.

3.3. Licensed Contractors. Owner shall cause all of the Works of Improvement to be constructed by contractors and subcontractors with valid California contractors' licenses for the type of work being performed.

3.4. Workers' Compensation. Owner shall cause every contractor and subcontractor performing any of the Works of Improvement to carry Workers' Compensation Insurance as required by the Labor Code of the State of California and shall cause each such contractor and subcontractor to submit to City a Certificate of Insurance verifying such coverage prior to such contractor or subcontractor entering onto the job site.

4. Security.

4.1. Security to Guarantee Performance, Payment, and Warranty. At the time Owner executes this Agreement, Owner shall furnish to City bonds, letters of credit, or other security acceptable to City in its sole and absolute discretion (hereinafter "Security Instruments") as follows:

- 4.1.1. Security Instrument(s) securing Owner's faithful performance of all of the Works of Improvement (Faithfull Performance Bond), in the amount of one hundred percent (100%) of the estimated construction costs identified in Exhibit "B".
- 4.1.2. Security Instrument(s) securing payment to labor and materialmen for the Works of Improvement, in the amount of one hundred percent (100%) of the estimated construction costs identified in Exhibit "B".
- 4.1.3. Security Instrument(s) guaranteeing the Works of Improvement for a period of one (1) year following the City's acceptance of the Works of Improvement, in the amount of one hundred percent (100%) of the estimated construction costs identified in Exhibit "B" and such bonds shall be kept in full force and effect during this one-year warranty period.

This Agreement shall not be effective for any purpose until such Security Instruments are supplied to and approved by City in accordance herewith. The form of said securities shall be to the satisfaction of the Director of Public Services/City Engineer and City Attorney.

4.2. Security Instrument for Monuments: In addition to the Security Instruments referenced in Paragraph 4.1 above, Owner shall deliver a Security Instrument in the form of a surety bond to the City prior to Final Map approval guaranteeing the payment of all qualified engineer(s) and/or surveyors(s) for their work in setting the final monuments required by the Final Map for the property covered by the Project and the relevant provisions of the City's Municipal Code and the Subdivision Map Act (the "Monumentation Bond").

4.3. **Release of Security Instruments.** Upon acceptance of the Works of Improvement by the City Council, the City will release the Faithful Performance Security Instrument within thirty (30) days of acceptance if no liens or stop notices have been filed or if all releases have been secured. The Security Instrument guaranteeing the Works of Improvement will be released in one year after acceptance of the improvements if no liens or stop notices have been filed or if all releases have been secured. If lien or stop notice claims have been timely filed, City shall hold the Security Instrument until such claim(s) have been resolved, Owner has provided a statutory bond, or otherwise as required by applicable law. In the event that all or part of the work is subject to the approval of another agency, the City shall not release the Security Instruments until the work is performed to the satisfaction of the other agency pursuant to Government Code section 66499.8. City shall release the Monumentation Bond upon the Owner's written request, provided that Owner is able to demonstrate that all engineers and/or surveyors have been paid in full for their work relating to the setting of the final monuments. Security for Labor and Materialmen shall be released concurrently with the Faithful Performance Security Instrument.

4.4. **Form of Security Instruments.** All Security Instruments shall meet the following minimum requirements of the Subdivision Map Act and otherwise shall be in a form acceptable to the Director of Public Services/City Engineer and City Attorney:

4.4.1. Bonds are to be submitted and approved as follows:

4.4.1.1. Ensure that the proposed surety is authorized to transact surety insurance in the State of California;

4.4.1.2. Verify that the bond amount will not exceed the difference between the proposed sureties' assets and liabilities;

4.4.1.3. Ensure that the bonds reference specific improvements that are based upon a City-approved cost estimate and are duly executed.

4.4.2. Payments under the Security Instrument shall be required to be made (and, with respect to bonds, litigation shall be required to be instituted and maintained) in the County of Orange, State of California;

5. Cost of Construction and Provision of Inspection Services.

5.1. **Owner Responsible for All Costs of Construction.** Owner shall be responsible for payment of all costs incurred for construction and installation of the Works of Improvement.

5.2. **Payment to City for Cost of Related Inspection and Engineering Services.** Owner shall compensate City for all of City's costs reasonably incurred in having its authorized representative make the usual and customary inspections of the Works of Improvement. In addition, Owner shall compensate City for all design, plan check and engineering costs reasonably incurred by City in evaluating any proposed or agreed-upon changes in the work. The procedures for deposit and payment of such fees shall be as established by the City Council or, in the absence of such procedures, upon invoice by the Public Services/Engineering or Community Development

Department. In no event shall Owner be entitled to additional inspections or a final inspection and acceptance of any of the Works of Improvement unless and until all City fees and charges have been fully paid, including without limitation charges for applicable penalties and additional required inspections. As described in Section 1.15, two final inspections shall be deemed sufficient to complete the inspection procedure; however, if after the initial inspection and follow up inspection to review the punch-list items subsequent inspections are required, Owner agrees to pay the cost of the additional inspection.

6. Reserved.

7. Warranty of Work.

Owner shall guarantee all Works of Improvement against defective materials and workmanship for a period of one (1) year from the date of final acceptance by the City. If any of the Works of Improvement should fail or prove defective within said one (1) year warranty period due to any reason other than improper maintenance, or if any settlement of fill or backfill occurs, or should any portion of the Works of Improvement fail to fulfill any requirements of the plans or specifications or other construction related documents, Owner, within fifteen (15) days after written notice of such defects, or within such shorter time as may reasonably be determined by the City in the event of emergency, shall commence to repair or replace the same together with any other work which may be damaged or displaced in so doing. Should Owner fail to remedy any and all defective material and/or workmanship or make replacements or repairs within the period of time set forth above, City may make such repairs and replacements and the actual cost of the required labor and materials shall be chargeable to and payable by Owner. The warranty provided herein shall not be in lieu of, but shall be in addition to, any warranties or other obligations otherwise imposed by law.

8. Default.

8.1. Remedies Not Exclusive. In any case where this Agreement provides a specific remedy to City for a default by Owner hereunder, such remedy shall be in addition to, and not exclusive of, City's right to pursue any other administrative, legal or equitable remedy to which it may be entitled.

8.2. City's Right to Perform Work. Whenever the Director of Public Services/City Engineer finds or determines that a default has occurred in the performance of the Works of Improvement, written notice thereof shall be given to the Owner and, when applicable, to the surety on the bond or other security. Such notice shall specify the work to be done, the estimated cost thereof and the period of time deemed by the Director of Public Services/City Engineer to be reasonably necessary for the completion. After receipt of such notice, the Owner and, if applicable, surety, shall within the time specified, cause or require the work to be performed. If the work is not performed, the estimated cost of performing the work shall be demanded from the surety or, if there is no surety, obtained from the security, and the Director of Public Services/City Engineer shall cause such work to be performed and completed.

8.3. Attorneys' Fees and Costs. In the event of any litigation arising out of Owner's performance of its obligations under this Agreement or under any of the Security Instruments

referenced herein, the prevailing party in such action, in addition to any other relief which may be granted, shall be entitled to recover its reasonable attorneys' fees and costs. Such attorneys' fees and costs shall include fees and costs on any appeal. In addition, a party entitled to attorneys' fees and costs shall be entitled to all other reasonable costs incurred in investigating such action, taking depositions and discovery, retaining expert witnesses, and all other necessary and related costs with respect to the litigation. All such fees and costs shall be deemed to have accrued on commencement of the action and shall be enforceable whether or not the action is prosecuted to judgment.

9. Indemnification. To the fullest extent permitted by law, Owner agrees to protect, defend, and hold harmless City and its elected and appointed officials, officers, employees and agents from any and all claims, liabilities, expenses or damages of any nature, including attorneys' fees, for injury to or death of any person, damage to property, interference with use of property, and monetary damages of any nature resulting from, arising out of, or in any way connected with performance of this Agreement by Owner and its agents, officers, employees, subcontractors, or independent contractors hired by Owner. The only exception to Owner's responsibility to protect, defend, indemnify and hold harmless City, is due to the negligence or willful misconduct of City, or any of its elected or appointed officials, officers, employees or agents. City does not, and shall not waive any rights against Owner which it may have by reason of this hold harmless agreement. This hold harmless agreement shall apply to all liability regardless of whether or not any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by Owner in the event of loss, claim, damage, or expense. The indemnification obligations of Owner shall survive the termination of this Agreement until all such obligations are fully and finally resolved.

10. Insurance Requirements.

10.1 Compliance with Insurance Requirements. Owner shall obtain, maintain, and keep in full force and effect during the term of this Agreement, at its sole cost and expense, and in a form and content satisfactory to City, all insurance required under this section. Owner shall not commence any work or services under this Agreement unless and until it has provided evidence satisfactory to City that it has secured all insurance required under this section. If Owner's existing insurance policies do not meet the insurance requirements set forth herein, Owner agrees to amend, supplement or endorse the policies to do so.

10.2 Types of Insurance Required. As a condition precedent to the effectiveness of this Agreement, and without limiting the indemnity provisions set forth in this Agreement, Owner shall obtain and maintain in full force and effect during the term of this Agreement, including any extension thereof, the following policies of insurance:

10.2.1. Commercial General Liability Insurance. Owner shall obtain and maintain, in full force and effect throughout the term of this Agreement, a policy of Commercial General Liability Insurance (Insurance Services Office form CG 00 01) written on an occurrence basis with limits of at least two million dollars (\$2,000,000.00) per occurrence, four million dollars (\$4,000,000.00) in the general aggregate, and four million dollars (\$4,000,000.00) for completed operations aggregate. Defense costs shall be paid in addition to the limits. The policy shall contain no endorsements

or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; or (3) contain any other exclusion contrary to the Agreement.

10.2.2. Automobile Liability Insurance. Owner shall obtain and maintain, in full force and effect throughout the term of this Agreement, a policy of Automobile Liability Insurance (Insurance Services Office form CA 001) written on a per occurrence basis with limits of at least one million dollars (\$1,000,000.00) combined limit for each occurrence covering bodily injury and property damage. The policy shall specifically include coverage for owned, non-owned, leased, and hired automobiles.

10.2.3. Workers' Compensation Insurance. Owner shall obtain and maintain, in full force and effect throughout the term of this Agreement, a policy of Workers' Compensation Insurance in at least the minimum statutory amounts, and in compliance with all other statutory requirements, as required by the State of California. Owner agrees to waive and obtain endorsements from its workers' compensation insurer waiving all subrogation rights under its workers' compensation insurance policy against the City, its officials, officers, employees, agents and volunteers, and to require each of its subcontractors, if any, to do likewise under their workers' compensation insurance policies. Owner shall obtain and maintain, in full force and effect throughout the term of this Agreement, a policy of Employer's Liability Insurance written on a per occurrence basis with limits of at least one million dollars (\$1,000,000.00) per accident for bodily injury or disease.

10.2.4. Course of Construction/Builder's Risk Insurance. Owner shall obtain and maintain, in full force and effect throughout the term of this Agreement, a policy of Course of Construction/Builders Risk Insurance utilizing an "All Risk" (Special Perils) coverage from, with limits equal to the completed value of the Project and no coinsurance penalty provisions.

10.3 Acceptability of Insurers. Insurance required by this section shall be issued by a licensed company authorized to transact business in the State by the Department of Insurance for the State of California with a current rating of A:-VII or better (if an admitted carrier), or a current rating of A:X or better (if offered by a non-admitted insurer listed on the State of California List of Approved Surplus Line Insurers (LASLI), by the latest edition of A.M. Best's Key Rating Guide, except that the City will accept workers' compensation insurance from the State Compensation Fund. In the event the City determines that the work or services to be performed under this Agreement creates an increased or decreased risk of loss to the City, the Owner agrees that the minimum limits of the insurance policies may be changed accordingly upon receipt of written notice from the City. Owner shall immediately substitute any insurer whose A.M. Best rating drops below the levels specified herein.

10.4 Insurance Endorsements. Required insurance policies shall not be in compliance if they include any limiting provision or endorsement that has not been submitted to the City for written approval. Required insurance policies shall contain the following provisions, or Owner shall provide endorsements on forms approved by the City to add the following provisions to the insurance policies:

10.4.1. The policy or policies of insurance required by this section for Commercial General Liability and Automobile Liability Insurance shall be endorsed to provide the following:

(a) Additional Insured: The City, its officials, officers, employees, agents and volunteers, shall be additional insureds with regard to liability and defense of suits or claims arising out of the performance of the Agreement; and

(b) Additional Insured Endorsements: Additional insured endorsements shall not (1) be restricted to "ongoing operations", (2) exclude "contractual liability", (3) restrict coverage to "sole" liability of Owner, or (4) contain any other exclusions contrary to the Agreement; and, the coverage shall contain no special limitations on the scope of protection afforded to additional insureds.

(c) Notice: The policy or policies of insurance required by this section for Commercial General Liability and Automobile Liability Insurance shall be endorsed to state that coverage shall not be suspended, voided, cancelled, or modified, or reduced in coverage or in limits, except after thirty (30) days prior written notice by First Class U.S. Mail, postage-prepaid, has been provided to the City. Notwithstanding the foregoing, if coverage is to be suspended, voided, or cancelled because of Owner's failure to pay the insurance premium, the notice provided to City shall be by ten (10) days prior written notice.

10.4.2. For all policies of Commercial General Liability Insurance, Owner shall provide endorsements for completed operations to effectuate this requirement.

10.5 Deductibles and Self-Insured Retentions. Any deductible or self-insured retention must be approved in writing by the City in advance and shall protect the City, its officials, officers, employees, agents and volunteers, in the same manner and to the same extent as they would have been protected had the policy or policies not contained a deductible or self-insured retention.

10.6 Primary and Non-Contributing Insurance. All policies of Commercial General Liability Insurance, Automobile Liability Insurance and Course of Construction/Builders Risk Insurance shall be primary and any other insurance, deductible, or self-insurance maintained by

the City, its officials, officers, employees, agents or volunteers, shall not contribute with this primary insurance. Policies shall contain or be endorsed to contain such provisions.

10.7 Waiver of Subrogation. All policies of Commercial General Liability, Automobile Liability Insurance and Course of Construction/Builders Risk Insurance shall contain or be endorsed to waive subrogation against the City, its officials, officers, employees, agents and volunteers, or shall specifically allow Owner or others providing insurance evidence in compliance with the requirements set forth in this section to waive their right to recovery prior to a loss. Owner hereby agrees to waive its own right of recovery against the City, its officials, officers, employees, agents and volunteers, and Owner hereby agrees to require similar written express waivers and insurance clauses from each of its subcontractors.

10.8 Evidence of Coverage. Concurrently with the execution of the Agreement, Owner shall deliver certificates of insurance together with original endorsements affecting each of the insurance policies required by this section. Required insurance policies shall not be in compliance if they include any limiting provision or endorsement that has not been submitted to the City for written approval. The certificates of insurance and original endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. At least fifteen (15) days prior to the expiration of any such policy, evidence of insurance showing that such insurance coverage has been renewed or extended shall be filed with the City. If such coverage is cancelled or reduced and not replaced immediately so as to avoid a lapse in the required coverage, Owner shall, within ten (10) days after receipt of written notice of such cancellation or reduction of coverage, file with the City evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies. Owner shall promptly furnish, at City's request, copies of actual policies including all declaration pages, endorsements, exclusions and any other policy documents City requires to verify coverage.

10.9 Requirements Not Limiting. Requirement of specific coverage or minimum limits contained in this section are not intended as a limitation on coverage, limits, or other requirements, or a waiver of any coverage normally provided by any insurance. Nothing in this section shall be construed as limiting in any way the indemnification provision contained in this Agreement, or the extent to which Owner may be held responsible for payments of damages to persons or property.

10.10 Enforcement of Agreement (Non-Estoppel). Owner acknowledges and agrees that actual or alleged failure on the part of the City to inform Owner of any non-compliance with any of the insurance requirements set forth in this section imposes no additional obligation on the City nor does it waive any rights hereunder.

10.11 Insurance for Subcontractors. Owner shall either: (1) include all subcontractors engaged in any work or services for Owner relating to this Agreement as additional named insureds under the Owner's insurance policies; or (2) Owner shall be responsible for causing its subcontractors to procure and maintain the appropriate insurance in compliance with the terms of the insurance requirements set forth in this section, including adding the City, its officials, officers, employees, agents and volunteers, as additional insureds to their respective policies. All

policies of Commercial General Liability Insurance provided by Owner's subcontractors performing any work or services related to this Agreement shall be endorsed to name the City, its officials, officers, employees, agents and volunteers, as additional insureds. Owner shall not allow any subcontractor to commence any work or services relating to this Agreement unless and until it has provided evidence satisfactory to City that the subcontractor has secured all insurance required under this section.

10.12 Other Insurance Requirements. The following terms and conditions shall apply to the insurance policies required of Owner pursuant to this Agreement:

- 10.12.1. Owner shall provide immediate written notice to City if (1) any of the insurance policies required herein are terminated, cancelled or suspended, (2) the limits of any of the insurance coverages required herein are reduced, or (3) the deductible or self-insured retention is increased.
- 10.12.2. All insurance coverage and limits provided by Owner and available or applicable to this Agreement are intended to apply to each insured, including additional insureds, against whom a claim is made or suit is brought to the full extent of the policies. Nothing contained in this Agreement or any other agreement relating to the City or its operations shall limit the application of such insurance coverage.
- 10.12.3. None of the insurance coverages required herein will be in compliance with the requirements of this section if they include any limiting endorsement which substantially impairs the coverages set forth herein (e.g., elimination of contractual liability or reduction of discovery period), unless the endorsement has first been submitted to the City and approved in writing.
- 10.12.4. Certificates of insurance will not be accepted in lieu of required endorsements, and submittal of certificates without required endorsements may delay commencement of the Project. It is Owner's obligation to ensure timely compliance with all insurance submittal requirements as provided herein.
- 10.12.5. Owner agrees to ensure that subcontractors, if any, and any other parties involved with the Project who are brought onto or involved in the Project by Owner, provide the same minimum insurance coverage required of Owner. Owner agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. Owner agrees that upon request, all agreements with subcontractors and others engaged in the Project will be submitted to the City for review.
- 10.12.6. Owner agrees to provide immediate written notice to City of any claim, demand or loss against Owner arising out of the work or services

performed under this Agreement and for any other claim, demand or loss which may reduce the insurance available to pay claims, demands or losses arising out of this Agreement.

11. General Provisions.

11.1. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of all successors and assigns to Owner's right, title and interest in and to the property covered by the Project and any portion thereof.

11.2. California Law and Venue. This Agreement shall be construed and interpreted both as to validity and as to performance of the Parties in accordance with the laws of the State of California. Legal actions concerning any dispute, claim, or matter arising out of or in relation to this Agreement shall be instituted in the Superior Court of the County of Orange, State of California, or any other appropriate court in such County, and Owner covenants and agrees to submit to the personal jurisdiction of such court in the event of such action.

11.3. Interpretation. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the Parties. The terms of this Agreement are contractual and the result of negotiation between the Parties. Accordingly, any rule of construction of contracts (including, without limitation, California Civil Code Section 1654) that ambiguities are to be construed against the drafting party, shall not be employed in the interpretation of this Agreement. The caption headings of the various sections and paragraphs of this Agreement are for convenience and identification purposes only and shall not be deemed to limit, expand, or define the contents of the respective sections or paragraphs.

11.4. Notices. All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered, sent by registered or certified mail, postage prepaid, return receipt requested, or delivered or sent by facsimile with attached evidence of completed transmission, and shall be deemed received upon the earlier of (i) the date of delivery to the address of the person to receive such notice if delivered personally or by messenger or overnight courier; (ii) five (5) business days after the date of posting by the United States Post Office if by mail; or (iii) when sent if given by facsimile. Notices or other communications shall be addressed as follows:

To City:	City of Laguna Hills Attention: City Manager 24035 El Toro Road Laguna Hills, California 92653 Telephone: (949) 707-2611 Facsimile: (949) 707-2614
To Owner:	MGP Fund X Laguna Hills, LLC Attn.: Bradley A. Geirer 3580 Carmel Mountain Road, Suite 260 San Diego, California 92130

11.5 Entire Agreement. This Agreement constitutes the entire agreement between the Parties and supersedes all prior negotiations, arrangements, agreements, representations, and understandings, if any, made by or among the Parties with respect to the subject matter hereof. No amendments or other modifications of this Agreement shall be binding unless executed in writing by both Parties hereto, or their respective successors, assigns, or grantees.

11.6 Severability. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law, but if any provision of this Agreement shall be determined to be invalid by a final judgment or decree of a court of competent jurisdiction, such provision shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of that provision, or the remaining provisions of this Agreement unless the invalid provision is so material that its invalidity deprives either Party of the basic benefit of their bargain or renders this Agreement meaningless.

11.7 Third Party Beneficiary. Nothing contained in this Agreement is intended to confer, nor shall this Agreement be construed as conferring, any rights, including, without limitation, any rights as a third-party beneficiary or otherwise, upon any entity or person not a party hereto.

11.8 Recitals. The above-referenced Recitals are hereby incorporated into the Agreement as though fully set forth herein and each Party acknowledges and agrees that such Party is bound, for purposes of this Agreement, by the same.

11.9 Corporate Authority. Each of the undersigned represents and warrants that (i) the Party for which he/she is executing this Agreement is duly authorized and existing, (ii) he/she is duly authorized to execute and deliver this Agreement on behalf of the Party for which he/she is signing, (iii) by so executing this Agreement, the Party for which he/she is signing is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which the Party for which he/she is signing is bound.

11.10 Prevailing Wages. Owner is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"). Owner agrees to fully comply with all applicable federal and State labor laws (including, without limitation, if applicable, the Prevailing Wage Laws). It is agreed by the Parties that, in connection with the work provided pursuant to this Agreement, Owner shall bear all risks of payment or non-payment of prevailing wages under California law, and Owner hereby agrees to defend, indemnify, and hold the City, its officials, officers, employees, agents and volunteers, free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. The foregoing indemnity shall survive termination of this Agreement.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties have executed and entered into this Agreement as of the date first written above.

"CITY"
City of Laguna Hills,
a California municipal corporation

DON SEDGWICK,
Mayor

ATTEST:

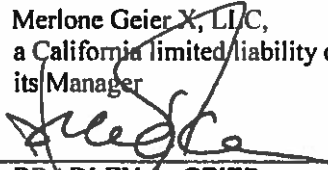
(SEAL)
MELISSA AU-YEUNG,
City Clerk

APPROVED AS TO FORM:

GREGORY E. SIMONIAN,
City Attorney

"OWNER"
MGP Fund X Laguna Hills, LLC,
a Delaware limited liability company

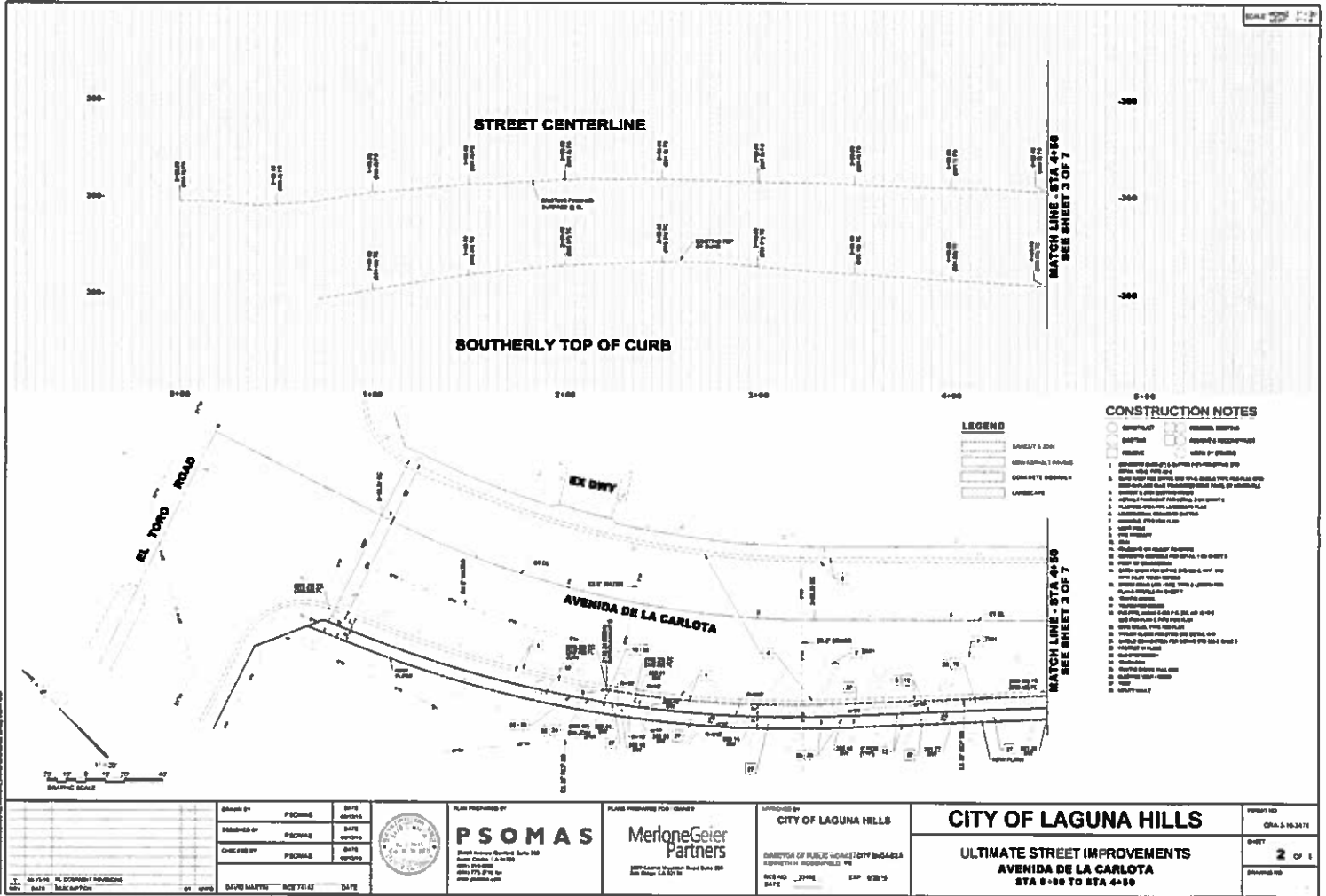
By: Merlone Geier X, LLC,
a California limited liability company
its Manager

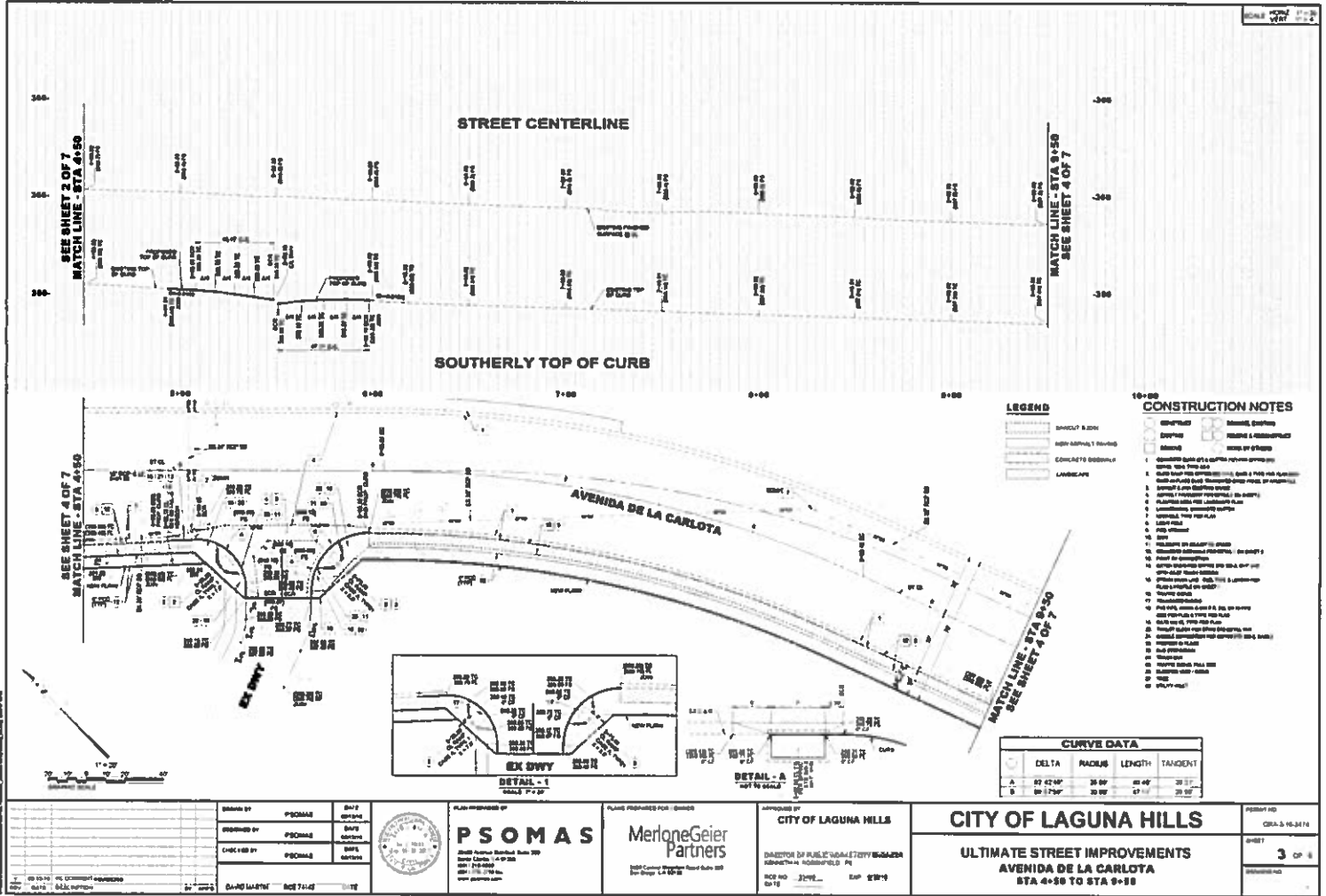
By: 

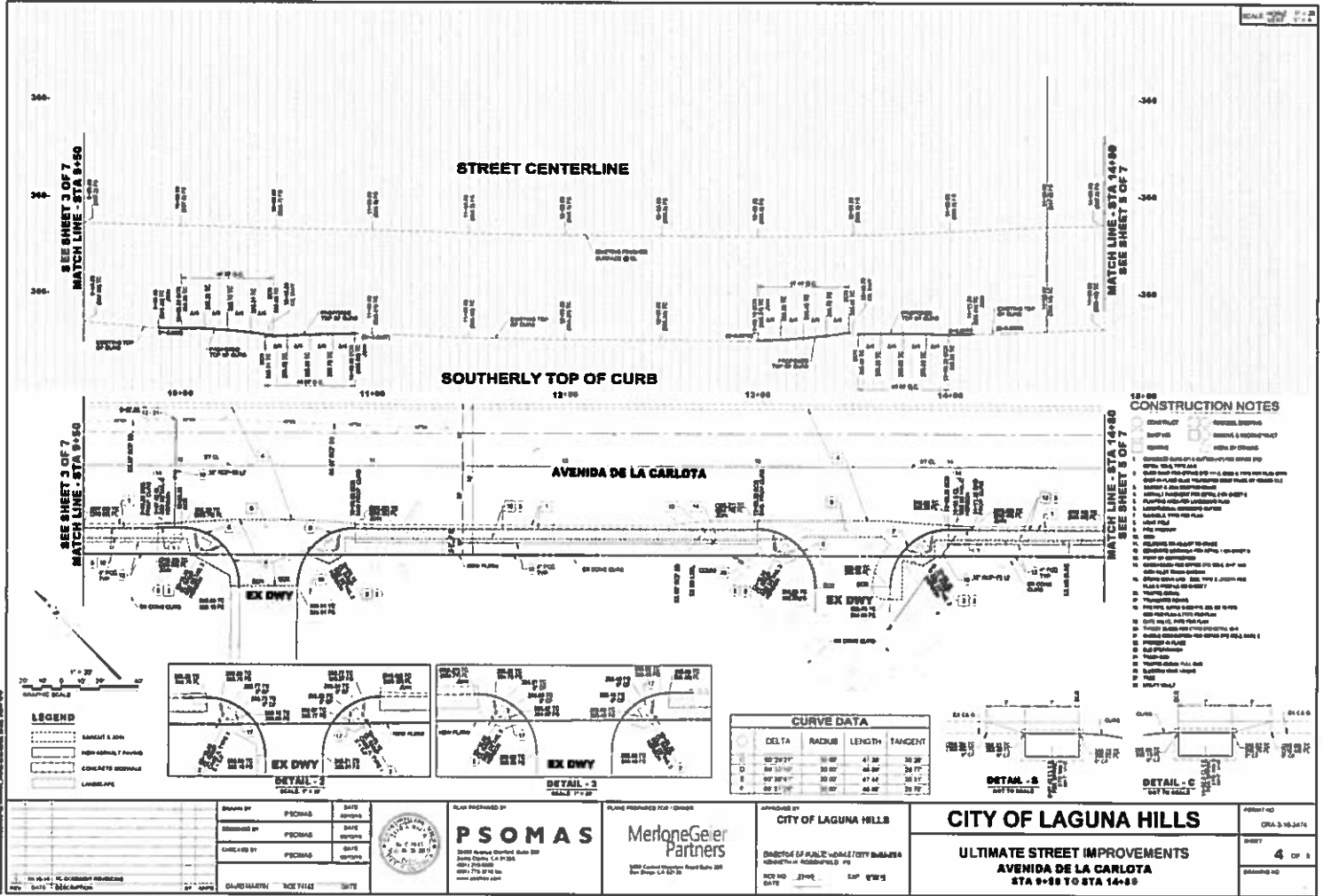
BRADLEY A. GEIER,
Chairman

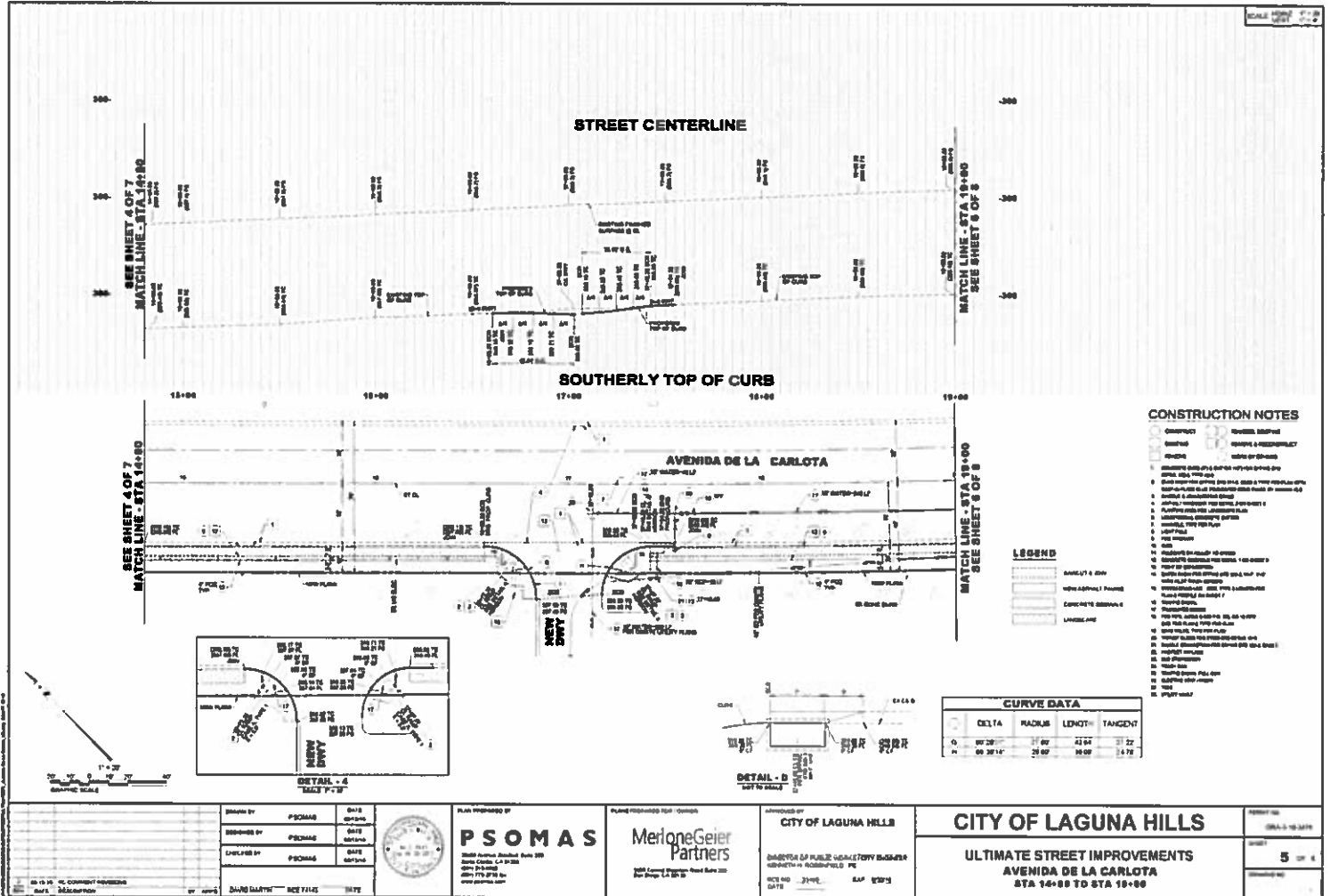
EXHIBIT "A"**WORKS OF IMPROVEMENT****DATED: September 13, 2016**

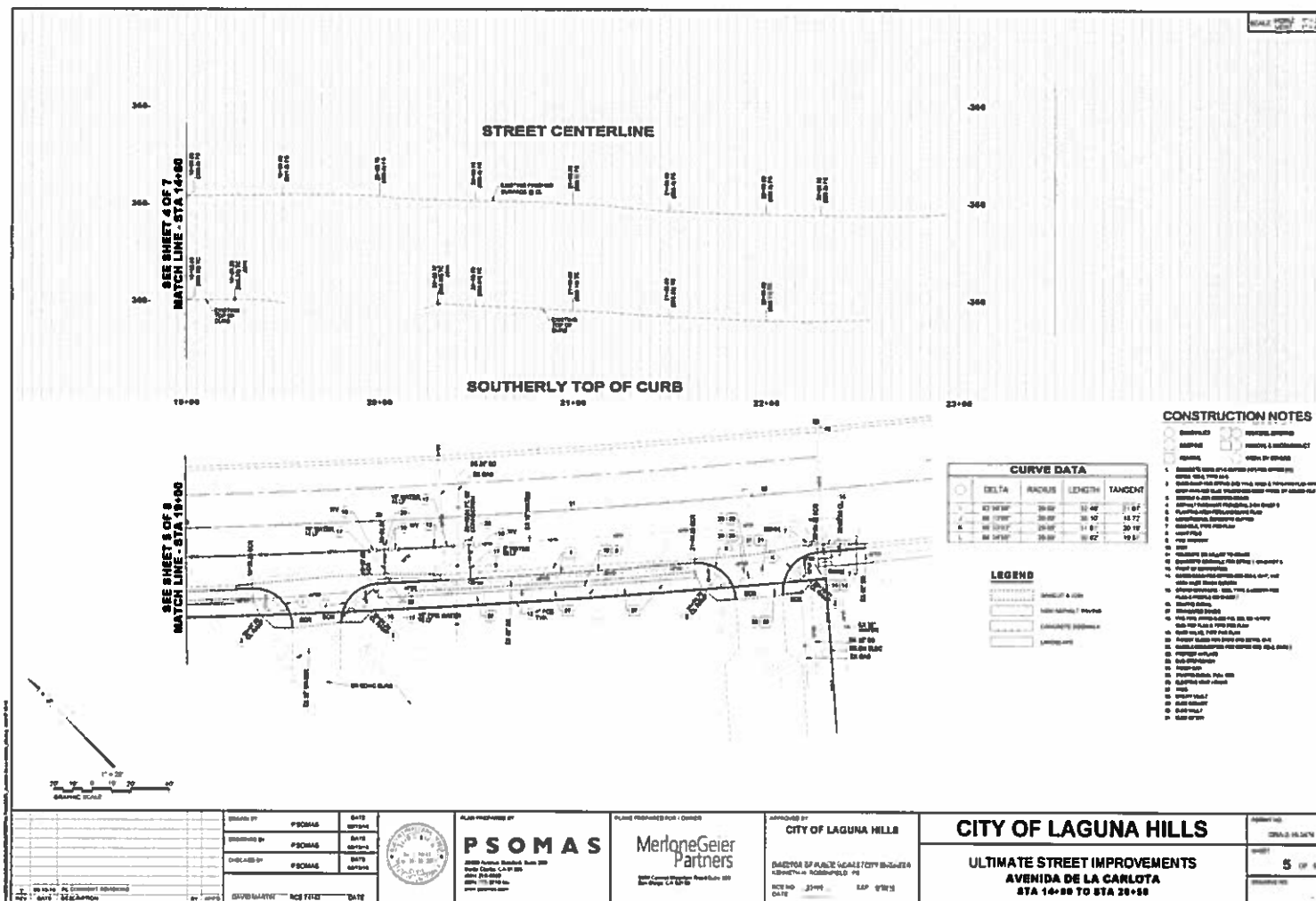
INCLUDING,**PLANS AND SPECIFICATIONS****AND****OTHER CONSTRUCTION RELATED DOCUMENTS**

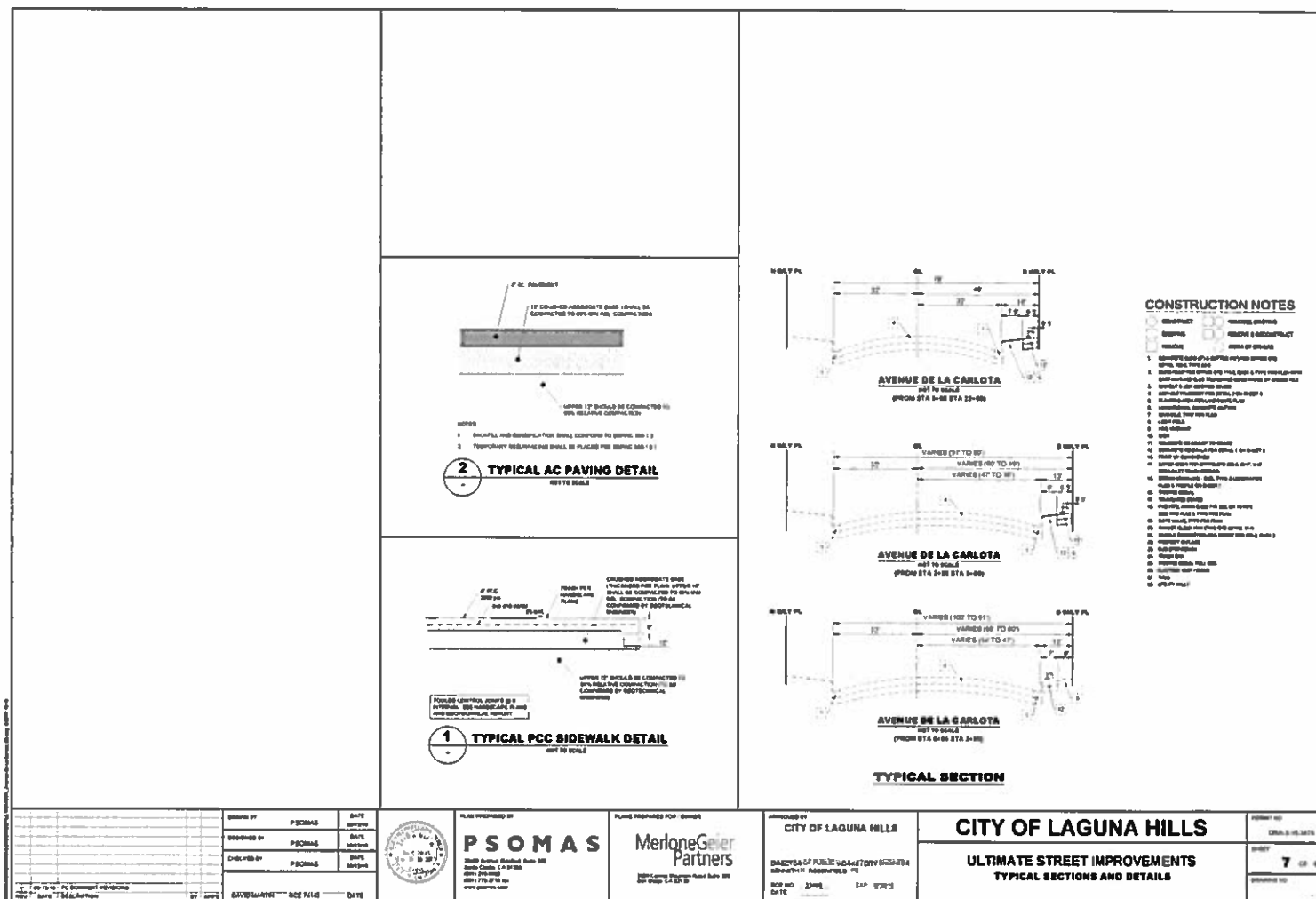












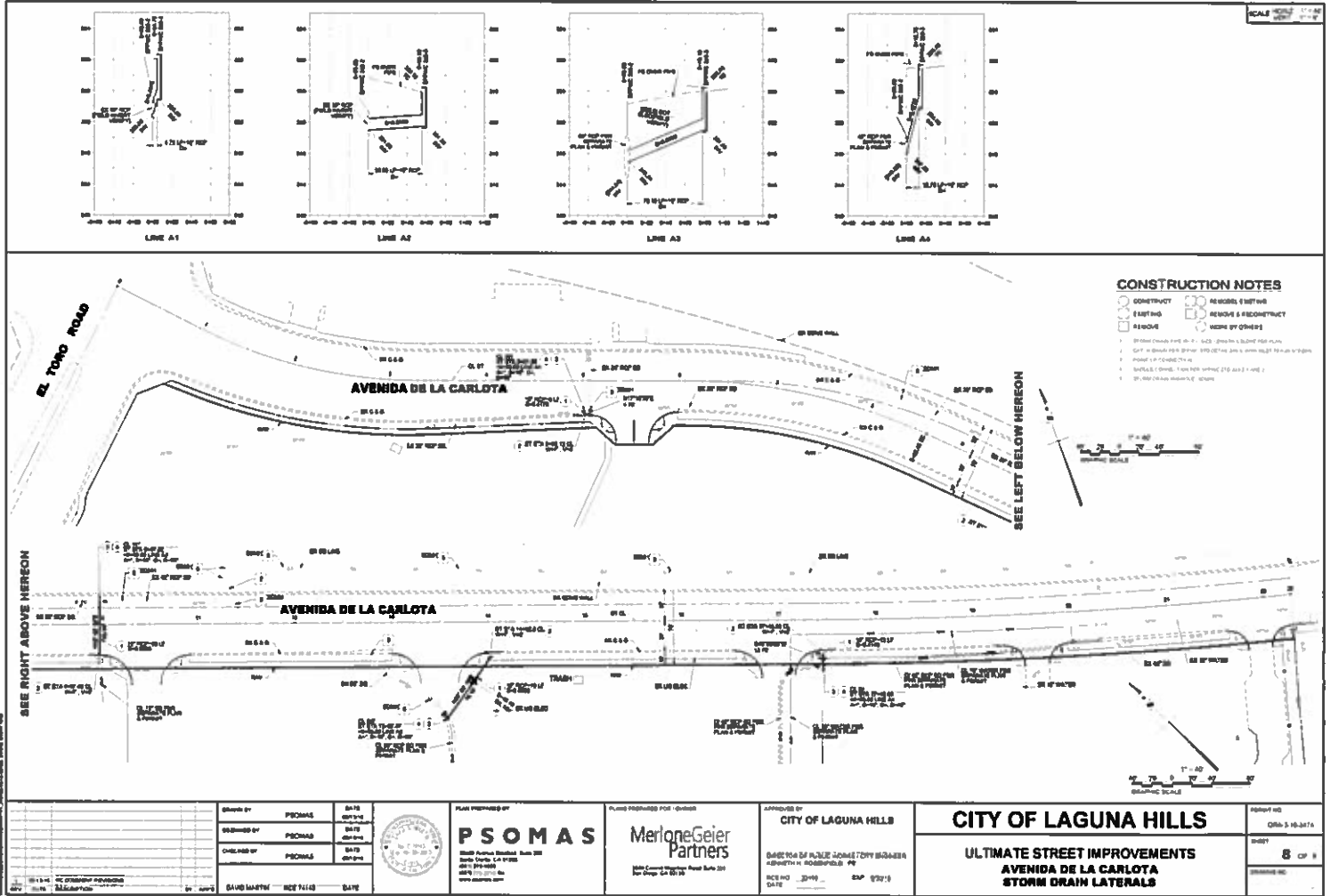


EXHIBIT "B"

COST ESTIMATES

FOR

WORKS OF IMPROVEMENT

**CITY OF LAGUNA HILLS
PUBLIC WORKS DEPARTMENT**

INFRASTRUCTURE COST ESTIMATE

ROAD IMPROVEMENTS FOR PARCEL MAP/TRACT NO. 8035

LOCATION Avenida de la Carlotta, Laguna Hills, CA

PREPARED BY Dave Martin DATE 1-19-17 CHECKED BY DSM DATE 1-19-17



1/19/17

STREET IMPROVEMENTS			
Item	Quantity	Unit Cost	Total Cost
Pavement Asphalt			
A.C. (2") - Performance Grade	2,800	\$ 4.60 /S.F.	\$ 12,880.00
A.C. (4") - Performance Grade	2,800	\$ 6.30 /S.F.	\$ 17,640.00
AC - Removal	2,800	\$ 3.00 /S.F.	\$ 8,400.00
P.C. Concrete			
Sidewalk (4" Thick)	4,700	\$ 6.00 /S.F.	\$ 28,200.00
Curb Ramp (with detectable warning surface)	8	\$ 3,500.00 Each	\$ 28,000.00
Remove Curb Ramp	1	\$ 1,000.00 Each	\$ 1,000.00
Remove Sidewalk (4")	4,700	\$ 4.00 /S.F.	\$ 18,800.00
Curb and Gutter			
P.C.C. Curb and 2' Gutter (Type A2-6)	400	\$ 28.00 /L.F.	\$ 11,200.00
Remove P.C.C. Curb and 2' Gutter (Type B1-6)	420	\$ 12.00 /L.F.	\$ 5,040.00
Miscellaneous Items			
Sawcut	345	\$ 3.00 /L.F.	\$ 1,035.00
Crushed Agg. Base (under AC, C & G)	50	\$ 85.00 /C.Y.	\$ 4,250.00
4" Crushed Agg. Base (under sidewalk)	100	\$ 85.00 /C.Y.	\$ 8,500.00
Crushed Agg. Base (removal)	50	\$ 45.00 /C.Y.	\$ 2,250.00
Tree Removal (Ave. 12" D)	3	\$ 483.83 Each	\$ 1,451.49
Adjust manhole rim for overlay	1	\$ 800.00 Each	\$ 800.00
Adjust Utility Box	5	\$ 500.00 Each	\$ 2,500.00
Tree Well (5' x 10')	2	\$ 1,800.00 Each	\$ 3,600.00
Clear & Grub	1	\$ 3,000.00 Lump Sum	\$ 3,000.00
Replace Traffic Control Loops	4	\$ 1,000.00 Each	\$ 4,000.00
Traffic Signal	1	\$ 80,000.00 Lump Sum	\$ 80,000.00
Install Electrolier (upgrade street lights)	18	\$ 3,500.00 Each	\$ 63,000.00
Street lighting (items other than street lights)	1	\$ 100,000.00 Lump Sum	\$ 100,000.00
STREET IMPROVEMENT SUBTOTAL (A)			\$ 405,546.49
STORM DRAIN UTILITIES			
12" RCP - Class III	145	\$ 40.00 /L.F.	\$ 5,800.00
Catch Basin Inlet	3	\$ 8,000.00 Each	\$ 24,000.00
12" Concrete Collar	3	\$ 1,000.00 Each	\$ 3,000.00
STORM DRAIN UTILITY SUBTOTAL (C)			\$ 32,800.00

ROAD IMPROVEMENTS FOR PARCEL MAP/TRACT NO. 8035

SIGNING AND STRIPING				
Item	Quantity	Unit Cost		Total Cost
Striping (2-Coat Paint)				
Install Detail 12	300	\$	2.00 LF	\$ 600.00
Install 12 inch Limit Line (2-Coat Paint)	60	\$	4.00 LF	\$ 240.00
Install 2' Solid White Cross walk Line (2-Coat Paint)	580	\$	4.00 LF	\$ 2,320.00
Install Pavement Marking (2-Coat Paint) (\$5.00/SF)				
Direction Arrow = 15 SF Enter "Each" Quantity->	9	\$	8.00 Each	\$ 72.00
ND STRIPING SUBTOTAL (D)				\$ 3,232.00

LANDSCAPE			
Item	Quantity	Unit Cost	
Landscape softscape	1	\$	43,000.00 LSum
LANDSCAPE SUBTOTAL (D)			\$ 43,000.00

GRAND TOTAL		\$ 484,578.49
-------------	--	---------------

STREET IMPROVEMENT BOND AMOUNT CALCULATION			
TRAFFIC CONTROL PLAN? (Yes or No)	Yes	10% Traffic Control	\$ 48,457.85
		3% Erosion Control	\$ 15,991.09
		10% Soft Cost (fees)	\$ 53,303.63
		15% Gen. Cond. & Markup	\$ 87,951.00
		10% CONTINGENCY	\$ 62,098.73
			\$ 752,380.79
			\$ 752,400.00

Roundup to nearest hundred



1/19/17



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017

TO: Mayor and Council Members

FROM: Dan Meehan
Community Services Superintendent

ISSUE: 2017 Volunteer Connection Day and Document Shredding Pre-Event Report and Arbor Day Recognition

RECOMMENDATION: That the City Council receive and file the report and authorize the Mayor to sign the attached Arbor Day Proclamation as required by the Arbor Day Foundation for Tree City USA certification.

SUMMARY:

The 2017 Volunteer Connection Day event is scheduled for Saturday, April 15, 2017. Past projects have included multiple trail clean-ups, painting projects, a Green Expo, and, for 2016, a free document shredding event. Projects for 2017 include trail clean-ups and a tree planting ceremony in recognition of Arbor Day, as well as free document shredding and a garage clean-up event.

BACKGROUND:

The 2017 Volunteer Connection Day event is scheduled for Saturday, April 15, 2017, between the hours of 9:00 a.m. and 12:00 p.m. As the City Council may recall, for the 2016 event, fifty-one (51) volunteers were welcomed by Council Members, Commissioners, and staff before venturing off to assist in the clean-up of nearby trails and the planting of eleven (11) trees in recognition of Arbor Day. The 2016 event also included a free document shredding event. A total 158 participants dropped off 6,150 pounds of documents for shredding.

2017 Volunteer Connection Day and Document Shredding Pre-Event Report and Arbor Day Recognition
April 11, 2017
Page 2

Projects for the 2017 event include trail clean-ups and a tree planting ceremony in recognition of Arbor Day. Staff will send volunteers to the Aliso Creek trail, Juan Avila trail, and to Veeh Ranch Park for clean-up efforts. A total of fifteen pine trees will be planted at Knotty Pine Park. Staff is requesting that the Mayor sign the attached Proclamation which declares April 15, 2017, as "Arbor Day" in the City of Laguna Hills. The signed Proclamation will be returned to the Arbor Day Foundation as part of the City's application for Tree City USA Certification. The City of Laguna Hills has participated in the Tree City USA program since 2006.

Staff plans to once again offer free document shredding during the Volunteer Connection Day event between 8:00 a.m. and 12:00 p.m. Two trucks will be stationed in the Laguna Hills High School parking lot for the drop-off of documents. In addition, the City of Laguna Hills, CR&R Environmental Services, and Goodwill are collaborating on a "Garage Clean-Up" from 8:00 a.m. to 12:00 p.m. Laguna Hills residents are able to drop-off bulky items such as televisions, computers, tables, and appliances, as well as any items that they would like to donate. Prohibited items include chemicals, hazardous waste, trees, and cars/engines. The event will also be held in the Laguna Hills High School parking lot.

FISCAL IMPACT:

The Fiscal Year 2016/2017 Budget for Volunteer Connection Day is \$1,000. Event expenditures totaled \$415.90 for the 2016 Volunteer Connection Day.

ATTACHMENTS:

- Proclamation Arbor Day



CITY OF LAGUNA HILLS

PROCLAMATION

ARBOR DAY APRIL 15, 2017

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Melody Carruth, Mayor Pro Tempore, on behalf of the City Council of the City of Laguna Hills, California, do hereby proclaim April 15, 2017, as Arbor Day in the City of Laguna Hills.

Dated this 11th day of April 2017.

MELODY CARRUTH, MAYOR PRO TEMPORE



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Mayor and Council Members
FROM: Kenneth H. Rosenfield P.E.
Director of Public Services/City Engineer
ISSUE: Cooperative Agreement for General Traffic Signal Synchronization - Alicia Parkway

RECOMMENDATION: That the City Council approve the Cooperative Agreement for General Traffic Signal Synchronization with the State of California for Alicia Parkway and authorize the City Manager to execute the Agreement.

SUMMARY:

The Orange County Transportation Authority (OCTA) is sponsoring a multi-agency traffic signal synchronization project along Alicia Parkway which includes traffic signals in the City of Laguna Hills and those at the Interstate 5 (I-5) ramp intersections with Alicia Parkway. The State of California, through Caltrans, is supportive of these signal synchronization projects and will provide the necessary signal equipment, but is not able to fund the staffing for the timing upgrades for this local project at the I-5 southbound Alicia Parkway off-ramp as needed to fully effectuate the synchronization efforts. The small amount of funding for this state timing work is of benefit for the City to provide as it helps us to meet our project matching funds obligations and improves the operations of the traffic signal synchronization efforts for our residents and visitors. A Cooperative Agreement with the State of California is necessary to implement this funding effort.

BACKGROUND:

The Alicia Parkway Traffic Signal Synchronization Project seeks to improve the timing and through-put of traffic along this major arterial highway. The project, which spans

Cooperative Agreement for General Traffic Signal Synchronization

April 11, 2017

Page 2

multiple agencies, is being managed and primarily funded by OCTA. The project includes the I-5 ramp signals which are owned by the State of California. The state, through Caltrans, is supportive of these signal synchronization projects but neither OCTA nor the state is able to fund the staff time required to fully effectuate the synchronization efforts for this local project as it applies to the I-5 southbound Alicia Parkway off-ramp. The small amount of funding for the state timing upgrades is of benefit for the City as it helps meet our project matching funds obligations and improves the operations of the traffic signal synchronization efforts for our residents and visitors.

Attached is a Cooperative Agreement for General Traffic Signal Synchronization work along Alicia Parkway which provides for the City to fund the necessary state timing work to coordinate the signal at the I-5 southbound off-ramp. The Cooperative Agreement is set up for approval by the City Manager.

FISCAL IMPACT:

Funding for the Cooperative Agreement in the total amount of \$6,875.00 is available in the current year Capital Improvement Program Budget for CIP No. 168G.

ATTACHMENTS:

- Co-Op Alicia at I-5SB - Caltrans-Laguna Hills -

12-ORA-5-PM 17.47

EA: _____, ID: _____

District Agreement No. 12-_____

COOPERATIVE AGREEMENT (General Traffic Signal Synchronization)

THIS AGREEMENT, ENTERED INTO EFFECTIVE ON _____, 2017, is between the STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to herein as “STATE”, and the CITY OF LAGUNA HILLS, a body politic and a municipal corporation of the State of California, referred to herein as “CITY”, together, the “PARTIES.”

RECITALS

1. STATE and CITY, collectively referred to as PARTIES, pursuant to Streets and Highways Code Sections 114 and 130, are authorized to enter into a cooperative agreement for improvements to State Highways within CITY.
2. Measure M2 Regional Traffic Signal Synchronization Program (RTSSP) of Orange County targets over 2,000 signalized intersections across the County to maintain traffic signal synchronization, improve traffic flow, and reduce congestion across jurisdictions.
3. STATE and CITY desire to implement signal synchronization at one (1) intersection to enhance traffic flow and reduce congestions at those intersections between CITY streets and State Highway System (SHS).
4. STATE and CITY are committed to implementing multi-jurisdictional signal synchronization to enhance countywide traffic flow and reducing congestion in relation to the State Highway System (SHS).
5. CITY has received separate funding from Orange County Transportation Authority (OCTA) for Regional Traffic Signal Synchronization on Alicia Parkway Corridor.
6. CITY desires STATE to implement coordinated signal timing and other work elements as detailed in the attached SCOPE SUMMARY referred to herein as “IMPROVEMENTS” at the following locations identified in Exhibit A attached to and made a part of this Agreement by reference and referred to hereinafter as “INTERSECTIONS”:
 - a. Exhibit A, I-5 Southbound Off-Ramp / Alicia Parkway Traffic Signal
7. PARTIES agree that IMPROVEMENTS will cost a total of \$ 6,875.00:
 - a. \$ 6,875.00 for the I-5 Southbound Off-Ramp / Alicia Parkway Traffic Signal

12-ORA-5-PM 17.47

EA: _____, ID: _____

District Agreement No. 12-_____

STATE will install traffic signal timing components of the IMPROVEMENTS, as specified in Exhibit A. NOW, THEREFORE, in consideration of the foregoing recitals and the following terms, covenants and conditions, the PARTIES agree as follows:

SECTION A

STATE AGREES:

1. To perform the work elements in order to complete IMPROVEMENTS as specified in the SCOPE SUMMARY attached to and made a part of this Agreement.
2. To install traffic signal timing components of the IMPROVEMENT, as specified in the exhibit A.
3. To implement coordination of traffic signal timing (TIMING PLAN) for INTERSECTIONS in accordance with the Caltrans Traffic Operations Manual.
4. To review the draft TIMING PLAN prepared by CITY, and finalize it subject to revisions mutually agreed to between PARTIES.
5. To submit an invoice for a lump sum (single payment), which includes all indirect costs per Caltrans Indirect Cost Rate Proposal (ICRP), of \$ 6,875.00 to CITY for the IMPROVEMENT within 30 days of execution of this agreement.

SECTION B

CITY AGREES:

1. To fully fund IMPROVEMENTS not exceeding \$ 6,875.00.
2. To develop TIMING PLAN for INTERSECTIONS and submit it for STATE review and approval.
3. To work in good faith with STATE to revise and finalize TIMING PLAN.
4. To make written application to STATE for necessary encroachment permits authorizing entry of CITY onto SHS right of way to perform work for IMPROVEMENTS. CITY shall also require its consultants and contractors, if any, to make written application to STATE for necessary encroachment permits.
5. Prepare and review a final report of the IMPROVEMENTS with STATE, and assess the performance of the PARTIES in relation to the terms, covenants, and conditions of the Agreement.
6. Pay to STATE, within thirty (30) days of receipt of invoice, the amount of \$ 6,875.00.

12-ORA-5-PM 17.47

EA: _____, ID: _____

District Agreement No. 12-_____

SECTION C**IT IS MUTUALLY AGREED THAT:**

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the State Budget Act.
2. CITY's total obligation is set at \$ 6,875.00. If STATE anticipates that funding will be insufficient to complete IMPROVEMENTS, due to (i) mutually agreed material modifications, (ii) the failure by CITY to perform its obligations under this Agreement following written notice from the STATE to CITY, or (iii) unforeseen conditions that are discovered during the performance of IMPROVEMENTS, STATE will promptly notify CITY. STATE may be required to stop work on IMPROVEMENT until additional funding is secured and/or to restore the site of IMPROVEMENTS to a condition of safe operation, using any then unexpended funds, if additional funds are not made available for IMPROVEMENTS.
3. Neither STATE nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY or under this Agreement. It is understood and agreed that CITY will fully defend, indemnify, and save harmless STATE and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortuous, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under this Agreement.
4. Neither CITY nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by STATE and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon STATE or under this Agreement. It is understood and agreed that STATE will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortuous, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE and/or its agents under this Agreement.
5. This Agreement will terminate upon completion of IMPROVEMENT that all parties have met all scope, cost, and schedule commitments included in this agreement and have signed a cooperative agreement closure statement, which is a document signed by PARTIES that verifies the completion of all scope, cost, and schedule commitments. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, hazardous material, operation, maintenance, and ownership articles will remain in effect until terminated, expired by statute of limitation, or modified in writing by mutual agreement.

12-ORA-5-PM 17.47

EA: _____, ID: _____

District Agreement No. 12-_____

CONTACT INFORMATION

This information provided below indicates the primary contact information for the PARTIES to the Agreement. PARTIES will notify each other in writing of any personnel or location changes. Contact Information changes do not require an amendment to this Agreement.

The primary Agreement contact person for STATE is:

Fedrico Hormozi, Branch Chief Electrical Systems
 6681 Marine Way
 Irvine, CA 92618-1724
 Office Phone: 949-936-3464
 Email: Fedrico.Hormozi@dot.ca.gov

The primary Agreement contact person for CITY is:

Kenneth H. Rosenfield, Director of Public Services / City Engineer
 Public Services – Engineering
 City of Laguna Hills
 24035 El Toro Road
 Laguna Hills, CA 92653
 Office Phone: 949-707-2655, 949-707-2650
 Email: krosenfield@ci.laguna-hills.ca.us

12-ORA-5-PM 17.47

EA: _____, ID: _____

District Agreement No. 12-_____

SIGNATURES

The individuals signing below warrant that they are duly authorized by the PARTIES to execute this agreement on their behalf:

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

CITY OF LAGUNA HILLS

By: _____

James Pinheiro
Deputy District Director

Approved: _____

Bruce E. Channing
City Manager

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____

Attorney
Department of Transportation

Attest: _____

Melissa Au-Yeung
City Clerk

**CERTIFIED AS TO FINANCIAL TERMS
AND CONDITIONS:**

By: _____

Accounting Administrator

CERTIFIED AS TO FUNDS:

By: _____

Neda Saber
District Budget Manager

12-ORA-5-PM 17.47

EA: _____, ID: _____

District Agreement No. 12-_____

SCOPE SUMMARY

Work Element	State	City
Perform Preliminary Engineering		X
Encroachment Permit		X
Develop Coordination Traffic Signal Timing		X
Approve and Implement Coordination Signal Timing	X	
Monitor and Fine-Tune Traffic Signal Coordination Timing		X
Final Report		X

Exhibit A

Alicia Parkway Regional Traffic Signal Synchronization Project

Reimbursable Caltrans Cost Details

I-5 Southbound Off-Ramp / Alicia Parkway Traffic Signal

Description		Unit Cost (\$)	Intersection	TOTAL
			I-5 Southbound Off-Ramp / Alicia Parkway	
Local	2070L Controller Unit	\$ 1,516.96	N/A	\$0.00
	Model 6A/6B Communication Modem	\$ 367.54	N/A	\$0.00
	C2S Connector Cable	\$ 50.00	N/A	\$0.00
Field Master	2070L Controller Unit	\$ 1,516.96	N/A	\$0.00
	Model 6A Communication Modem	\$ 367.54	N/A	\$0.00
	C2S Connector Cable	\$ 50.00	N/A	\$0.00
	7G GPS Module	\$ 750.00	N/A	\$0.00
Caltrans Controller Installation Fee		\$ 4,375.00	\$4,375.00	\$4,375.00
Caltrans Signal Timing Fee		\$ 2,500.00	\$2,500.00	\$2,500.00
Sub-Total:			\$6,875.00	\$6,875.00



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Mayor and Council Members
FROM: Dan Meehan
Community Services Superintendent
ISSUE: Submission of an Aerial Waste Waiver to the San Diego Regional Water Quality Control Board

RECOMMENDATION: That the City Council: (1) Direct staff to submit an Aerial Waste Waiver to the San Diego Regional Water Quality Control Board for pollutant discharges from the City's Fourth of July Fireworks Display; and (2) Adopt a Categorical Exemption.

SUMMARY:

The City of Laguna Hills ("City") is located within the jurisdiction of the San Diego Regional Water Quality Control Board ("Regional Board") which is responsible for regulating activities that could impact water quality throughout the San Diego Region (which also includes portions of Riverside County and South Orange County). The Regional Board has determined that large aerial fireworks displays may require a permit because pollutants associated with fireworks can be damaging to water quality. The permit requirement was enacted as a result of the numerous private and public venues that held fireworks displays throughout the year on or adjacent to urban shorelines in the San Diego area. In 2014, the Regional Board adopted Order No. R9-2014-0041 establishing a waiver for fireworks displays that take place over land. The City must submit an Aerial Waste Waiver to the Regional Board in advance of the planned Fourth of July fireworks display and complete an environmental review of the event pursuant to the California Environmental Quality Act (CEQA).

Submission of an Aerial Waste Waiver to the San Diego Regional Water Quality Control Board

April 11, 2017

Page 2

After reviewing relevant available materials, staff has concluded that the City's Fourth of July Celebration and Fireworks Display is not subject to the requirements of CEQA and recommends that the City Council adopt a "Categorical Exemption."

BACKGROUND:

The City of Laguna Hills is located within the jurisdiction of the Regional Board, which regulates pollutant discharges into surface waters (rivers, streams, harbors, the ocean, etc.) associated with public fireworks displays within its service area. Examples of pollutants from fireworks displays include airborne particulates, chemicals, and debris (paper, cardboard, wires, fuses) that are scattered by each burst charge in a fireworks display and could be deposited into local surface waters. Because the City's Fourth of July fireworks display is located over land, it is eligible for an Aerial Waste Waiver from the Regional Board to host a public fireworks display. The City hosts one fireworks event per year lasting approximately 18 minutes on the Fourth of July and no other events involving fireworks are held within the City during the course of the year.

Pollutant discharges associated with the event will not be significant. Based on water quality data obtained in 2011, the Regional Board determined that it was unlikely that single fireworks events of a smaller size than SeaWorld's Fourth of July and Labor Day events would cause exceedances of applicable water quality criteria in the water column of receiving waters.¹ Staff notes that SeaWorld's special events pyrotechnic displays involve approximately 1,000 pounds of fireworks while the City's is approximately 750 pounds. In addition, in 2002 the South Coast Air Quality Management District (SCAQMD) monitored and evaluated air quality impacts caused by fireworks shows similar in size to the one planned for the City's Fourth of July Celebration and determined there was no exceedance of State Relative Exposure Levels (RELs). AB2588 Health Risk Assessment values submitted as part of the evaluation also indicated that the cancer exposure risk from the fireworks displays is 1.8 in one million maximum cancer risk.²

¹ SDRWQCB ORDER NO. R9-2011-0022/ NPDES NO. CAG999002: General National Pollutant Discharge Elimination System (NPDES) permit for residual firework pollutant waste discharges to waters of the United States in the San Diego Region from the public display of fireworks - Adopted May 11, 2011.

² White Paper on Status of Fireworks Displays and Fireworks Regulations in the South Coast Air Basin, South Coast Air Quality Management District, July 9, 2004.

Submission of an Aerial Waste Waiver to the San Diego Regional Water Quality Control Board
April 11, 2017
Page 3

CEQA FINDINGS:

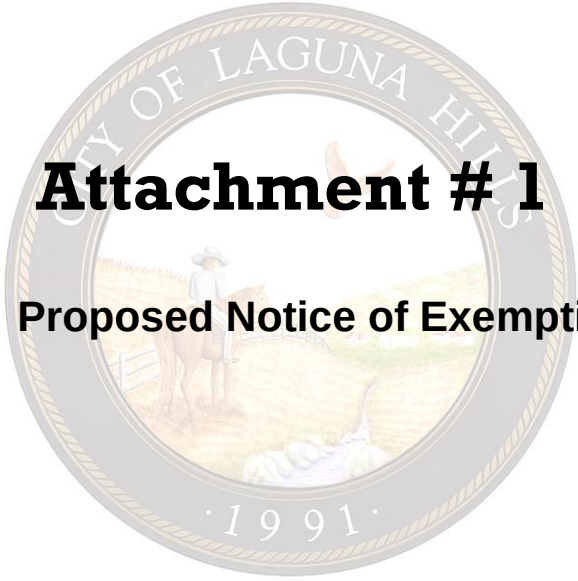
The Regional Board has determined, pursuant to Order No. R9-2011-0022 adopted May 11, 2011, that fireworks shows do not exceed relevant requirements for water quality subject to the discharge prohibitions and specifications, receiving waters limitations, and provisions incorporated into the referenced order. In addition, in 2002 the SCAQMD monitored and evaluated air quality impacts caused by fireworks shows similar in size to the one planned for the City's Fourth of July Celebration and determined there was no exceedance of State RELs. AB2588 Health Risk Assessment values submitted as part of the evaluation also indicated that the cancer exposure risk from the fireworks displays is 1.8 in one million maximum cancer risk. (*SCAQMD, July 9, 2004*). Therefore, the City's fireworks display associated with its Fourth of July Celebration will not have a significant effect on the environment. In addition, it has been determined that the City's Fourth of July fireworks display is categorically exempt from CEQA pursuant to Guideline Section No. 15304 (Class 4, Minor Alterations to Land). A Class 4 Categorical Exemption applies to minor and temporary uses of land having negligible or no permanent effects on the environment.

FISCAL IMPACT:

The application for the fireworks display permit and adoption of the proposed Categorical Exemption will not have a Fiscal Impact. The City Council has awarded a contract for the City's Fourth of July fireworks display which currently has an approved budget of \$26,500.

ATTACHMENTS:

- Attachment 1 - Proposed Notice of Exemption
- Attachment 2 - Application Form

The seal of the City of Laguna Hills is a circular emblem. It features a central illustration of a person riding a horse through a field, with a large tree in the background. The words "CITY OF LAGUNA HILLS" are inscribed around the top inner edge of the seal, and the year "1991" is at the bottom. The seal is rendered in a light, faded gray color.

Attachment # 1

- **Proposed Notice of Exemption** -

CITY OF LAGUNA HILLS NOTICE OF EXEMPTION

TO: Orange County Clerk Recorder
County of Orange
P. O. Box 238
Santa Ana, CA 92702

FROM: City of Laguna Hills
Planning Department
24035 El Toro Road
Laguna Hills, CA 92653

Project Title: City of Laguna Hills Fourth of July Celebration and Fireworks Display

Project Location: 25555 Alicia Pkwy

Project Location – City: Laguna Hills, CA Project Location – County: Orange

Project Approval Date: April 11, 2017

Description of nature, purpose, and beneficiaries of project: The City of Laguna Hills proposes to hold a Fourth of July Celebration, which includes a public fireworks display utilizing approximately 750 pounds of pyrotechnic material. The event will last several hours with the fireworks display lasting approximately 18 minutes.

Name of public agency approving project:
City of Laguna Hills

Name of person or Agency carrying out project:
City of Laguna Hills, 24035 El Toro Road, Laguna Hills, CA. 92653

Exempt Status: (Check One)

☐ Ministerial project. (Section I5073, State Guidelines)

☐ Not a project. (Section I507I(a) State Guidelines)

☐ Emergency project.(Section I507I(b) and (c) State Guidelines)

☒ X Categorical Exemption. Code Number: Section 15304, Class 4(e).

"Minor temporary use of land having negligible or no permanent effects on the environment."

Reason why project was exempt: The San Diego Regional Water Quality Control Board evaluated water quality impacts from individual fireworks displays and determined that it was unlikely pyrotechnic displays utilizing under 1,000 pounds of material would cause exceedances of applicable water quality criteria of receiving waters. Similarly, the South Coast Air Quality Management District determined that air quality impacts caused by displays similar in size to the one to be carried out by the City do not do not exceed State RELs or result in a significant increase in cancer risk from air contaminants.

Lead Agency Contact Person: David Chantarangsu Phone: 949-707-2675

Signature: _____ Title: Community Development Director

Date Submitted to County Clerk:

Attachment # 2

Application Form

INTRODUCTION

This application package constitutes a Report of Waste Discharge (ROWD) pursuant to California Water Code Section 13260. Section 13260 states that persons discharging or proposing to discharge waste that could affect the quality of the waters of the State, other than into a community sewer system, shall file a ROWD containing information which may be required by the appropriate Regional Water Quality Control Board (RWQCB).

This package is to be used to start the application process for all waste discharge requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permits* issued by a RWQCB except:

- a) Those landfill facilities that must use a joint Solid Waste Facility Permit Application Form, California Integrated Waste Management Board Form E-1-77; and
- b) General WDRs or general NPDES permits that use a Notice of Intent to comply or specify the use of an alternative application form designed for that permit.

This application package contains:

- 1. Application/General Information Form for WDRs and NPDES Permits [Form 200 (10/97)].
- 2. Application/General Information Instructions.

Instructions

Instructions are provided to assist you with completion of the application. If you are unable to find the answers to your questions or need assistance with the completion of the application package, please contact your RWQCB representative. *The RWQCBs strongly recommend that you make initial telephone or personal contact with RWQCB regulatory staff to discuss a proposed new discharge before submitting your application.* The RWQCB representative will be able to answer procedural and annual fee related questions that you may have. (See map and telephone numbers inside of application cover.)

All dischargers regulated under WDRs and NPDES permits must pay an annual fee, except dairies, which pay a filing fee only. The RWQCB will notify you of your annual fee based on an evaluation of your proposed discharge. Please do NOT submit a check for your first annual fee or filing fee until requested to do so by a RWQCB representative. Dischargers applying for reissuance (renewal) of an existing NPDES permit or update of an existing WDR will be billed through the annual fee billing system and are therefore requested NOT to submit a check with their application. Checks should be made payable to the State Water Resources Control Board.

Additional Information Requirements

A RWQCB representative will notify you within 30 days of receipt of the application form and any supplemental documents whether your application is complete. If your application is incomplete, the RWQCB representative will send you a detailed list of discharge specific information necessary to complete the application process. The completion date of your application is normally the date when all required information, including the correct fee, is received by the RWQCB.

*** NPDES PERMITS:** If you are applying for a permit to discharge to surface water, you will need an NPDES permit which is issued under both State and Federal law and may be required to complete one or more of the following Federal NPDES permit application forms: Short Form A, Standard Form A, Forms 1, 2B, 2C, 2D, 2E, and 2F. These forms may be obtained at a RWQCB office or can be ordered from the National Center for Environmental Publications and Information at (513) 891-6561.



State of California
Regional Water Quality Control Board
**APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT**



INSTRUCTIONS
**FOR COMPLETING THE APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR:
WASTE DISCHARGE REQUIREMENTS/NPDES PERMIT**

If you have any questions on the completion of any part of the application, please contact your RWQCB representative. A map of RWQCB locations, addresses, and telephone numbers is located on the reverse side of the application cover.

I. FACILITY INFORMATION

You must provide the factual information listed below for ALL owners, operators, and locations and, where appropriate, for ALL general partners and lease holders.

A. FACILITY:

Legal name, physical address including the county, person to contact, and phone number at the facility.
(NO P.O. Box numbers! If no address exists, use street and nearest cross street.)

B. FACILITY OWNER:

Legal owner, address, person to contact, and phone number. Also include the owner's Federal Tax Identification Number.

OWNER TYPE:

Check the appropriate Owner Type. The legal owner will be named in the WDRs/NPDES permit.

C. FACILITY OPERATOR (The agency or business, not the person):

If applicable, the name, address, person to contact, and telephone number for the facility operator. Check the appropriate Operator Type. If identical to B. above, enter "same as owner".

D. OWNER OF THE LAND:

Legal owner of the land(s) where the facility is located, address, person to contact, and phone number. Check the appropriate Owner Type. If identical to B. above, enter "same as owner".

E. ADDRESS WHERE LEGAL NOTICE MAY BE SERVED:

Address where legal notice may be served, person to contact, and phone number. If identical to B. above, enter "same as owner".

F. BILLING ADDRESS

Address where annual fee invoices should be sent, person to contact, and phone number. If identical to B. above, enter "same as owner".



**APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT**



II. TYPE OF DISCHARGE

Check the appropriate box to describe whether the waste will be discharged to: A. Land, or B. Surface Water.

Check the appropriate box(es) which best describe the activities at your facility.

Hazardous Waste - If you check the Hazardous Waste box, STOP and contact a representative of the RWQCB for further instructions.

Landfills - A separate form, APPLICATION FOR SOLID WASTE FACILITY PERMIT/WASTE DISCHARGE REQUIREMENTS, California Integrated Waste Management Board Form E-1-77, may be required. Contact a RWQCB representative to help determine the appropriate form for your discharge.

III. LOCATION OF THE FACILITY

1. Enter the Assessor's Parcel Number(s) (APN), which is located on the property tax bill. The number can also be obtained from the County Assessor's Office. Indicate the APN for both the facility and the discharge point.
2. Enter the Latitude of the entrance to the proposed/existing facility and of the discharge point. Latitude and longitude information can be obtained from a U.S. Geological Survey quadrangle topographic map. Other maps may also contain this information.
3. Enter the Longitude of the entrance to the proposed/existing facility and of the discharge point.

IV. REASON FOR FILING

NEW DISCHARGE OR FACILITY:

A discharge or facility that is proposed but does not now exist, or that does not yet have WDRs or an NPDES permit.

CHANGE IN DESIGN OR OPERATION:

A material change in design or operation from existing discharge requirements. Final determination of whether the reported change is material will be made by the RWQCB.

CHANGE IN QUANTITY/TYPE OF DISCHARGE:

A material change in characteristics of the waste from existing discharge requirements. Final determination of whether the reported change would have a significant effect will be made by the RWQCB.

CHANGE IN OWNERSHIP/OPERATOR:

Change of legal owner of the facility. Complete Parts I, III, and IV only and contact the RWQCB to determine if additional information is required.

WASTE DISCHARGE REQUIREMENTS UPDATE OR NPDES PERMIT REISSUANCE:

WDRs must be updated periodically to reflect changing technology standards and conditions. A new application is required to reissue an NPDES permit which has expired.

OTHER:

If there is a reason other than the ones listed, please describe the reason on the space provided. (If more space is needed, attach a separate sheet.)



**APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT**



V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

It should be emphasized that communication with the appropriate RWQCB staff is vital before starting the CEQA documentation, and is recommended before completing this application. There are Basin Plan issues which may complicate the CEQA effort, and RWQCB staff may be able to help in providing the needed information to complete the CEQA documentation.

Name the Lead Agency responsible for completion of CEQA requirements for the project, i.e., completion and certification of CEQA documentation.

Check YES or NO. Has a public agency determined that the proposed project is exempt from CEQA?

If the answer is YES, state the basis for the exemption and the name of the agency supplying the exemption on the space provided. (Remember that, if extra space is needed, use an extra sheet of paper, but be sure to indicate the attached sheet under Section VII. Other.)

Check YES or NO. Has the "Notice of Determination" been filed under CEQA? If YES, give the date the notice was filed and enclose a copy of the Notice of Determination and the Initial Study, Environmental Impact Report, or Negative Declaration. If NO, check the box of the expected type of CEQA document for this project, and include the expected date of completion using the timelines given under CEQA. The date of completion should be taken as the date that the Notice of Determination will be submitted. (If not known, write "Unknown")

VI. OTHER REQUIRED INFORMATION

To be approved, your application MUST include a COMPLETE characterization of the discharge. If the characterization is found to be incomplete, RWQCB staff will contact you and request that additional specific information be submitted.

This application MUST be accompanied by a site map. A USGS 7.5' Quadrangle map or a street map, if more appropriate, is sufficient for most applications.

VII. OTHER

If any of the answers on your application form need further explanation, attach a separate sheet. Please list any attachments with the titles and dates on the space provided.

VIII. CERTIFICATION

Certification by the owner of the facility or the operator of the facility, if the operator is different from the owner, is required. The appropriate person must sign the application form.

Acceptable signatures are:

1. **for a corporation**, a principal executive officer of at least the level of senior vice-president;
2. **for a partnership or individual (sole proprietorship)**, a general partner or the proprietor;
3. **for a governmental or public agency**, either a principal executive officer or ranking elected/appointed official.

DISCHARGE SPECIFIC INFORMATION

In most cases, a request to supply additional discharge specific information will be sent to you by a representative of the RWQCB. If the RWQCB determines that additional discharge specific information is not needed to process your application, you will be so notified.



**APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT**



I. FACILITY INFORMATION

A. Facility:

Name: Laguna Hills High School			
Address: 25401 Paseo de Valencia			
City: Laguna Hills	County: Orange	State: CA	Zip Code: 92653
Contact Person: Dan Meehan		Telephone Number: 949-707-2686	

B. Facility Owner:

Name: Saddleback Valley Unified School District			Owner Type (Check One) 1. ☐ Individual 2. ☐ Corporation	
Address: 25631 Peter Hartman Way			3. ☐ Governmental Agency 4. ☐ Partnership	
City: Mission Viejo	State: CA	Zip Code: 92691	5. ☒ Other: <u>School District</u>	
Contact Person: Jimmy Martin		Telephone Number: 949-770-5447	Federal Tax ID:	

C. Facility Operator (The agency or business, not the person):

Name: City of Laguna Hills			Operator Type (Check One) 1. ☐ Individual 2. ☐ Corporation	
Address: 24035 El Toro Rd.			3. ☒ Governmental Agency 4. ☐ Partnership	
City: Laguna Hills	State: CA.	Zip Code: 92653	5. ☐ Other: _____	
Contact Person: Dan Meehan		Telephone Number: 949-707-2686		

D. Owner of the Land:

Name: Saddleback Valley Unified School District			Owner Type (Check One) 1. ☐ Individual 2. ☐ Corporation	
Address: 25631 Peter Hartman Way			3. ☐ Governmental Agency 4. ☐ Partnership	
City: Mission Viejo	State: CA.	Zip Code: 92691	5. ☒ Other: <u>School District</u>	
Contact Person: Jimmy Martin		Telephone Number: (949) 770-5447x4134		

E. Address Where Legal Notice May Be Served:

Address: 24035 El Toro Rd.		
City: Laguna Hills	State: CA.	Zip Code: 92653
Contact Person: Dan Meehan		Telephone Number: 949-707-2686

F. Billing Address:

Address: 24035 El Toro Rd.		
City: Laguna Hills	State: CA.	Zip Code: 92653
Contact Person: Dan Meehan		Telephone Number: 949-707-2686



**APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT**



II. TYPE OF DISCHARGE

Check Type of Discharge(s) Described in this Application (A or B):

☒ **A. WASTE DISCHARGE TO LAND**

☐ **B. WASTE DISCHARGE TO SURFACE WATER**

Check all that apply:

- ☐ Domestic/Municipal Wastewater Treatment and Disposal
☐ Cooling Water
☐ Mining
☐ Waste Pile
☐ Wastewater Reclamation

- ☐ Animal Waste Solids
☐ Land Treatment Unit
☐ Dredge Material Disposal
☐ Surface Impoundment
☐ Industrial Process Wastewater

- ☐ Animal or Aquacultural Wastewater
☐ Biosolids/Residual
☐ Hazardous Waste (see instructions)
☐ Landfill (see instructions)
☐ Storm Water

☒ Other, please describe: RESIDUAL FIREWORK POLLUTANT WASTE DISCHARGES (PUBLIC DISPLAY)

III. LOCATION OF THE FACILITY

Describe the physical location of the facility.

1. Assessor's Parcel Number(s)

Facility: 625-021-07

Discharge Point: 625-021-07

2. Latitude

Facility: 33.59

Discharge Point: 33.59

3. Longitude

Facility: -117.70

Discharge Point: -117.70

IV. REASON FOR FILING

☐ New Discharge or Facility

☐ Changes in Ownership/Operator (see instructions)

☐ Change in Design or Operation

☐ Waste Discharge Requirements Update or NPDES Permit Reissuance

☐ Change in Quantity/Type of Discharge

☒ Other: Compliance with Board Order No. R9-2011-0022

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Name of Lead Agency: City of Laguna Hills

Has a public agency determined that the proposed project is exempt from CEQA?

☒ Yes

☐ No

If Yes, state the basis for the exemption and the name of the agency supplying the exemption on the line below.

Basis for Exemption/Agency: Less than 1,000 pounds of pyrotechnic material - one time event.

Has a "Notice of Determination" been filed under CEQA?

☐ Yes

☐ No

If Yes, enclose a copy of the CEQA document, Environmental Impact Report, or Negative Declaration. If no, identify the expected type of CEQA document and expected date of completion.

Expected CEQA Documents:

☐ EIR

☐ Negative Declaration

Expected CEQA Completion Date: April 11, 2017



**APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT**



VI. OTHER REQUIRED INFORMATION

Please provide a COMPLETE characterization of your discharge. A complete characterization includes, but is not limited to, design and actual flows, a list of constituents and the discharge concentration of each constituent, a list of other appropriate waste discharge characteristics, a description and schematic drawing of all treatment processes, a description of any Best Management Practices (BMPs) used, and a description of disposal methods.

Also include a site map showing the location of the facility and, if you are submitting this application for an NPDES permit, identify the surface water to which you propose to discharge. Please try to limit your maps to a scale of 1:24,000 (7.5' USGS Quadrangle) or a street map, if more appropriate.

VII. OTHER

Attach additional sheets to explain any responses which need clarification. List attachments with titles and dates below:

Attachment F of Board Order No. R9-2011-0022 adopted May 11, 2011.
Notice of Exemption

You will be notified by a representative of the RWQCB within 30 days of receipt of your application. The notice will state if your application is complete or if there is additional information you must submit to complete your Application/Report of Waste Discharge, pursuant to Division 7, Section 13260 of the California Water Code.

VIII. CERTIFICATION

"I certify under penalty of law that this document, including all attachments and supplemental information, were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Print Name: _____

Title: _____

Signature: _____

Date: _____

FOR OFFICE USE ONLY

Date Form 200 Received:	Letter to Discharger:	Fee Amount Received:	Check #:
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California Environmental Protection Agency

Bill of Rights for Environmental Permit Applicants

California Environmental Protection Agency (Cal/EPA) recognizes that many complex issues must be addressed when pursuing reforms of environmental permits and that significant challenges remain. We have initiated reforms and intend to continue the effort to make environmental permitting more efficient, less costly, and to ensure that those seeking permits receive timely responses from the boards and departments of the Cal/EPA. To further this goal, Cal/EPA endorses the following precepts that form the basis of a permit applicant's "Bill of Rights."

1. Permit applicants have the right to assistance in understanding regulatory and permit requirements. All Cal/EPA programs maintain an Ombudsman to work directly with applicants. Permit Assistance Centers located throughout California have permit specialists from all the State, regional, and local agencies to identify permit requirements and assist in permit processing.
2. Permit applicants have the right to know the projected fees for review of applications, how any costs will be determined and billed, and procedures for resolving any disputes over fee billings.
3. Permit applicants have the right of access to complete and clearly written guidance documents that explain the regulatory requirements. Agencies must publish a list of all information required in a permit application and of criteria used to determine whether the submitted information is adequate.
4. Permit applicants have the right of timely completeness determinations for their applications. In general, agencies notify the applicant within 30 days of any deficiencies or determine that the application is complete. California Environmental Quality Act (CEQA) and public hearing requests may require additional information.
5. Permit applicants have the right to know exactly how their applications are deficient and what further information is needed to make their applications complete. Pursuant to California Government code Section 65944, after an application is accepted as complete, an agency may not request any new or additional information that was not specified in the original application.
6. Permit applicants have the right of a timely decision on their permit application. The agencies are required to establish time limits for permit reviews.
7. Permit applicants have the right to appeal permit review time limits by statute or administratively that have been violated without good cause. For state environmental agencies, appeals are made directly to the Cal/EPA Secretary or to a specific board. For local environmental agencies, appeals are generally made to the local governing board or, under certain circumstances, to Cal/EPA. Through this appeal, applicants may obtain a set date for a decision on their permit and, in some cases, a refund of all application fees (ask boards and departments for details).
8. Permit applicants have the right to work with a single lead agency where multiple environmental approvals are needed. For multiple permits, all agency actions can be consolidated under a lead agency. For site remediation, all applicable laws can be administered through a single agency.
9. Permit applicants have the right to know who will be reviewing their application and the time required to complete the full review process.



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017

TO: Mayor and Council Members

FROM: David Chantarangsu
Community Development Director

ISSUE: Periodic Review of Development Agreement No. 12-11-2137 (Ordinance No. 2012-4) Between the City of Laguna Hills and Laguna Hills Investment Company: Oakbrook Village Shopping Center Mixed Use Project

RECOMMENDATION: That the City Council: (1) Receive and file a report demonstrating the property owner's good faith compliance with the terms and conditions of the Development Agreement; and (2) Find and determine that the Laguna Hills Investment Company has complied in good faith with the terms and conditions of the Development Agreement for the 12-month period of January 2016 to January 2017.

SUMMARY:

In 2012, the City entered into a Development Agreement with the property owner (Laguna Hills Investment Company – “Owner”¹) for the redevelopment of the Oakbrook Village Shopping Center. At its February 10, 2015 meeting, the City Council conducted the first reading of an Ordinance approving Amendment No. 1 to the Development Agreement. Likewise, at its March 8, 2016 meeting, the City Council conducted the first reading of an Ordinance approving Amendment No. 2 to the Development Agreement. The Development Agreement, together with Amendments No. 1 and No. 2, provides for a general renovation program for the shopping center, including the establishment of a mixed-use residential development

¹ On April 24, 2014 Laguna Hills Investment Company subsequently assigned an interest in the Development Agreement to Oakbrook Urban Village I, LLC, as described and as set forth in that certain Assignment of Development Agreement dated April 24, 2014, as recorded in the Official Records, Orange County, Clerk Recorder, on April 2, 2014, bearing document number 2014000157001.

Periodic Review of Development Agreement- Oakbrook Village

April 11, 2017

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within the property, along with significant property improvements. The project is more specifically described below.

The Development Agreement requires that the City Council annually review the Owner's good faith compliance with the terms of the Development Agreement. To support the City's determination, the Owner has provided a description of the activities it has undertaken to comply with the Agreement. These activities are described in **Attachment 1**.

Staff has reviewed the list of activities identified in the progress letter and agrees that the Owner has complied in good faith with the Agreement. Additionally, staff has met several times with the Laguna Hills Investment Company and has been in regular contact with them during the past year to ensure that the Owner continues to make progress in implementing the project.

AUTHORITY:

Section 9-84.060 (Periodic Review) of the Laguna Hills Municipal Code states the following:

"Each development agreement shall be reviewed annually by the City Council to determine compliance with provisions contained therein. A report of the findings of that review shall be made a part of the project record. Each developer or owner of land subject to a development agreement shall provide written data and report to the Community Development Director demonstrating compliance with the terms and conditions of the agreement."

Section 18 of the Development Agreement also provides for the City's periodic review, at least every 12 months, of the Owner's good faith compliance with the terms of the Development Agreement. At the time of each review, the property owner is to submit evidence to the City's Community Development Director demonstrating its good faith compliance with the terms and conditions of the Development Agreement. The City Council then determines whether or not the property owner has, for the period under review, complied in good faith with the terms and conditions of the Development Agreement.

BACKGROUND:

On November 13, 2012, the City Council and Planning Agency approved Site Development Permit/Master Sign Program/Conditional Use Permit/Parking Use Permit/Vesting Tentative Tract Map/Precise Plan/Development Agreement No. 12-11-2137 to redevelop Oakbrook Village Shopping Center located at 24231-24391 Avenida de la Carlota. The project consists of a two-phased, mixed-use redevelopment project of a portion of the Oakbrook Village Shopping Center. The redevelopment plan includes the development of up to 489 residential units (289 units in Phase One and up to 200 units in Phase Two). To accommodate the new construction, a total of 148,530 square feet of the existing commercial building area will be demolished under both phases. The existing retail buildings to remain at the Center will be remodeled to provide a cohesive look between the new and old portions of the Center. The project also directly implements the City's Urban Village Specific Plan (UVSP) in that it includes improvements such as a village green, several pedestrian paseos, parking lot paseos, a pedestrian trail, connectivity to the Laguna Hills Mall property, entry features, and landscaping that are all consistent with the UVSP.

On July 8, 2014, the City Council approved Operating Memorandum No. 1 to the Development Agreement to clarify certain matters pertaining to the Owner's provision of public art in conjunction with the project. Under operating Memorandum No. 1, the deadline for the installation of the public art was moved from the first residential Certificate of Occupancy to the last residential Certificate of Occupancy.

On February 10, 2015, the City Council approved an amendment to the Development Agreement (Amendment No. 1) extending the time periods the Owner had to commence façade renovations of the existing retail structures on the property, and complete the construction of certain pedestrian paseos/trails on the western and northern areas of the property. Extending the timeframes allowed the Owner to explore early lease termination agreements with certain tenants in order to potentially move up Phase 2 of the Project. Extending the time to complete construction of the pedestrian paseos and trail on the western and northern areas of the property will allow the Owner to better coordinate their design and development with the Five Lagunas Project.

On July 14, 2015, the City Council approved the First Amendment to the Operating Memorandum No. 1 to the Development Agreement, which modified Section 3.4 of the

Periodic Review of Development Agreement- Oakbrook Village

April 11, 2017

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Operating Memorandum to require that the public art for Phase 1, specified in the approved Final Public Art Plan, be furnished and installed by the Owner prior to October 31, 2016.

On March 8, 2016, the City Council approved a Second Amendment to the Development Agreement (Amendment No. 2) which provided additional time for the Owner to: (1) complete building façade improvements for Buildings A, P, Q, and C (Marshalls, Road Runner, and adjoining retail spaces); (2) complete construction of the north-south pedestrian paseo adjacent to Buildings A, P, and Q; (3) coordinate the construction of the hillside paseo connecting the north-south pedestrian paseo with the redevelopment of the Five Lagunas project; and (4) make improvements along the north property line adjacent to the Five Lagunas project to create a seamless transition between the two projects.

On August 23, 2016, the City Council approved the Second Amendment to Operating Memorandum No. 1 to the Development Agreement, which modified Section 3.4 again to extend the date by which the Owner was required to have furnished and installed the public art for Phase 1 to February 28, 2017.

Summary of Improvements in 2016

The Owner completed the Phase 1 façade renovations for Buildings A, P, Q, and C as required under the Second Amendment to the Development Agreement dated April 22, 2016. Construction of the first residential building containing 289 units was completed in November 2016, and the Certificate of Use and Occupancy was issued by the City on December 12, 2016. Similarly, the Village Green and the North-South Pedestrian Paseo were completed in November 2016.

At the time of this writing, the public art piece has yet to be completed. While a substantial amount of work associated with the piece has been completed, the Owner notified the City earlier this year that more time is required to complete fabrication and installation of the canopy structure. As such, on February 28, 2017, the City Council approved the Third Amendment to Operating Memorandum No. 1 to the Development Agreement. The Amendment extended the date by which the Owner is required to have furnished and installed the public art for Phase 1 to April 30, 2017.

Attachment 1 identifies a list of activities the Owner believes demonstrates its good faith compliance with the terms of the Development Agreement. The information submitted by the Owner in Attachment 1 provides the City Council with

Periodic Review of Development Agreement- Oakbrook Village

April 11, 2017

Page 5

sufficient information to determine that the Owner has complied with the terms and conditions of the Development Agreement for this review period.

ATTACHMENTS:

- January 28, 2017 Letter from the Fritz Duda Company



Real Estate Investment Builders • Developers

January 27, 2017

David Chantarangsu
Community Development Director
City of Laguna Hills
24035 El Toro Road
Laguna Hills, California 92653

Re: Development Agreement for the Oakbrook Village Shopping Center Mixed-Use Project
dated December 28, 2012 ("Development Agreement")

Dear David:

Pursuant to Section 18.2 of the Development Agreement, Laguna Hills Investment Company hereby submits the following summary (attached hereto) of our development activities during the calendar year, 2016, constituting good faith compliance with the terms of the Development Agreement, First Amendment to the Development Agreement and Second Amendment to the Development Agreement.

Please let me know if you have any questions or need any further information.

Sincerely,

Paul C. Bernard
Vice President, Western Region

Cc: Fritz L. Duda, President, Laguna Hills Investment Company
Bruce Channing, City Manager
Donald J. White, Assistant City Manager
Drew Keith, CFO, Vice President, Fritz Duda Company
Gregory E Simonian, City Attorney
Rob Winkel
Julie Molloy, Senior Planner

City of Laguna Hills ("City") and Laguna Hills Investment Company ("Owner")

January 27, 2017 (for full calendar year, 2016)

Phase 1 and Phase 1 Public Improvements

Description of Scope per Paragraphs 1.23

and 1.25 of Development Agreement

Paragraph 1.23 (Phase 1)

Description of Compliance Activity

- (i) Demolition of 82,730sf of existing retail space
- (ii) Construction of Deferred Retail Pads plus 9,000sf

Completed in July, 2014.

Planning deferred subject to market conditions and completion of Phase I multifamily. Pursuant to Section 5.4.2 of the Development Agreement and Recital J of the Second Amendment to the Development Agreement dated April 22, 2016, Owner may submit an application for Subsequent Development Approvals for the development of two new retail structures depicted as Buildings "A1" and "A2" on Exhibit E of the Second Amendment. Owner anticipates submitting for Approvals in the first quarter of 2017 for these buildings.

- (iii) Renovation of all retail building facades except D&E

Building B exterior façade remodel completed July, 2014. Building H (Trader Joe's) exterior façade remodel completed on December 21, 2015. Buildings A, C, P and Q façade remodel completed in November 2016 as required under the Second Amendment to the Development Agreement dated April 22, 2016.

- (iv) Construction of 289 multi-family residential units

Completed November 2016. CofO granted by the city of Laguna Hills on December 12, 2016

- (v) Construction of Phase 1 Public Improvements

(See below).

Paragraph 1.25 (Phase 1 Public Improvements)

Description of Compliance Activity

- (i) Construction of 17,000sf Village Green
- (ii) Construction of east-west pedestrian paseo

Completed November 2016

Completed December 21, 2015

- (iii) Construction of north-south pedestrian paseo
- (iv) Construction of hillside pedestrian paseo
- (v) Construction of a north P/L pedestrian trail
- (vi) Construction of two parking lot paseos
- (vii) Construction of bldg. pedestrian connections
- (viii) Installation of traffic signal on Carlota
- (ix) Dedication of public ROW for Carlota
- (x) Construction of various storm drain items
- (xi) Installation of debris grates at catch basins
- (xii) Realignment of OBV driveway by Lone Star
- (xiii) Construction of ADA curb ramps along Carlota
- (xiv) Construction of misc. public improvements
required per Existing Land Use Regulations
and conditions of approval to the Existing
Development Approvals

Completed in November of 2016 along with the completion of the required improvements for Building A, C, P and Q under the 2nd Amendment to the Development Agreement.

Deferred under Amendment #2 to the Development Agreement.

Pursuant to Amendment #2 to the Development Agreement the “east-west paseo” has been removed for the benefit of a joint landscape enhancement plan between LHIC and Mail ownership. The new “east-west paseo” will be required at the times (independently) that Buildings A-1, A-2 and B-1, B-2 are built.

Complete December 21, 2015.

Completed . Contained in Phase 1 multi-family and retail redevelopment

Completed.

Completed.

Completed.

Completed.

Completed.

Completed.

Completed.



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017
TO: Chair and Agency Members
FROM: Cindy Sands
Admin. Assistant to City Manager
ISSUE: Approval of Minutes for March 14, 2017, Regular Meeting

RECOMMENDATION: That the Planning Agency approve the Minutes of the March 14, 2017, Regular Meeting.

ATTACHMENTS:

- PA Minutes 031417

3.4 Progress Payment No. 1 for Cabot Road Bioswale Project, CIP No. 410-A

Recommendation: That the City Council approve Progress Payment No. 1, in the net amount of \$66,799.25, to Wright Construction Engineering Corporation for the Cabot Road Bioswale Project, CIP No. 410-A.

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items removed from the Consent Calendar.

4. PLANNING AGENCY

Mayor Sedgwick recessed the City Council meeting and acting in the capacity of Chair, called the Regular Meeting of the Planning Agency of the City of Laguna Hills, California, to order at 7:26 p.m.

4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Don Sedgwick	Chair	Present	
Melody Carruth	Vice Chair	Present	
Dore J. Gilbert, M.D.	Agency Member	Present	
Janine Heft	Agency Member	Present	
Barbara D. Kogerman	Agency Member	Present	

4.2 PUBLIC COMMENTS

There were no Public Comments.

4.3 APPROVAL OF MINUTES FOR FEBRUARY 28, 2017, REGULAR MEETING**4.3.1 Approval of Minutes for February 28, 2017, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes of the February 28, 2017, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Agency Member
SECONDER:	Melody Carruth, Vice Chair
AYES:	Don Sedgwick, Chair; Melody Carruth, Vice Chair; Dore J. Gilbert, M.D., Agency Member; Janine Heft, Agency Member; Barbara D. Kogerman, Agency Member

4.4 ADMINISTRATIVE REPORTS

There were no Administrative Reports.

4.5 PLANNING AGENCY PUBLIC HEARINGS

There were no Planning Agency Public Hearings.

PLANNING AGENCY ADJOURNMENT

Mayor Sedgwick reconvened the City Council meeting at 7:27 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

5.1 Approval of GPA/ZTA-10-16-3672 General Plan Amendment and Zone Text Amendment to Amend the Hospitality Overlay Zone Floor Area Ratio (FAR) from a Maximum of 1.0 to a Maximum of 1.1

Recommendation: That the City Council continue this matter to a date certain of April 11, 2017.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Melody Carruth, Mayor Pro Tempore
SECONDER:	Janine Heft, Council Member
AYES:	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, Council Member

5.2 Zoning Text Amendment No. 2-17-3793, an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, to Permit the Limited Personal Cultivation of Marijuana Inside a Person's Private Residence, Inside an Accessory Structure to a Person's Private Residence, or Outdoors Upon the Grounds of a Person's Private Residence in Accordance with State Law

Senior Planner Wuu briefly reviewed the information provided in the Staff Report, provided a PowerPoint presentation, and responded to Council requests for additional information. City Attorney Simonian, Council Members, and staff engaged in a detailed question and answer session regarding this item.



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017

TO: Mayor and Council Members

FROM: David Chantarangsu
Community Development Director

ISSUE: Zoning Text Amendment No. 2-17-3793 - an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, to Permit the Limited Personal Cultivation of Marijuana Inside a Person's Private Residence and Inside an Accessory Structure to a Person's Private Residence in Accordance with Proposition 64.

RECOMMENDATION: That the City Council: (1) Reopen and Conduct the Public Hearing; and (2) Introduce for First Reading, read by title only, and waive further reading of an Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, adopting Zoning Text Amendment No. 2-17-3793 amending Chapters 9-103 (Marijuana Businesses) and 9-04 (Definitions) of Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to permit the limited personal cultivation of marijuana inside a person's private residence and inside an accessory structure to a person's private residence in accordance with state law."

SUMMARY:

On March 14, 2017, the City Council conducted a Public Hearing and introduced for First Reading a proposed Ordinance amending the Laguna Hills Municipal Code (LHMC) to permit the limited personal cultivation of marijuana in accordance with Proposition 64. As initially drafted, the proposed Ordinance would have permitted the limited personal cultivation by persons twenty-one (21) years of age or older of not more than six (6) marijuana plants: (1) inside a person's private residence; (2) inside an accessory structure to a person's private residence; and (3) outdoors upon the grounds of a person's private residence (e.g., in an outdoor garden area).

Zoning Text Amendment No. 2-17-3793 - Personal Cultivation of Marijuana

April 11, 2017

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Following the Public Hearing, the City Council discussed and deliberated on the two alternatives presented in the March 14, 2017, Staff Report: (1) modifying the proposed Ordinance to completely prohibit the limited personal cultivation of marijuana outdoors upon the grounds of a person's private residence (e.g., in an outdoor garden area); and (2) enacting a regulatory scheme and permit program for the limited personal cultivation of marijuana within and at a person's private residence. The City Council voted to continue this item to its April 11, 2017 Regular Meeting, directing the City Attorney to revise the proposed Ordinance to effectuate the first alternative – to completely prohibit personal cultivation of marijuana outdoors upon the grounds of a person's private residence, and postponed any decision on pursuing a regulatory scheme and permit program under the second alternative at this time.

The proposed Ordinance, as revised, would amend the LHMC to permit the limited personal cultivation of marijuana: (1) inside a person's private residence; and (2) inside an accessory structure to a person's private residence as required by Proposition 64, and to expressly prohibit outdoor cultivation of marijuana, as authorized by Proposition 64 (Health & Safety Code section 11362.2 (b)(3)), while reaffirming that marijuana dispensaries, marijuana businesses, and all other marijuana-related uses are prohibited uses in all zoning districts within the City.

City staff will continue to monitor the issue of enacting a regulatory scheme and permit program for the limited personal cultivation of marijuana, as well as any legal developments or challenges pertaining to such regulations, including any future guidance that may be issued by the state pertaining to this subject.

Attachment 1 contains the language of the proposed revised Ordinance while Attachment 2 depicts the proposed Code Amendments in redline format. Attachment 3 contains the Staff Report and attachments from the March 14, 2017, City Council meeting and Public Hearing.

BACKGROUND:

Last November, California voters approved Proposition 64, which legalized the recreational (non-medical) use of marijuana for persons twenty-one (21) years of age or older and authorized the limited personal cultivation by such persons of not more than six (6) marijuana plants: (1) inside a private residence; (2) inside an accessory structure to a person's private residence; or (3) outdoors upon the grounds of a person's private residence (e.g., in an outdoor garden area), subject to the following limitations: (a) not more than six living plants may be planted, cultivated, harvested, dried, or processed

Zoning Text Amendment No. 2-17-3793 - Personal Cultivation of Marijuana

April 11, 2017

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within a person's single private residence, inside an accessory structure to a person's private residence that is fully enclosed and secure, or outdoors upon the grounds of a person's private residence, at one time; and (b) the living plants and any marijuana produced by the plants in excess of 28.5 grams shall be in a locked space and shall not be visible by normal unaided vision from a public place.

As a result of the provisions contained in Proposition 64 that now permit personal cultivation of marijuana plants, a proposed Ordinance was considered by the City Council at the March 14, 2017 meeting, to exempt the limited personal cultivation of marijuana from the current City-wide ban on marijuana-related uses. Included in staff's report were the identification of additional measures allowed by Proposition 64 that authorize local agencies to completely prohibit outdoor cultivation, as well as to implement a regulatory scheme and a permit and inspection program in order to inspect properties for compliance with such locally enacted marijuana cultivation regulations. These alternatives were not recommended by staff for several reasons including the lack of adequate staffing resources to implement regulatory permitting, inspection, and enforcement processes.

The City Council discussed the potential for neighborhood impacts, enforcement methods, and costs of regulation and permitting. Subsequently, the Council voted to direct the City Attorney to revise the proposed Ordinance to completely prohibit outdoor cultivation, which modifications are reflected in the attached revised Ordinance. Furthermore, the Council voted to postpone any decision on pursuing a regulatory scheme and permit program under the second alternative at this time.

CEQA FINDINGS:

Environmental review is not required under the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Chapter 3, Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly. The proposed Zoning Code Text Amendment modifies several terms within the City's Zoning Code to conform to Proposition 64 while maintaining the existing ban on all marijuana-related uses to the extent permitted by law.

ALTERNATIVES:

In directing the City Attorney to prepare a revised Ordinance that completely prohibits outdoor cultivation, the City Council postponed any decision on pursuing a regulatory scheme and permit program under the second alternative at this time. The Council still retains the option to enact and enforce regulations to reasonably regulate the personal cultivation of marijuana inside a person's private residence and inside an accessory structure to a person's private residence at a later date; however, state law does not provide any guidance to cities on how to draft such a regulatory program. Consequently, depending on the degree of local regulations, such regulatory programs may be preempted by state law and may be subject to future legal challenge as violating Proposition 64.

FISCAL IMPACT:

There is no Fiscal Impact to the City resulting from the adoption of an Ordinance amending Title 9 of the LHMC to permit the limited personal cultivation of marijuana: (1) inside a person's private residence; and (2) inside an accessory structure to a person's private residence, in accordance with the requirements of Proposition 64.

ATTACHMENTS:

- Attachment 1 - Proposed Ordinance
- Attachment 2 - Proposed Ordinance (Redlined Version)
- Attachment 3 - March 14 Agenda Materials

The seal of the City of Laguna Hills is a circular emblem. It features a central illustration of a horse and rider in a field, with a sun rising over hills in the background. The words "CITY OF LAGUNA HILLS" are inscribed around the top inner edge of the seal, and the year "1991" is at the bottom. The seal is rendered in a light, faded gray color.

Attachment 1

Proposed Draft Ordinance

ORDINANCE NO. 2017 -

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. __-__-__ AMENDING CHAPTERS 9-103 (MARIJUANA BUSINESSES) AND 9-04 (DEFINITIONS) OF TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE TO PERMIT THE LIMITED PERSONAL CULTIVATION OF MARIJUANA INSIDE A PERSON'S PRIVATE RESIDENCE AND INSIDE AN ACCESSORY STRUCTURE TO A PERSON'S PRIVATE RESIDENCE IN ACCORDANCE WITH STATE LAW

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code (LHMC) establishes allowable uses of property within all zoning districts in the City; and

WHEREAS, On December 10, 2013, the City Council of the City of Laguna Hills adopted Ordinance No. 2013-2, which amended Title 9 of the LHMC to prohibit medical marijuana dispensaries in all zoning districts within the City; and

WHEREAS, Effective January 1, 2016, the Medical Marijuana Regulation and Safety Act (MMRSA) established a comprehensive regulatory and licensing framework for the operation of marijuana businesses within the State of California. The MMRSA confirmed the authority of cities to control uses of land within their respective jurisdictions and specifically, to regulate or prohibit marijuana businesses; and

WHEREAS, On September 13, 2016, the City Council of the City of Laguna Hills adopted Ordinance No. 2016-4, which amended Title 9 of the LHMC (Zoning and Subdivisions) in accordance with the MMRSA to update clarify, and provide more specificity to the City's ban on marijuana businesses in all zoning districts within the City; and

WHEREAS, On November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act, which legalized the recreational (non-medical) use of marijuana in California for persons twenty one (21) years of age or older and authorized the limited personal cultivation by such persons of not more than six (6) marijuana plants inside a person's private residence and inside an accessory structure to a person's private residence; and

WHEREAS, Proposition 64 authorizes the City to completely prohibit the cultivation of marijuana outdoors upon the grounds of a person's private residence, up

to and until a determination by the California Attorney General that nonmedical use of marijuana is lawful in the State of California under federal law; and

WHEREAS, This Ordinance updates Title 9 of the LHMC to exempt limited personal cultivation of marijuana inside a person's private residence and inside an accessory structure to a person's private residence from the City's existing ban on marijuana businesses and of all marijuana-related uses in all zoning districts as required by Proposition 64, and to expressly prohibit the cultivation of marijuana outdoors upon the grounds of a person's private residence as authorized by Proposition 64 (Health & Safety Code section 11362.2 (b)(3)); and

WHEREAS, This Ordinance is a City-initiated zoning text amendment subject to Chapter 9-90 of the LHMC; and

WHEREAS, The City Council of the City of Laguna Hills has held a duly noticed public hearing and considered public comments and written and oral information and testimony presented by City staff, community residents, and other interested parties at a public hearing held on [REDACTED], 2017.

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA,
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The City Council of the City of Laguna Hills hereby finds and determines that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Chapter 3, Sections 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-103 (Marijuana Businesses), Section 9-103.020 (Definitions), is hereby amended by revising the definitions for "Marijuana", "Marijuana business", "Marijuana cultivation site" and "Marijuana dispensary" and by adding definitions for "Personal cultivation of marijuana" and "Private residence" to read as follows:

9-103.020 Definitions.

"Marijuana" shall have the same meaning as is defined by Health & Safety Code section 11018 and the term "cannabis" as that term is defined by California Business & Professions Code section 19300.5(f). If the definition under State law is amended, the City's definition shall be as amended. "Marijuana" shall also mean any "cannabinoid" as defined by Business & Professions Code section 19300.5(e), "cannabis concentrate" as defined by Business & Professions Code section 19300.5(g), "edible cannabis product" as defined by Business & Professions Code section 19300.5(s), "manufactured

cannabis" as defined by Business & Professions Code section 19300.5(ac), "medical cannabis" as defined by Business & Professions Code section 19300.5(af), and "topical cannabis" as defined by Business & Professions Code section 19300.5(al), as those sections exist as of January 1, 2016 or as amended thereafter.

"Marijuana business" shall mean any activity, whether or not carried out for commercial gain, which involves cultivation, possession, manufacture, processing, storage, laboratory testing, labeling, transportation, distribution, or sale of marijuana or any marijuana-infused products. This definition shall include any of the foregoing activities conducted by or on behalf of a qualified patient or the primary caregiver of a qualified patient. All references in this chapter to "marijuana business" shall be synonymous with "marijuana dispensary," "mobile marijuana dispensary," and "marijuana cultivation site," which are defined in this section. The term "marijuana business" shall not include "personal cultivation of marijuana," as defined in this section.

"Marijuana cultivation site" shall mean any location, whether indoor or outdoor, where marijuana is planted, grown, harvested, dried, cured, graded, or trimmed, or upon which all or any combination of those activities occurs. The term "marijuana cultivation site" shall not include "personal cultivation of marijuana," as defined in this section.

"Marijuana dispensary" shall mean any dispensary, facility, cooperative, club, individual, business, group, collective, establishment or other association with a storefront or mobile retail outlet where marijuana, in any form, whether for medical, recreational, or any other purpose, is transferred to any person, firm, corporation, association, club, society, or other organization, regardless of whether that activity is undertaken on a for-profit or non-profit basis, or any combination thereof, and regardless of whether the activity is for compensation or is gratuitous.

"Personal cultivation of marijuana" shall mean the possession, planting, cultivation, harvesting, drying, or processing of not more than six (6) living marijuana plants and possession of the marijuana produced by the plants by persons twenty one (21) years of age or older inside a person's private residence or inside an accessory structure to a person's private residence located upon the grounds of a person's private residence that is fully enclosed and secure as authorized by Health and Safety Code Sections 11362.1 and 11362.2, as may be amended, and subject to the following limitations: (a) not more than six (6) living plants may be planted, cultivated, harvested, dried, or processed within a person's single private residence or inside an accessory structure to a person's private residence that is fully enclosed and secure, at one time; and (b) the living plants and any marijuana produced by the plants in excess of 28.5 grams shall be in a locked space, and shall not be visible by normal unaided vision from a public place. The term "personal cultivation of marijuana" shall not include the planting, cultivation, harvesting, drying, or processing of marijuana plants outdoors upon the grounds of a person's private residence.

"Private residence" shall have the same meaning as is defined by Health & Safety Code section 11362.2(b)(5) (i.e., a house, an apartment unit, a mobile home, or similar dwelling), as may be amended.

SECTION 4. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-103 (Marijuana Businesses), Section 9-103.030 (Marijuana businesses prohibited), is hereby amended by adding new Subsection F to read as follows:

F. The planting, cultivation, harvesting, drying, or processing of marijuana plants outdoors upon the grounds of a person's private residence is prohibited in every zoning district in the city.

SECTION 5. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-04 (Definitions), Section 9-04.130 ("M" Definitions), is hereby amended by revising the definition for "Marijuana business" to read as follows:

"Marijuana business" means any activity, whether or not carried out for commercial gain, which involves cultivation, possession, manufacture, processing, storage, laboratory testing, labeling, transportation, distribution, or sale of marijuana or any marijuana-infused products. This definition shall include any of the foregoing activities conducted by or on behalf of a qualified patient or the primary caregiver of a qualified patient. All references in this section to "marijuana business" shall be synonymous with "marijuana dispensary," "mobile marijuana dispensary," and "marijuana cultivation site," which are defined in Chapter 9-103. The term "marijuana business" shall not include "personal cultivation of marijuana," as defined in Chapter 9-103.

SECTION 6. This Ordinance shall take effect on _____, 2017, the 31st day following the adoption of this Ordinance by the City Council.

SECTION 7. Upon the effective date of this Ordinance, the provisions hereof shall supersede any inconsistent or conflicting provisions of the Laguna Hills Municipal Code.

SECTION 8. If any section, subsection, subdivision, sentence, clause, phrase, or portion 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 this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 9. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2017.

DON SEDGWICK, MAYOR

ATTEST:

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO HEREBY CERTIFY that the foregoing Ordinance No. _____ was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the _____ day of _____ 2017, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council held on the _____ day of _____ 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

MELISSA AU-YEUNG, CITY CLERK

Laguna Hills, California

STATE OF CALIFORNIA)
 COUNTY OF ORANGE) ss
 CITY OF LAGUNA HILLS)

AFFIDAVIT OF POSTING
 AND PUBLICATION

MELISSA AU-YEUNG, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of Laguna Hills;

That in compliance with State Laws of the State of California, ORDINANCE NO. _____, being:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. ____-____-____ AMENDING CHAPTERS 9-103 (MARIJUANA BUSINESSES) AND 9-04 (DEFINITIONS) OF TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE TO PERMIT THE LIMITED PERSONAL CULTIVATION OF MARIJUANA INSIDE A PERSON'S PRIVATE RESIDENCE AND INSIDE AN ACCESSORY STRUCTURE TO A PERSON'S PRIVATE RESIDENCE IN ACCORDANCE WITH STATE LAW

on the _____ day of _____ 2017, was published in the Saddleback Valley News; and was, in compliance with City Resolution No. 2004-05-25-2, on the _____ day of _____ 2017, caused to be posted in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall
 Laguna Hills Community Center
 La Paz Center

Ordinance No. 2017-x

MELISSA AU-YEUNG, CITY CLERK
Laguna Hills, California

Attachment: Attachment 1 - Proposed Ordinance (1260 : Zoning Text Amendment No. 2-17-3793 - Personal Cultivation of Marijuana)

The seal of the City of Laguna Hills is a circular emblem. It features a central illustration of a person in a white robe, possibly a religious figure, holding a staff. The text "CITY OF LAGUNA HILLS" is arched across the top, and "1991" is at the bottom.

Attachment 2 Proposed Draft Ordinance (Redlined Version)

ORDINANCE NO. 2017 -

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. __-__-__ AMENDING CHAPTERS 9-103 (MARIJUANA BUSINESSES) AND 9-04 (DEFINITIONS) OF TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE TO PERMIT THE LIMITED PERSONAL CULTIVATION OF MARIJUANA INSIDE A PERSON'S PRIVATE RESIDENCE AND INSIDE AN ACCESSORY STRUCTURE TO A PERSON'S PRIVATE RESIDENCE IN ACCORDANCE WITH STATE LAW

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code (LHMC) establishes allowable uses of property within all zoning districts in the City; and

WHEREAS, On December 10, 2013, the City Council of the City of Laguna Hills adopted Ordinance No. 2013-2, which amended Title 9 of the LHMC to prohibit medical marijuana dispensaries in all zoning districts within the City; and

WHEREAS, Effective January 1, 2016, the Medical Marijuana Regulation and Safety Act (MMRSA) established a comprehensive regulatory and licensing framework for the operation of marijuana businesses within the State of California. The MMRSA confirmed the authority of cities to control uses of land within their respective jurisdictions and specifically, to regulate or prohibit marijuana businesses; and

WHEREAS, On September 13, 2016, the City Council of the City of Laguna Hills adopted Ordinance No. 2016-4, which amended Title 9 of the LHMC (Zoning and Subdivisions) in accordance with the MMRSA to update clarify, and provide more specificity to the City's ban on marijuana businesses in all zoning districts within the City; and

WHEREAS, On November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act, which legalized the recreational (non-medical) use of marijuana in California for persons twenty one (21) years of age or older and authorized the limited personal cultivation by such persons of not more than six (6) marijuana plants inside a person's private residence and inside an accessory structure to a person's private residence; and

WHEREAS, Proposition 64 authorizes the City to completely prohibit the cultivation of marijuana outdoors upon the grounds of a person's private residence, up

to and until a determination by the California Attorney General that nonmedical use of marijuana is lawful in the State of California under federal law; and

WHEREAS, This Ordinance updates Title 9 of the LHMC to exempt limited personal cultivation of marijuana inside a person's private residence and inside an accessory structure to a person's private residence from the City's existing ban on marijuana businesses and of all marijuana-related uses in all zoning districts as required by Proposition 64, and to expressly prohibit the cultivation of marijuana outdoors upon the grounds of a person's private residence as authorized by Proposition 64 (Health & Safety Code section 11362.2 (b)(3)); and

WHEREAS, This Ordinance is a City-initiated zoning text amendment subject to Chapter 9-90 of the LHMC; and

WHEREAS, The City Council of the City of Laguna Hills has held a duly noticed public hearing and considered public comments and written and oral information and testimony presented by City staff, community residents, and other interested parties at a public hearing held on [REDACTED], 2017.

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA,
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The City Council of the City of Laguna Hills hereby finds and determines that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Chapter 3, Sections 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-103 (Marijuana Businesses), Section 9-103.020 (Definitions), is hereby amended by revising the definitions for "Marijuana", "Marijuana business", "Marijuana cultivation site" and "Marijuana dispensary" and by adding definitions for "Personal cultivation of marijuana" and "Private residence" to read as follows (additions shown in ***bold/italics***, deletions shown in ~~strikethrough~~):

9-103.020 Definitions.

"Marijuana" shall have the same meaning as ***is defined by Health & Safety Code section 11018 and*** the term "cannabis" as that term is defined by California Business & Professions Code section 19300.5(f) ~~[effective January 1, 2016]~~. If the definition under State law is amended, the City's definition shall be as amended. "Marijuana" shall also mean any "cannab***in***oid" as defined by Business & Professions Code section 19300.5(e), "cannabis concentrate" as defined by Business & Professions Code section

19300.5(g), “edible cannabis product” as defined by Business & Professions Code section 19300.5(s), “manufactured cannabis” as defined by Business & Professions Code section 19300.5(ac), “medical cannabis” as defined by Business & Professions Code section 19300.5(af), and “topical cannabis” as defined by Business & Professions Code section 19300.5(al), as those sections exist as of January 1, 2016 or as amended thereafter.

“Marijuana business” shall mean any activity, whether or not carried out for commercial gain, which involves cultivation, possession, manufacture, processing, storage, laboratory testing, labeling, transportation, distribution, or sale of marijuana or any marijuana-infused products. This definition shall include any of the foregoing activities conducted by or on behalf of a qualified patient or the primary caregiver of a qualified patient. All references in this chapter to “marijuana business,” ~~“marijuana-related business,” or “marijuana dispensary”~~ shall be synonymous with “medical marijuana dispensary,” “mobile marijuana dispensary,” and “marijuana cultivation site,” which are defined in this section. ***The term “marijuana business” shall not include “personal cultivation of marijuana,” as defined in this section.***

“Marijuana cultivation site” shall mean any location, whether indoor or outdoor, where marijuana is planted, grown, harvested, dried, cured, graded, or trimmed, or upon which all or any combination of those activities occurs. ***The term “marijuana cultivation site” shall not include “personal cultivation of marijuana,” as defined in this section.***

“Marijuana dispensary” shall mean any dispensary, facility, cooperative, club, individual, business, group, collective, establishment or other association with a storefront or mobile retail outlet where marijuana, in any form, ***whether for medical, recreational, or any other purpose***, is transferred to any person, firm, corporation, association, club, society, or other organization, regardless of whether that activity is undertaken on a for-profit or non-profit basis, or any combination thereof, and regardless of whether the activity is for compensation or is gratuitous.

“Personal cultivation of marijuana” shall mean the possession, planting, cultivation, harvesting, drying, or processing of not more than six (6) living marijuana plants and possession of the marijuana produced by the plants by persons twenty one (21) years of age or older inside a person's private residence or inside an accessory structure to a person's private residence located upon the grounds of a person's private residence that is fully enclosed and secure as authorized by Health and Safety Code Sections 11362.1 and 11362.2, as may be amended, and subject to the following limitations: (a) not more than six (6) living plants may be planted, cultivated, harvested, dried, or processed within a person's single private residence or inside an accessory structure to a person's private residence that is fully enclosed and secure, at one time; and (b) the living plants and any marijuana produced by the plants in excess of 28.5 grams shall be in a locked space, and shall not be visible by normal unaided vision from a public place. The term “personal cultivation of marijuana” shall not include the planting, cultivation, harvesting, drying, or processing of marijuana plants outdoors upon the grounds of a person's private residence.

"Private residence" shall have the same meaning as is defined by Health & Safety Code section 11362.2(b)(5) (i.e., a house, an apartment unit, a mobile home, or similar dwelling), as may be amended.

SECTION 4. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-103 (Marijuana Businesses), Section 9-103.030 (Marijuana businesses prohibited), is hereby amended by adding new Subsection F to read as follows:

F. The planting, cultivation, harvesting, drying, or processing of marijuana plants outdoors upon the grounds of a person's private residence is prohibited in every zoning district in the city.

SECTION 5. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-04 (Definitions), Section 9-04.130 ("M" Definitions), is hereby amended by revising the definition for "Marijuana business" to read as follows (additions shown in ***bold/italics***, deletions shown in ~~striketrough~~):

"Marijuana business" means any activity, whether or not carried out for commercial gain, which involves cultivation, possession, manufacture, processing, storage, laboratory testing, labeling, transportation, distribution, or sale of marijuana or any marijuana-infused products. This definition shall include any of the foregoing activities conducted by or on behalf of a qualified patient or the primary caregiver of a qualified patient. All references in this section to "marijuana business," ~~"marijuana-related business," or "marijuana dispensary"~~ shall be synonymous with ~~"medical-marijuana dispensary," "mobile marijuana dispensary," and "marijuana cultivation site,"~~ which are defined in Chapter 9-103. ***The term "marijuana business" shall not include "personal cultivation of marijuana," as defined in Chapter 9-103.***

SECTION 6. This Ordinance shall take effect on _____, 2017, the 31st day following the adoption of this Ordinance by the City Council.

SECTION 7. Upon the effective date of this Ordinance, the provisions hereof shall supersede any inconsistent or conflicting provisions of the Laguna Hills Municipal Code.

SECTION 8. If any section, subsection, subdivision, sentence, clause, phrase, or portion 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 this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 9. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this

Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2017.

DON SEDGWICK, MAYOR

ATTEST:

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO HEREBY CERTIFY that the foregoing Ordinance No. _____ was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the _____ day of _____ 2017, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council held on the _____ day of _____ 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

MELISSA AU-YEUNG, CITY CLERK

Laguna Hills, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

AFFIDAVIT OF POSTING
AND PUBLICATION

MELISSA AU-YEUNG, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of Laguna Hills;

That in compliance with State Laws of the State of California, ORDINANCE NO. _____, being:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. __-__-__ AMENDING CHAPTERS 9-103 (MARIJUANA BUSINESSES) AND 9-04 (DEFINITIONS) OF TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE TO PERMIT THE LIMITED PERSONAL CULTIVATION OF MARIJUANA INSIDE A PERSON'S PRIVATE RESIDENCE AND INSIDE AN ACCESSORY STRUCTURE TO A PERSON'S PRIVATE RESIDENCE IN ACCORDANCE WITH STATE LAW

on the _____ day of _____ 2017, was published in the Saddleback Valley News; and was, in compliance with City Resolution No. 2004-05-25-2, on the _____ day of _____ 2017, caused to be posted in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall
Laguna Hills Community Center
La Paz Center

MELISSA AU-YEUNG, CITY CLERK
Laguna Hills, California

Attachment 3 – March 14, 2017 Agenda Material





City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: March 14, 2017

TO: Mayor and Council Members

FROM: David Chantarangsu
Community Development Director

ISSUE: Zoning Text Amendment No. 2-17-3793, an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, to Permit the Limited Personal Cultivation of Marijuana Inside a Person's Private Residence, Inside an Accessory Structure to a Person's Private Residence, or Outdoors Upon the Grounds of a Person's Private Residence in Accordance with State Law

RECOMMENDATION: That the City Council: (1) Conduct a Public Hearing; and (2) Introduce for First Reading, read by title only, and waive further reading, an Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, adopting Zoning Code Text Amendment No. 2-17-3793 amending Chapters 9-103 (Marijuana Businesses) and 9-04 (Definitions) of Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to permit the limited personal cultivation of marijuana inside a person's private residence, inside an accessory structure to a person's private residence, or outdoors upon the grounds of a person's private residence in accordance with state law."

SUMMARY:

The proposed Ordinance would amend Chapters 9-103 (Marijuana Businesses) and 9-04 (Definitions) of Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code (LHMC) to permit the limited personal cultivation of nonmedical marijuana, as required by Proposition 64. Revisions to existing Chapters 9-103 and 9-04 are recommended in response to voter approval of Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act, which legalized the recreational use of marijuana in California for persons twenty-one (21) years of age or older, and authorized the limited personal cultivation by such persons of not more than six (6) marijuana plants inside a person's

Zoning Text Amendment No. 2-17-3793, an Amendment to the Municipal Code to Permit the Limited Person
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private residence, inside an accessory structure to a person's private residence, or outdoors upon the grounds of a person's private residence.

The proposed Ordinance would update Title 9 of the LHMC to permit the limited personal cultivation of marijuana as mandated by Proposition 64, while reaffirming that marijuana dispensaries, marijuana businesses, and all other marijuana-related uses are prohibited uses in all zoning districts within the City. Attachment 1 contains the language of the proposed Ordinance while Attachment 2 depicts changes made to the Zoning Code with changes shown.

Staff's report identifies two alternatives the City Council could consider to implement, including the establishment of a permit and inspection process, and a prohibition against outdoor cultivation. However, the alternatives have not been recommended by staff due to costs and issues with enforcement.

BACKGROUND:

In 2013, Title 9 of the LHMC was amended in order to expressly ban the establishment and operation of medical marijuana dispensaries in all zoning districts within the City. In 2016, Title 9 of the LHMC was again amended in response to the Medical Marijuana Regulation and Safety Act (MMRSA) to expand the City-wide ban on medical marijuana dispensaries to include all marijuana-related businesses. The term "marijuana business" was broadly defined to include marijuana cultivation.

On November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act, which legalized the recreational (nonmedical) use of marijuana in California for persons twenty-one (21) years of age or older, and authorized the limited personal cultivation by such persons of not more than six (6) marijuana plants inside a private residence, inside an accessory structure to a person's private residence, or outdoors upon the grounds of a person's private residence (e.g., in an outdoor garden area) subject to the following limitations: (a) not more than six living plants may be planted, cultivated, harvested, dried, or processed within a person's single private residence, inside an accessory structure to a person's private residence that is fully enclosed and secure, or outdoors upon the grounds of a person's private residence, at one time; and (b) the living plants and any marijuana produced by the plants in excess of 28.5 grams shall be in a locked space, and shall not be visible by normal unaided vision from a public place.

Zoning Text Amendment No. 2-17-3793, an Amendment to the Municipal Code to Permit the Limited Person

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Staff is recommending approval of the proposed Ordinance to exempt the limited personal cultivation of marijuana from the City-wide ban on marijuana-related uses, as required by Proposition 64. Additionally, the proposed Ordinance clarifies, confirms, and provides greater specificity to existing land use provisions prohibiting marijuana dispensaries and marijuana businesses within all zoning districts in the City.

The language in Proposition 64 authorizes local agencies to prohibit outdoor cultivation, as well as implement a local permitting process to inspect properties for compliance with local cultivation regulations. These alternatives are not recommended by staff due to the lack of adequate staffing resources to implement permitting, inspection, and enforcement processes.

If the City Council elects to implement a permit process for personal marijuana cultivation, staff believes one additional full-time code enforcement position would ultimately be necessary to establish an adequate program of permitting, inspection, enforcement, and tracking, assuming there is significant community interest in personal cultivation (Proposition 64 passed with 54% of registered Laguna Hills voters voting 'yes'). If the department was limited to using its existing part-time code enforcement officer to implement a cultivation permit process, response times for code enforcement requests for service and the length of time required to clear municipal code property violations is likely to increase. Furthermore, if the City Council chooses to enact a prohibition against outdoor marijuana cultivation, staff believes a consequence of this regulation would be an increase in code enforcement inspection requests to resolve illegal cultivation which would result in additional administrative and financial burdens due to enforcement activities.

Other cities have considered ordinance updates that confront similar alternatives, some resulting in temporary bans/moratoriums, prohibitions on outdoor cultivation, permit requirements, payment of property inspection fees, and inspection/background check requirements. A study of nearby cities and their response to Proposition 64 is as follows:

City	Personal Outdoor Cultivation	Personal Indoor Cultivation
Aliso Viejo	Prohibited	Permit Required
Laguna Niguel	Prohibited	Permit Required
Laguna Woods	No Action	No Action
Lake Forest	Prohibited	No Permit Required
Mission Viejo	Prohibited	No Permit Required

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San Clemente	Prohibited	No Permit Required
San Juan Capistrano	Prohibited	Permit Required

The approaches vary from city to city, with measures enacted based on community culture; however, staff has leaned towards the narrowest interpretation of the state law, which has the least amount of impact on City resources and residents.

ALTERNATIVES:

Although not recommended as described above, Proposition 64 authorizes local agencies to enact regulations that accomplish a certain level of regulation and oversight concerning marijuana cultivation as described below:

- The City Council could elect to modify the proposed Ordinance to completely prohibit the personal cultivation of marijuana outdoors upon the grounds of a person's private residence (e.g., in an outdoor garden area); however, such a provision will become inoperative as a matter of law when the California Attorney General determines that the nonmedical use of marijuana is lawful in the State of California under federal law.
- The City Council could elect to enact and enforce reasonable regulations to reasonably regulate the personal cultivation of marijuana inside a person's private residence, inside an accessory structure to a person's private residence, or outdoors upon the grounds of a person's private residence; however, state law does not provide any guidance to cities on how to draft such a regulatory program. Consequently, depending on the degree of local regulations, such regulatory programs may be preempted by state law and may be subject to legal challenge as violating Proposition 64. The proposed Ordinance would amend Chapters 9-103 (Marijuana Businesses) and 9-04 (Definitions) of Title 9 (Zoning and Subdivisions) of the LHMC to permit the limited personal cultivation of nonmedical marijuana, as required by Proposition 64. Revisions to existing Chapters 9-103 and 9-04 are recommended in response to voter approval of Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act, which legalized the recreational use of marijuana in California for persons twenty-one (21) years of age or older, and authorized the limited personal cultivation by such persons of not more than six (6) marijuana plants inside a person's private residence, inside an accessory structure to a person's private

Zoning Text Amendment No. 2-17-3793, an Amendment to the Municipal Code to Permit the Limited Person
March 14, 2017
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residence, or outdoors upon the grounds of a person's private residence.

CEQA FINDINGS:

Environmental review is not required under the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Chapter 3, Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly. The proposed zoning code text amendment modifies several terms within the City's Zoning Code to conform to Proposition 64 while maintaining the existing ban on all marijuana-related uses to the extent permitted by law.

FISCAL IMPACT:

There is no Fiscal Impact to the City resulting from adoption of an Ordinance amending Title 9 of the LPMC to permit the limited personal cultivation of marijuana inside a person's private residence, inside an accessory structure to a person's private residence, or outdoors upon the grounds of a person's private residence in accordance with Proposition 64.

ATTACHMENTS:

- ATTACH 1 - Draft Ordinance
- ATTACH 2 - Draft Ordinance (with changes shown)

ORDINANCE NO. 2017 -

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. 2-17-3792 AMENDING CHAPTERS 9-103 (MARIJUANA BUSINESSES) AND 9-04 (DEFINITIONS) OF TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE TO PERMIT THE LIMITED PERSONAL CULTIVATION OF MARIJUANA INSIDE A PERSON'S PRIVATE RESIDENCE, INSIDE AN ACCESSORY STRUCTURE TO A PERSON'S PRIVATE RESIDENCE, OR OUTDOORS UPON THE GROUNDS OF A PERSON'S PRIVATE RESIDENCE IN ACCORDANCE WITH STATE LAW

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code (LHMC) establishes allowable uses of property within all zoning districts in the City; and

WHEREAS, On December 10, 2013, the City Council of the City of Laguna Hills adopted Ordinance No. 2013-2, which amended Title 9 of the LHMC to prohibit medical marijuana dispensaries in all zoning districts within the City; and

WHEREAS, Effective January 1, 2016, the Medical Marijuana Regulation and Safety Act (MMRSA) established a comprehensive regulatory and licensing framework for the operation of marijuana businesses within the State of California. The MMRSA confirmed the authority of cities to control uses of land within their respective jurisdictions and specifically, to regulate or prohibit marijuana businesses; and

WHEREAS, On September 13, 2016, the City Council of the City of Laguna Hills adopted Ordinance No. 2016-4, which amended Title 9 of the LHMC (Zoning and Subdivisions) in accordance with the MMRSA to update clarify, and provide more specificity to the City's ban on marijuana businesses in all zoning districts within the City; and

WHEREAS, On November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act, which legalized the recreational (non-medical) use of marijuana in California for persons twenty one (21) years of age or older and authorized the limited personal cultivation by such persons of not more than six (6) marijuana plants inside a person's private residence, inside an accessory structure to a person's private residence, or outdoors upon the grounds of a person's private residence; and

WHEREAS, This Ordinance updates Title 9 of the LHMC to exempt the limited personal cultivation of marijuana from the City's existing ban on marijuana businesses in all zoning districts as required by Proposition 64 and clarifies, confirms and provides greater specificity to the City's existing land use provisions which do not allow marijuana dispensaries or marijuana businesses within any zoning district in the City; and

WHEREAS, This Ordinance is a City-initiated zoning text amendment subject to Chapter 9-90 of the LHMC; and

WHEREAS, The City Council of the City of Laguna Hills has held a duly noticed public hearing and considered public comments and written and oral information and testimony presented by City staff, community residents, and other interested parties at a public hearing held on March 14, 2017.

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA,
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The City Council of the City of Laguna Hills hereby finds and determines that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Chapter 3, Sections 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-103 (Marijuana Businesses), Section 9-103.020 (Definitions), is hereby amended by revising the definitions for "Marijuana", "Marijuana business", "Marijuana cultivation site" and "Marijuana dispensary" and by adding definitions for "Personal cultivation of marijuana" and "Private residence" to read as follows:

9-103.020 Definitions.

"Marijuana" shall have the same meaning as is defined by Health & Safety Code section 11018 and the term "cannabis" as that term is defined by California Business & Professions Code section 19300.5(f). If the definition under State law is amended, the City's definition shall be as amended. "Marijuana" shall also mean any "cannabinoid" as defined by Business & Professions Code section 19300.5(e), "cannabis concentrate" as defined by Business & Professions Code section 19300.5(g), "edible cannabis product" as defined by Business & Professions Code section 19300.5(s), "manufactured cannabis" as defined by Business & Professions Code section 19300.5(ac), "medical cannabis" as defined by Business & Professions Code section 19300.5(af), and "topical cannabis" as defined by Business & Professions Code section 19300.5(al), as those sections exist as of January 1, 2016 or as amended thereafter.

"Marijuana business" shall mean any activity, whether or not carried out for commercial gain, which involves cultivation, possession, manufacture, processing, storage, laboratory testing, labeling, transportation, distribution, or sale of marijuana or any marijuana-infused products. This definition shall include any of the foregoing activities conducted by or on behalf of a qualified patient or the primary caregiver of a qualified patient. All references in this chapter to "marijuana business" shall be synonymous with "marijuana dispensary," "mobile marijuana dispensary," and "marijuana cultivation site," which are defined in this section. The term "marijuana business" shall not include "personal cultivation of marijuana," as defined in this section.

"Marijuana cultivation site" shall mean any location, whether indoor or outdoor, where marijuana is planted, grown, harvested, dried, cured, graded, or trimmed, or upon which all or any combination of those activities occurs. The term "marijuana cultivation site" shall not include "personal cultivation of marijuana," as defined in this section.

"Marijuana dispensary" shall mean any dispensary, facility, cooperative, club, individual, business, group, collective, establishment or other association with a storefront or mobile retail outlet where marijuana, in any form, whether for medical, recreational, or any other purpose, is transferred to any person, firm, corporation, association, club, society, or other organization, regardless of whether that activity is undertaken on a for-profit or non-profit basis, or any combination thereof, and regardless of whether the activity is for compensation or is gratuitous.

"Personal cultivation of marijuana" shall mean the possession, planting, cultivation, harvesting, drying, or processing of not more than six (6) living marijuana plants and possession of the marijuana produced by the plants by persons twenty one (21) years of age or older inside a person's private residence, inside an accessory structure to a person's private residence located upon the grounds of a person's private residence that is fully enclosed and secure, or outdoors upon the grounds of a person's private residence (e.g., in an outdoor garden area) as authorized by Health and Safety Code Sections 11362.1 and 11362.2, as may be amended, and subject to the following limitations: (a) not more than six (6) living plants may be planted, cultivated, harvested, dried, or processed within a person's single private residence, inside an accessory structure to a person's private residence that is fully enclosed and secure, or outdoors upon the grounds of a person's private residence, at one time; and (b) the living plants and any marijuana produced by the plants in excess of 28.5 grams shall be in a locked space, and shall not be visible by normal unaided vision from a public place.

"Private residence" shall have the same meaning as is defined by Health & Safety Code section 11362.2(b)(5) (i.e., a house, an apartment unit, a mobile home, or similar dwelling), as may be amended.

SECTION 4. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-04 (Definitions), Section 9-04.130 ("M" Definitions), is hereby amended by revising the definition for "Marijuana business" to read as follows:

"Marijuana business" means any activity, whether or not carried out for commercial gain, which involves cultivation, possession, manufacture, processing, storage, laboratory testing, labeling, transportation, distribution, or sale of marijuana or any marijuana-infused products. This definition shall include any of the foregoing activities conducted by or on behalf of a qualified patient or the primary caregiver of a qualified patient. All references in this section to "marijuana business" shall be synonymous with "marijuana dispensary," "mobile marijuana dispensary," and "marijuana cultivation site," which are defined in Chapter 9-103. The term "marijuana business" shall not include "personal cultivation of marijuana," as defined in Chapter 9-103.

SECTION 5. This Ordinance shall take effect on _____, 2017, the 31st day following the adoption of this Ordinance by the City Council.

SECTION 6. Upon the effective date of this Ordinance, the provisions hereof shall supersede any inconsistent or conflicting provisions of the Laguna Hills Municipal Code.

SECTION 7. If any section, subsection, subdivision, sentence, clause, phrase, or portion 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 this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 8. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2017.

DON SEDGWICK, MAYOR

ATTEST:

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing Ordinance No. _____ was duly introduced
and placed upon its first reading at a Regular Meeting of the City Council on the
_____ day of _____ 2017, and that thereafter, said Ordinance
was duly adopted and passed at a Regular Meeting of the City Council held on the
_____ day of _____ 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

MELISSA AU-YEUNG, CITY CLERK

Laguna Hills, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

AFFIDAVIT OF POSTING
AND PUBLICATION

MELISSA AU-YEUNG, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of Laguna Hills;

That in compliance with State Laws of the State of California, ORDINANCE NO. _____, being:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. ____-____-____ AMENDING CHAPTERS 9-103 (MARIJUANA BUSINESSES) AND 9-04 (DEFINITIONS) OF TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE TO PERMIT THE LIMITED PERSONAL CULTIVATION OF MARIJUANA INSIDE A PERSON'S PRIVATE RESIDENCE, INSIDE AN ACCESSORY STRUCTURE TO A PERSON'S PRIVATE RESIDENCE, OR OUTDOORS UPON THE GROUNDS OF A PERSON'S PRIVATE RESIDENCE IN ACCORDANCE WITH STATE LAW

on the _____ day of _____ 2017, was published in the Saddleback Valley News; and was, in compliance with City Resolution No. 2004-05-25-2, on the _____ day of _____ 2017, caused to be posted in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall
Laguna Hills Community Center
La Paz Center

MELISSA AU-YEUNG, CITY CLERK
Laguna Hills, California

ORDINANCE NO. 2017 -

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. 2-17-3793 AMENDING CHAPTERS 9-103 (MARIJUANA BUSINESSES) AND 9-04 (DEFINITIONS) OF TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE TO PERMIT THE LIMITED PERSONAL CULTIVATION OF MARIJUANA INSIDE A PERSON'S PRIVATE RESIDENCE, INSIDE AN ACCESSORY STRUCTURE TO A PERSON'S PRIVATE RESIDENCE, OR OUTDOORS UPON THE GROUNDS OF A PERSON'S PRIVATE RESIDENCE IN ACCORDANCE WITH STATE LAW

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code (LHMC) establishes allowable uses of property within all zoning districts in the City; and

WHEREAS, On December 10, 2013, the City Council of the City of Laguna Hills adopted Ordinance No. 2013-2, which amended Title 9 of the LHMC to prohibit medical marijuana dispensaries in all zoning districts within the City; and

WHEREAS, Effective January 1, 2016, the Medical Marijuana Regulation and Safety Act (MMRSA) established a comprehensive regulatory and licensing framework for the operation of marijuana businesses within the State of California. The MMRSA confirmed the authority of cities to control uses of land within their respective jurisdictions and specifically, to regulate or prohibit marijuana businesses; and

WHEREAS, On September 13, 2016, the City Council of the City of Laguna Hills adopted Ordinance No. 2016-4, which amended Title 9 of the LHMC (Zoning and Subdivisions) in accordance with the MMRSA to update clarify, and provide more specificity to the City's ban on marijuana businesses in all zoning districts within the City; and

WHEREAS, On November 8, 2016, California voters approved Proposition 64 – the Control, Regulate, and Tax Adult Use of Marijuana Act, which legalized the recreational (non-medical) use of marijuana in California for persons twenty one (21) years of age or older and authorized the limited personal cultivation by such persons of not more than six (6) marijuana plants inside a person's private residence, inside an accessory structure to a person's private residence, or outdoors upon the grounds of a person's private residence; and

WHEREAS, This Ordinance updates Title 9 of the LHMC to exempt the limited personal cultivation of marijuana from the City's existing ban on marijuana businesses in all zoning districts as required by Proposition 64 and clarifies, confirms and provides greater specificity to the City's existing land use provisions which do not allow marijuana dispensaries or marijuana businesses within any zoning district in the City; and

WHEREAS, This Ordinance is a City-initiated zoning text amendment subject to Chapter 9-90 of the LHMC; and

WHEREAS, The City Council of the City of Laguna Hills has held a duly noticed public hearing and considered public comments and written and oral information and testimony presented by City staff, community residents, and other interested parties at a public hearing held on [REDACTED], 2017.

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA,
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The City Council of the City of Laguna Hills hereby finds and determines that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Chapter 3, Sections 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-103 (Marijuana Businesses), Section 9-103.020 (Definitions), is hereby amended by revising the definitions for "Marijuana", "Marijuana business", "Marijuana cultivation site" and "Marijuana dispensary" and by adding definitions for "Personal cultivation of marijuana" and "Private residence" to read as follows (additions shown in ***bold/italics***, deletions shown in ~~strikethrough~~):

9-103.020 Definitions.

"Marijuana" shall have the same meaning as ***is defined by Health & Safety Code section 11018 and*** the term "cannabis" as that term is defined by California Business & Professions Code section 19300.5(f) ~~[effective January 1, 2016]~~. If the definition under State law is amended, the City's definition shall be as amended. "Marijuana" shall also mean any "cannab***in***oid" as defined by Business & Professions Code section 19300.5(e), "cannabis concentrate" as defined by Business & Professions Code section 19300.5(g), "edible cannabis product" as defined by Business & Professions Code section 19300.5(s), "manufactured cannabis" as defined by Business & Professions Code section 19300.5(ac), "medical cannabis" as defined by Business & Professions Code section 19300.5(af), and "topical cannabis" as defined by Business & Professions

Code section 19300.5(al), as those sections exist as of January 1, 2016 or as amended thereafter.

"Marijuana business" shall mean any activity, whether or not carried out for commercial gain, which involves cultivation, possession, manufacture, processing, storage, laboratory testing, labeling, transportation, distribution, or sale of marijuana or any marijuana-infused products. This definition shall include any of the foregoing activities conducted by or on behalf of a qualified patient or the primary caregiver of a qualified patient. All references in this chapter to "marijuana business," ~~"marijuana-related business," or "marijuana dispensary"~~ shall be synonymous with "medical-marijuana dispensary," "mobile marijuana dispensary," and "marijuana cultivation site," which are defined in this section. ***The term "marijuana business" shall not include "personal cultivation of marijuana," as defined in this section.***

"Marijuana cultivation site" shall mean any location, whether indoor or outdoor, where marijuana is planted, grown, harvested, dried, cured, graded, or trimmed, or upon which all or any combination of those activities occurs. ***The term "marijuana cultivation site" shall not include "personal cultivation of marijuana," as defined in this section.***

"Marijuana dispensary" shall mean any dispensary, facility, cooperative, club, individual, business, group, collective, establishment or other association with a storefront or mobile retail outlet where marijuana, in any form, ***whether for medical, recreational, or any other purpose***, is transferred to any person, firm, corporation, association, club, society, or other organization, regardless of whether that activity is undertaken on a for-profit or non-profit basis, or any combination thereof, and regardless of whether the activity is for compensation or is gratuitous.

"Personal cultivation of marijuana" shall mean the possession, planting, cultivation, harvesting, drying, or processing of not more than six (6) living marijuana plants and possession of the marijuana produced by the plants by persons twenty one (21) years of age or older inside a person's private residence, inside an accessory structure to a person's private residence located upon the grounds of a person's private residence that is fully enclosed and secure, or outdoors upon the grounds of a person's private residence (e.g., in an outdoor garden area) as authorized by Health and Safety Code Sections 11362.1 and 11362.2, as may be amended, and subject to the following limitations: (a) not more than six (6) living plants may be planted, cultivated, harvested, dried, or processed within a person's single private residence, inside an accessory structure to a person's private residence that is fully enclosed and secure, or outdoors upon the grounds of a person's private residence, at one time; and (b) the living plants and any marijuana produced by the plants in excess of 28.5 grams shall be in a locked space, and shall not be visible by normal unaided vision from a public place.

"Private residence" shall have the same meaning as is defined by Health & Safety Code section 11362.2(b)(5) (i.e., a house, an apartment unit, a mobile home, or similar dwelling), as may be amended.

SECTION 4. Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Chapter 9-04 (Definitions), Section 9-04.130 ("M" Definitions), is hereby amended by revising the definition for "Marijuana business" to read as follows (additions shown in ***bold/italics***, deletions shown in ~~strike through~~):

"Marijuana business" means any activity, whether or not carried out for commercial gain, which involves cultivation, possession, manufacture, processing, storage, laboratory testing, labeling, transportation, distribution, or sale of marijuana or any marijuana-infused products. This definition shall include any of the foregoing activities conducted by or on behalf of a qualified patient or the primary caregiver of a qualified patient. All references in this section to "marijuana business," ~~"marijuana-related business," or "marijuana dispensary"~~ shall be synonymous with "medical-marijuana dispensary," "mobile marijuana dispensary," and "marijuana cultivation site," which are defined in Chapter 9-103. ***The term "marijuana business" shall not include "personal cultivation of marijuana," as defined in Chapter 9-103.***

SECTION 5. This Ordinance shall take effect on _____, 2017, the 31st day following the adoption of this Ordinance by the City Council.

SECTION 6. Upon the effective date of this Ordinance, the provisions hereof shall supersede any inconsistent or conflicting provisions of the Laguna Hills Municipal Code.

SECTION 7. If any section, subsection, subdivision, sentence, clause, phrase, or portion 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 this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 8. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2017.

DON SEDGWICK, MAYOR

Ordinance No. 2017-x

ATTEST:

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing Ordinance No. _____ was duly introduced
and placed upon its first reading at a Regular Meeting of the City Council on the
_____ day of _____ 2017, and that thereafter, said Ordinance
was duly adopted and passed at a Regular Meeting of the City Council held on the
_____ day of _____ 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

MELISSA AU-YEUNG, CITY CLERK

Laguna Hills, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

AFFIDAVIT OF POSTING
AND PUBLICATION

MELISSA AU-YEUNG, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of Laguna Hills;

That in compliance with State Laws of the State of California, ORDINANCE NO. _____, being:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. ____-____-____ AMENDING CHAPTERS 9-103 (MARIJUANA BUSINESSES) AND 9-04 (DEFINITIONS) OF TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE TO PERMIT THE LIMITED PERSONAL CULTIVATION OF MARIJUANA INSIDE A PERSON'S PRIVATE RESIDENCE, INSIDE AN ACCESSORY STRUCTURE TO A PERSON'S PRIVATE RESIDENCE, OR OUTDOORS UPON THE GROUNDS OF A PERSON'S PRIVATE RESIDENCE IN ACCORDANCE WITH STATE LAW

on the _____ day of _____ 2017, was published in the Saddleback Valley News; and was, in compliance with City Resolution No. 2004-05-25-2, on the _____ day of _____ 2017, caused to be posted in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall
Laguna Hills Community Center
La Paz Center

MELISSA AU-YEUNG, CITY CLERK
Laguna Hills, California

CITY OF LAGUNA HILLS MEMORANDUM

DATE: March 14, 2017

TO: Mayor Sedgwick and City Council Members

FROM: David Chantarangsu, Community Development Director

SUBJECT: CITY COUNCIL AGENDA ITEM NO. 5.2 – ZONING TEXT AMENDMENT NO. 2-17-3793, AN AMENDMENT TO TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE, TO PERMIT THE LIMITED PERSONAL CULTIVATION OF MARIJUANA INSIDE A PERSON'S PRIVATE RESIDENCE, INSIDE AN ACCESSORY STRUCTURE TO A PERSON'S PRIVATE RESIDENCE, OR OUTDOORS UPON THE GROUNDS OF A PERSON'S PRIVATE RESIDENCE IN ACCORDANCE WITH STATE LAW

After the staff report was published, staff received confirmation from the City of Laguna Niguel that no permit is required for personal indoor cultivation of marijuana within city limits.

The table referenced in the staff report is revised as follows:

City	Personal Outdoor Cultivation	Personal Indoor Cultivation
Aliso Viejo	Prohibited	Permit Required
Laguna Niguel	Prohibited	No Permit Required
Laguna Woods	No Action	No Action
Lake Forest	Prohibited	No Permit Required
Mission Viejo	Prohibited	No Permit Required
San Clemente	Prohibited	No Permit Required
San Juan Capistrano	Prohibited	Permit Required



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: April 11, 2017

TO: Mayor and Council Members

FROM: David Chantarangsu
Community Development Director

ISSUE: General Plan Amendment and Zoning Code Text Amendment No. GPA/ZTA-10-16-3672 – a Minor Amendment to the City of Laguna Hills General Plan Land Use Element and Development Code Increasing the Maximum Floor Area Ratio (FAR) in the Hospitality Overlay Zone from 1.0 to a Maximum of 1.1, and Consideration of an Addendum to a Previously Adopted Negative Declaration.

RECOMMENDATION: That the City Council:

(1) Reopen the Public Hearing for General Plan Amendment/Zone Text Amendment No. 10-16-3672 which was opened and continued at the March 14, 2017 City Council Meeting; and

(2) Consider "Addendum No. 1 to the 2014 Negative Declaration for the City of Laguna Hills Hospitality Overlay Zone" along with the 2014 Negative Declaration for the Hospitality Overlay Zone, and find that no additional environmental documentation is required under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Sections 21166 and CEQA Guidelines Sections 15162 and 15164; and adopt a Resolution entitled: "A Resolution of the City Council of the City of Laguna Hills, California, adopting an Addendum (Addendum No. 1) to a previously adopted Negative Declaration for Case No. GPAZTA-10-16-3672, General Plan and Development Code Amendments making modifications to the Maximum Floor Area Ratio (FAR) for the Hospitality Overlay Zone District"; and

(3) Adopt a Resolution entitled: "A Resolution of the City Council of the City of Laguna Hills, California, approving General Plan Amendment No. 10-16-3672, an Amendment to the General Plan Land Use Element increasing allowable development intensity for

Increase in the Maximum Floor Area Ratio in the Hospitality Overlay Zone from 1.0 to 1.1

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Hotel Uses in the Freeway Commercial and Mixed Use General Plan Land Use Designations from a maximum of 1.0 Floor Area Ratio (FAR) to 1.1 FAR”; and

(4) Introduce for First Reading, read by title only, and waive further reading, an Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, approving Zone Text Amendment No. 10-16-3672, amending Title 9 of the Laguna Hills Municipal Code (Zoning and Subdivisions) amending Table 9-11.050 Hospitality Overlay Zone Development Standards related to Maximum Density, changing from a Floor Area Ratio (FAR) of 1.0 to a FAR of 1.1."

SUMMARY:

In June 2014, the City Council amended the General Plan and Zone Code/Map to establish a “Hospitality Overlay Zone” (HOZ) in North Laguna Hills over +/- 19.7 acres south of Lake Forest Avenue and west of Avenida de la Carlota. The overlay zone established alternative development standards for future hotel development at specific properties in the Mixed Use and Freeway Commercial Land Use Designations near Interstate 5 (I-5). Since adoption of this overlay zone, hotel concepts have evolved and there is a need to further modify one aspect of the overlay zone standards that address Floor Area Ratio (FAR), which determines the maximum building area on a property. The specific request is to amend the maximum FAR of 1.0 to a maximum FAR of 1.1, a 10 percent increase in floor area ratio. The proposed Amendment could result in increased building areas of approximately 5,200 square feet to 20,000 square feet depending on the size of the property over what is already permitted. The Amendment would increase the allowable building area over the +/- 19.7 acre HOZ by nearly 86,000 square feet for projects where hotel development was proposed.

FLOOR AREA RATIO (FAR):

For nonresidential uses, the term “intensity” describes the degree to which a property is or can be developed. Laguna Hills has adopted FAR as its measure of intensity. FAR describes the relationship between the total square footage of building area on a lot and the area of that lot and is determined by dividing the gross floor area of all buildings on a lot by lot area. For example, a 20,000 square foot building on a 40,000 square foot lot yields a FAR of 0.50. This 0.50 FAR can accommodate a single story building that covers half the lot or a two-story building with reduced lot coverage.

Increase in the Maximum Floor Area Ratio in the Hospitality Overlay Zone from 1.0 to 1.1

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BACKGROUND:

Currently the city has a total of four hotels within its jurisdiction and enjoys a number of benefits associated with hotels, such as customer convenience, increased local spending, and collection of Transient Occupancy Tax (TOT).

Existing Laguna Hills Hotels	
<i>Name</i>	<i>Address</i>
Comfort Inn	23061 Avenida de la Carlota
Courtyard by Marriott	23175 Avenida de la Carlota
Laguna Hills Lodge	23932 Paseo de Valencia
The Hills Hotel	25205 La Paz Road

In order to provide an incentive for other properties to potentially redevelop with hotel uses, the City adopted an overlay zone in the North Laguna Hills area that amended certain development standards that would be advantageous for hotel uses. These included additional building height, reduced setback requirements, and an increased density for the two zoning districts and their corresponding General Plan Land Use districts from .38 FAR and .40 FAR to a maximum FAR of 1.0. Since that time, the hospitality industry has evolved, and greater flexibility is needed to promote the development of hotel uses in North Laguna Hills. This creates the need to amend both the City's General Plan and the Development Code.

PROJECT DESCRIPTION AND ANALYSIS:

The City may create and modify development policies and standards within the community through the General Plan and the Development Code. Whereas the General Plan sets broad development policies and expectations for new development, the Development Code works to set specific parameters on the use and development of property. Typically, these parameters establish the types of allowable uses on property, the size of buildings, required parking, and other desirable standards the community may want to incorporate in development.

The proposed action is a minor amendment to the City's General Plan and Development Code Hospitality Overlay Zone Development Standards to increase the maximum density from a FAR of 1.0 to a FAR of 1.1. The proposed amendments are described below in more detail.

Increase in the Maximum Floor Area Ratio in the Hospitality Overlay Zone from 1.0 to 1.1

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Proposed General Plan Amendment:

To implement the FAR increase, Tables LU-1 and LU-3 of the General Plan Land Use Element, must be amended to increase existing FAR standards from 1.0 to 1.1. The incremental change in maximum FAR to 1.1 is designed to meet changing hospitality industry needs and to further attract hotel uses. One of the themes in the General Plan is to encourage infill development and other activities to spur on economic development. Policy LU-4 states that the City should “encourage private property owners to revitalize, upgrade, and beautify aging and underperforming commercial and business areas.” The increase in FAR is a minor increase in the development potential for the area, but provides a vehicle that will further encourage private development that will maintain or increase property value. The proposed FAR increase would allow 10 percent more building area than under the current overlay zone development standards. Under the unlikely scenario that all of the properties in the overlay zone would undergo redevelopment, the 10 percent increase could result in 85,893 square feet of additional building area being built.

The amendments to the City’s Land Use Element are depicted in Exhibit A to the proposed Resolution amending the City’s General Plan (**Attachment 1**).

Proposed Development Code Modifications:

Table 9-11.050 of the Municipal Code lays out the development standards for the Hospitality Overlay Zone. The standard for this overlay that would be amended is maximum density, changing from 1.0 to a maximum of 1.1 as shown below.

Table 9-110.050

HOSPITALITY OVERLAY ZONE

DEVELOPMENT STANDARDS

Item	Standard
Maximum lot coverage	50%
Maximum density	1.0 <u>1.1</u> FAR
Maximum building height	75 ft.
Maximum setback-front:	

Increase in the Maximum Floor Area Ratio in the Hospitality Overlay Zone from 1.0 to 1.1

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Parking lot	
Parking structure	
Building	
Minimum setback-side (interior)	10 ft.
Minimum setback- street side	10ft.
Minimum setback-rear	15 ft.
Minimum landscape coverage	15%

No other development standards would be modified. The proposed minor amendment to the HOZ will encompass approximately 19 acres of land in the MXU and FC zones and affect nine properties.

This change to the Development Code described above is depicted in the proposed Ordinance (**Attachment 2**).

PUBLIC COMMENT:

To date, no comments have been received.

CEQA FINDINGS:

As lead agency, the City prepared an initial study and the 2014 Negative Declaration for the establishment of the HOZ. The 2014 Negative Declaration was adopted on July 8, 2014, and a corresponding Notice of Determination was filed and posted on July 11, 2014.

Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, an Initial Study was prepared to evaluate the proposed HOZ Amendment. The Initial Study concluded that the proposed HOZ Amendment does not require further environmental review and an Addendum was prepared. Specifically, the Initial Study found that: (i) there are no substantial changes within the HOZ Amendment that will require major revisions to the 2014 Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (ii) there are no substantial changes with respect to the circumstances under which the HOZ Amendment is being undertaken which will require

Increase in the Maximum Floor Area Ratio in the Hospitality Overlay Zone from 1.0 to 1.1

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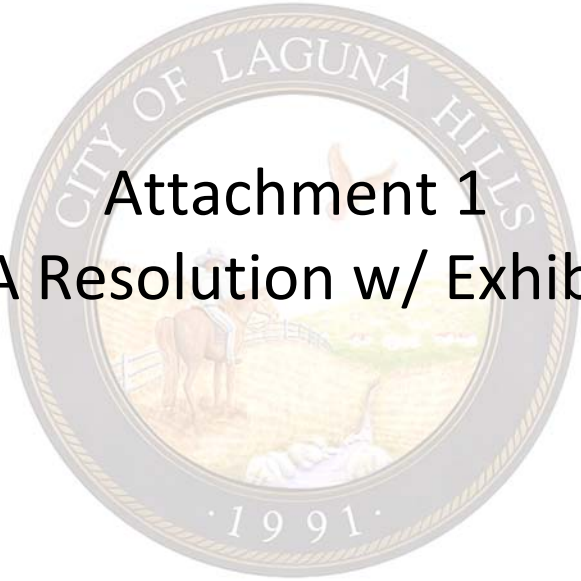
major revisions of the 2014 Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and (iii) there is no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the 2014 Negative Declaration was adopted showing that: (a) the HOZ Amendment will have one or more significant effects not discussed in the 2014 Negative Declaration; (b) significant effects previously examined will be substantially more severe than shown in the 2014 Negative Declaration; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the HOZ Amendment, but those mitigation measures or alternatives have not been adopted; or (d) mitigation measures or alternatives considerably different from those analyzed in the 2014 Negative Declaration would substantially reduce one or more significant effects on the environment, but the mitigation measures or alternatives have not been adopted.

CONCLUSION:

The proposed General Plan Amendment and Development Code Amendment modifying the Floor Area Ratio from 1.0 to 1.1 within the HOZ is a relative minor change in the City's development standards that are attractive for future hotel development that will continue to benefit the City.

ATTACHMENTS:

- Attachment 1 - GPA Resolution
- Attachment 2 - Ordinance
- Attachment 3 - 2014 Adopted IS-ND Hospitality Overlay Zone District
- Attachment 4 - Addendum and Initial Study for FAR Amendment to HOZ Overlay
- Attachment 5 - Resolution Adopting the Addendum

The seal of the City of Laguna Hills is a circular emblem. It features a central illustration of a horse and rider in a field, with a fence and trees in the background. The words "CITY OF LAGUNA HILLS" are inscribed around the top inner edge of the seal, and the year "1991" is at the bottom. The seal is rendered in a light, faded gray color.

Attachment 1

GPA Resolution w/ Exhibit A

RESOLUTION NO. PA 2017-4-11-X

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. _____, AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT INCREASING ALLOWABLE DEVELOPMENT INTENSITY FOR HOTEL USES IN THE FREEWAY COMMERCIAL AND MIXED USE GENERAL PLAN LAND USE DESIGNATIONS FROM A MAXIMUM OF 1.0 FLOOR AREA RATIO (FAR) TO 1.1 FAR.

The City Council of the City of Laguna Hills, California, hereby finds, determines, declares, and resolves as follows:

WHEREAS, the City of Laguna Hills proposes to amend the Laguna Hills General Plan Land Use Element to increase the allowable building density/intensity for hotel uses within the Mixed Use (MU) and Freeway Commercial (FC) General Plan Land Use Designations from a maximum of 1.0 Floor Area Ratio (FAR) to 1.1 FAR ("Amendment") in reaction to the recent evolutions of the hospitality industry to provide more guest amenities and services, and to provide further encouragement for hotel development; and

WHEREAS, on June 24, 2014, the City Council adopted Resolution No. 2014-06-24-3, approving General Plan Amendment 06-13-2608 adding language and increasing maximum intensity for hotel developments within the MU and FC Land Use Designations that would provide greater flexibility to promote the development of hotel uses in North Laguna Hills; and

WHEREAS, on June 24, 2014 the City Council also approved Resolution No. 2014-06-24-2 adopting a Negative Declaration for General Plan Amendment No. 06-13-2608 ("2014 Negative Declaration") pursuant to the California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Sections 15000 et seq.; and

WHEREAS, the proposed Amendment does not constitute a "substantial amendment" to the City's existing General Plan triggering "Referral of plans" as described by Section 65352 of the Government Code; and

WHEREAS, the City properly noticed the public hearing concerning the adoption of this Resolution pursuant to Government Code section 6061 and as required under Government Code section 65090 which was noticed for March 14, 2017, and continued to April 11, 2017; and

WHEREAS, the City Council of the City of Laguna Hills has considered information pertaining to General Plan Amendment No. 10-16-3672 presented by City Staff, the public, and other interested parties at a Public Hearing held on March 14, 2017 which was subsequently continued to April 11, 2017.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. That the required findings by the City for approval of the proposed Amendment have been met and made as follows:

1. That the amendment or plan is consistent with the intent of the goals and policies of the General Plan as a whole, and is not inconsistent with any element thereof:

The proposed Amendment is consistent with the intent of the goals and policies of the General Plan, particularly as they pertain to the General Plan Land Use Element. This minor change to the Floor Area Ratio will ensure development is still compatible with neighboring use (Goal LU-2). It will encourage infill development in a sustainable manner and offer flexibility to meet changing needs (Goal LU-3). It will also promote the creation and expansion of private sector businesses and local career choices for Laguna Hills residents (Goal LU-7).

2. That the amendment or plan is necessary to prescribe reasonable controls and standards for affected land uses to insure compatibility and integrity of those uses with other established uses:

The proposed Amendment will make a minor modification to the General Plan Land Use Element recognizing trends that have evolved in hotel development in not only Laguna Hills but also other areas of Orange County. Adoption of the proposed Amendment will not affect the compatibility and integrity of existing uses in the area.

3. That the amendment or plan is necessary to provide reasonable property development rights while protecting environmentally sensitive land uses and species:

The proposed Amendment will make a minor modification to the Floor Area Ratio for the MU and FC Land Use Designations and is necessary to recognize changing standards in the hospitality industry. In order to evaluate the potential effects the proposed Amendment will have on environmentally sensitive land uses and species, the City prepared an addendum to the Negative Declaration adopted in 2014. Based on the addendum and the whole record before

the City, the minor FAR change does not create any new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and this change will not have an effect on sensitive land uses or species.

4. That the plan or amendment is necessary to correct discrepancies in standards or policies within the plan area or land use category:

The proposed Amendment makes a minor modification to the Floor Area Ratio for the MU and FC Land Use Designations for hotel development to recognize changing standards in the hospitality industry. This minor change will further encourage hotel uses in the study area and will be consistent with other existing goals and policies found in the Land Use Element, including the encouragement of infill redevelopment in an economically and environmentally sustainable manner (Goal LU-3), and facilitating the creation and expansion of private sector businesses and local career choices for Laguna Hills residents (Goal LU-7).

5. That the plan or amendment is necessary to protect the general health, safety, or general welfare of the community as a whole:

The intent of the General Plan Amendment in 2014 was to encourage new or revitalized hotel development through the establishment of more flexible development standards for hotel uses in the North Laguna Hills area. This minor change in Floor Area Ratio provides more flexibility to react to changing standards in the hospitality industry. Development of hotel uses will increase the City's tax revenue base to help fund services and capital projects that serve the residents and businesses of the City of Laguna Hills. By strengthening local economic activity, which in turn enhances local revenues through which public services are provided, the general health, safety, and general welfare of the community is enhanced and therefore protected.

SECTION 3. Based on the findings set forth herein, the City Council hereby approves and adopts General Plan Amendment No. 10-16-3672 amending the Laguna Hills General Plan Land Use Element, a copy of which is attached hereto as Exhibit "A," with changes shown in "underline/strikeout" format. The City Clerk is directed to update the appropriate sections of General Plan Land Use Element in accordance with Exhibit "A."

SECTION 4. This Resolution shall take effect on the thirty-first (31st) day following adoption.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2017.

DON SEDGWICK, MAYOR

ATTEST:

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 201X-
XXX by the City Council of the City of Laguna Hills, California, at a Regular Meeting
thereof held on the _____ day of _____ 201x, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MELISSA AU-YEUNG, CITY CLERK

EXHIBIT A

1235870.1

Table LU-1
Land Use Designations

	Land Use Designation	Density or Intensity	Description
Office Land Uses			
	Office Professional (OP)	Maximum 0.50 FAR	The Office Professional designation provides for the establishment of office-based working environments for administrative and professional offices, as well as necessary support uses. Typical uses include administrative and professional offices, business-related retail and service functions, health care facilities, and vocational and trade schools.
Mixed Use Land Uses			
	Mixed Use (MXU)	Maximum 0.38 FAR	The Mixed Use designation provides for areas where a variety of goods and services can be obtained within an overall planned environment. Within the Mixed Use designation, appropriate land uses include limited industrial and manufacturing uses, administrative and professional uses, institutional and government uses, business support uses, auto-related uses, eating and drinking establishments, personal services, and retail sales of durable goods and general retail sales. More flexible development standards are allowed for hotel uses in order to help facilitate hotel development.
		Maximum 1.0 <u>1.1</u> FAR for hotel uses	
	Neighborhood Mixed Use (NMU)	Maximum 0.38 FAR of .30 non-residential FAR and 0.08 residential FAR	The Neighborhood Mixed Use designation provides areas for a variety of different, compatible land uses to exist in proximity. The intent of the Neighborhood Mixed Use designation is to create attractive neighborhood-level centers that promote a more active, vibrant street life; increase pedestrian activity and reduce vehicular traffic; provide storefront style shopping streets; that provide a variety of compact, multi-family housing types close to jobs and services; and/or encourage walking and social interaction. Within the Neighborhood Mixed Use designation, appropriate land uses include mid-box anchors; administrative and professional uses; grocery and specialty stores; business support uses; eating and drinking establishments; cinemas; personal services; residential condos, apartments, and townhomes; and mixed use structures.

Table LU-1 Land Use Designations			
	Land Use Designation	Density or Intensity	Description
Commercial Land Uses			
	Village Commercial (VC)	No maximum FAR restrictions	The Village Commercial designation is envisioned as a master planned area (Urban Village Specific Plan area) containing specific design standards and policies that enhance pedestrian and vehicle circulation within the currently developed area. The intent of this designation is to establish a community core where commercial, civic, and high density residential uses would be appropriate. The area will contain enhanced pedestrian areas that conveniently link commercial, residential, and civic activity areas. Typical uses include those associated with large regional malls, as well as a medical center, financial institutions, institutional and governmental uses, auto-related services, community facilities, professional offices, and high density residential uses.
	Freeway Commercial (FC)	Maximum 0.40 FAR	The Freeway Commercial designation provides for the development and maintenance of medium intensity commercial uses that serve the needs of the motoring public in the local community and the regional area. This designation is intended to provide an environment that takes advantage of the superior access and visibility provided by the I-5 Freeway. Typical uses include those uses allowed under the Community Commercial designation, restaurants, discount warehouse outlets, service stations, and hotels and motels. More flexible development standards are allowed for hotel uses in order to help facilitate hotel development.
		Maximum 1.1 FAR for hotel uses	
	Community Commercial (CC)	Maximum 0.35 FAR	The Community Commercial designation provides appropriately located areas for the general shopping and commercial service needs of area residents. Typical uses include general retail, markets, commercial services, restaurants, automotive repair and service, hardware and home improvement centers, commercial recreation, professional and business offices, financial institutions, and automotive sales.



Attachment 2 Proposed Ordinance

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT _____, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE (ZONING AND SUBDIVISIONS) AMENDING TABLE 9-11.050 HOSPITALITY OVERLAY ZONE DEVELOPMENT STANDARDS RELATED TO MAXIMUM DENSITY, CHANGING FROM A FLOOR AREA RATIO (FAR) OF 1.0 TO A FAR OF 1.1.

WHEREAS, the City of Laguna Hills proposes to make a minor modification to the Floor Area Ratio contained in the Laguna Hills Development Code to increase the allowable building density/intensity for hotel uses within the Hospitality Overlay Zone from a maximum of 1.0 Floor Area Ratio (FAR) to a maximum of 1.1 FAR ("Amendment") in reaction to the recent evolutions of the hospitality industry to provide more guest amenities and services and to provide further encouragement for hotel development; and

WHEREAS on June 24, 2014 the City Council adopted Resolution No. 2014-6-24-2 approving a Negative Declaration pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the CEQA Guidelines, California Code of Regulations, Title 14, Section 1500 *et. seq.*, for the purpose of considering an amendment to the City's General Plan Land Use Element and Development Code to establish a Hospitality Overlay Zone (HOZ) to increase the allowable building density/intensity for hotel uses within the Freeway Commercial and Mixed Use General Plan Land Use Districts enacting policies to encourage targeted infill development and the development of hotel uses on properties in North Laguna Hills with proximity to, and visibility from, Interstate 5; and

WHEREAS, on June 24, 2014, after adopting Resolution 2014-6-24-2 approving a Negative Declaration concerning the establishment of the Hospitality Overlay Zone, the City Council adopted Resolution 2014-6-24-3 approving General Plan Amendment No. 06-13-2608 to amend the City's General Plan Land Use Element establishing the HOZ; and

WHEREAS, on July 8, 2014 the City of Laguna Hills adopted Ordinance No. 2014-3 amending the Laguna Hills Development Code and Zoning Map to establish a new Hospitality Overlay Zone and related alternative development standards pertaining to building setbacks, height, and floor area ratio for hotel uses over an area of +/- 19.7 acres generally located south of Lake Forest Drive and west of Avenida de la Carlota and encompassing the following properties:

Address	APN
23002 Lake Forest Drive	588-055-03

23052 Avenida de la Carlota	588-055-01
23061 Avenida de la Carlota	588-112-01
23046 Avenida de la Carlota	588-032-25
23041 Avenida de la Carlota	588-111-18
23441 South Pointe Drive	588-111-17
23421 South Pointe Drive	588-111-16
23461 South Pointe Drive	588-111-15
23175 Avenida de la Carlota	588-032-28

WHEREAS, since the enactment of the original HOZ standards in 2014, the City Council finds that it is desirable to provide additional zoning enhancements within the HOZ as an additional enticement to attract hotel development to the City, and that there is a need to further amend the HOZ standards to increase allowable building density/intensity by increasing the allowable floor area ratio within the HOZ; and

WHEREAS, on April 11, 2017 the City Council adopted Resolution No. 2017-04-11-X approving General Plan Amendment No. 10-16-3672 to amend the Laguna Hills General Plan Land Use Element to increase the allowable building intensity for hotel uses within the Freeway Commercial and Mixed Use General Plan Land Use Designations to the extent they fall within the Hospitality Overlay Zone boundaries and to enact policies to encourage targeted infill development and the development of hotel uses on properties in North Laguna Hills with proximity to, and visibility from, Interstate 5 through the adoption of more flexible development standards; and

WHEREAS, the proposed Ordinance amending the Development Code ("Amendment") is consistent with, and would implement, the policies established through General Plan Amendment No. 10-16-3672 in order to encourage the future development of hotel uses within designated portions of North Laguna Hills; and

WHEREAS, the City properly noticed the public hearing concerning the adoption of this Ordinance pursuant to Government Code section 6061 and as required under Government Code section 65090 which was noticed for March 14, 2017 and continued to April 11, 2017; and

WHEREAS, the City Council of the City of Laguna Hills has considered information presented on the proposed Amendment by City Staff, the public, and other interested parties at a Public Hearing held on March 14, 2017 which was subsequently continued to April 11, 2017; and

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA,
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The required findings by the City for approval of the proposed Zone Change have been met and made as follows:

1. That the amendment or plan is consistent with the intent of the goals and policies of the General Plan as a whole, and is not inconsistent with any element thereof:

The proposed Amendment is consistent with the intent, goals, and policies of the General Plan, in particular as they pertain to the General Plan Land Use Element. The General Plan Land Use Element contains a number of policies designed to encourage hotel development in specific areas in both the Freeway Commercial and Mixed Use Land Use Designations. Specifically, those policies provide that more flexible development standards are allowed for hotel uses in order to promote hotel development. Through adoption of General Plan Amendment No. 10-16-3672, the Land Use Element permits a maximum Floor Area Ratio (FAR) of 1.1 for hotel uses on properties within the Freeway Commercial and Mixed Use Land Use Designations. This Amendment will provide further flexibility that directly addresses the objectives noted in the General Plan to achieve the City's economic goals.

2. That the amendment or plan is necessary to prescribe reasonable controls and standards for affected land uses to insure compatibility and integrity of those uses with other established uses.

The proposed Amendment will establish a reasonable level of control for hotel uses within the Hospitality Overlay Zone (HOZ) that balances the goal of encouraging hotel development with the need to ensure that any future hotel development is compatible with other established uses in the area. The increase in Floor Area Ratio for certain properties in the Freeway Commercial and Mixed Use designations will further enhance the opportunity for new or revitalized hotel uses in the affected area while maintaining compatibility with other uses in the area. All other standards that are currently in these two districts, and those adopted as part of the HOZ, remain the same.

3. That the amendment or plan is necessary to provide reasonable property development rights while protecting environmentally sensitive land uses and species.

The proposed Amendment is a minor change to the HOZ that allows more flexibility in the Floor Area Ratio for hotel uses. In order to evaluate the potential effects of the proposed Amendment on environmentally sensitive land uses and species, an addendum to the Negative Declaration was prepared in accordance with CEQA. Based on the whole record before the City, including the addendum and the Negative Declaration, the proposed change in Floor Area Ratio will result not in any new significant effects or a substantial increase in the severity of any previously identified significant effects.

4. That the plan or amendment is necessary to correct discrepancies in standards or policies within the plan area or land use category:

The proposed Amendment is necessary to implement the new General Plan polices encouraging the adoption of more flexible development standards for hotel uses for certain properties in North Laguna Hills and to ensure consistency between the City's General Plan and Development Code as required by state law.

5. That the plan or amendment is necessary to protect the general health, safety, or general welfare of the community as a whole:

The proposed Amendment is a minor change to the HOZ that provides a further increase in Floor Area Ratio that will encourage future hotel development in areas conducive to hotels. Providing workable standards that help promote the future development of additional hotels in the City will aid in maintaining and enhancing the viability of property in the City of Laguna Hills and increase the City's transient occupancy tax revenue. Property viability is a vital goal of the City to further the economic base of the City and therefore fund services and capital projects. By strengthening local economic activity, which in turn enhances local revenues through which public services are provided, the general health, safety, and general welfare of the community is enhanced and therefore protected.

SECTION 3. Title 9 of the City of Laguna Hills Municipal Code (Zoning and Subdivisions), Chapter 9-11 (Overlay Districts), and Table 9-11.050 (Hospitality Overlay Zone Development Standards) is hereby amended to read:

Key: ~~Strikethrough~~ text indicates text that has been deleted. Underlined text indicates text that has been inserted.

Item	Standard
Maximum lot coverage	50%
Maximum density	1.0 FAR <u>1.1 FAR</u>
Maximum building height	75 ft.
Minimum setback-front:	
Parking lot	5 ft.
Parking structure	10 ft.
Building	10 ft.
Minimum setback-side (interior)	10 ft.
Minimum setback- street side	10 ft.
Minimum setback-rear	15 ft.
Minimum landscape coverage	15%

SECTION 4. This Ordinance shall not take effect until and unless General Plan Amendment No. 10-16-3672 takes effect.

SECTION 5. Upon the effective date of this Ordinance, the provisions hereof shall supersede any inconsistent or conflicting provisions of the Laguna Hills Municipal Code.

SECTION 6. If any section, subsection, subdivision, sentence, clause, phrase, or portion 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 this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 7. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this ____ DAY OF _____, 2017.

DON SEDGWICK , MAYOR

ATTEST:

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing Ordinance No. 201x- was duly introduced and
placed upon its first reading at a Regular Meeting of the City Council on the ____ day of
_____, 201x, and that thereafter, said Ordinance was duly adopted and passed at a
Regular Meeting of the City Council held on the ____ day of _____, 201x, by the following
vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

AFFIDAVIT OF POSTING
AND PUBLICATION

MELISSA AU-YEUNG, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of Laguna
Hills;

That in compliance with State Laws of the State of California, ORDINANCE NO. 201x-, being:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT _____, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE (ZONING AND SUBDIVISIONS) AMENDING TABLE 9-11.050 HOSPITALITY OVERLAY ZONE DEVELOPMENT STANDARDS RELATED TO MAXIMUM DENSITY, CHANGING FROM A FLOOR AREA RATIO (FAR) OF 1.0 TO A FAR OF 1.1.

on the ____ day of _____, 201x, was published in the Saddleback Valley News; and was, in compliance with City Resolution No. 2004-05-2502, on the ____ day of _____, 201x and on the ____ day of _____, 201x, caused to be posted in summary in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall
Laguna Hills Community Center
Courtyard at La Paz Center

MELISSA AU-YEUNG, CITY CLERK
Laguna Hills, California

The seal of the City of Laguna Hills is a circular emblem. It features a central illustration of a person in a white robe, possibly a religious figure, holding a staff. The text "CITY OF LAGUNA HILLS" is written in a circular path around the top, and "1991" is at the bottom.

Attachment 3 2014 Adopted IS/ND for the Hospitality Overlay Zoning District

Initial Study/Negative Declaration

Hospitality Overlay Zone

GPA/ZC/ZTA-06-13-2608

Prepared by:

City of Laguna Hills
Community Development Department
24035 El Toro Road
Laguna Hills, CA 92653



Public Hearing Date:

~~April 22~~ June 24, 2014

INITIAL STUDY

1. **Project Title:** The City of Laguna Hills Hospitality Overlay Zone
2. **Lead Agency Name & Address:** City of Laguna Hills
24035 El Toro Road
Laguna Hills, CA 92653
3. **Contact Person and Phone Number:** Chris Dominguez
Assistant Planner
City of Laguna Hills
Phone: (949) 707-2662
Email: cdominguez@ci.laguna-hills.ca.us
4. **Project Location:** ~~Eleven-Nine~~ properties encompassing approximately 19 acres in North Laguna Hills as depicted in the map provided in **Exhibit A**.
5. **Project Sponsor's Name and Address:** City of Laguna Hills
24035 El Toro Road
Laguna Hills, CA 92653
6. **General Plan Designations:** Two General Plan land use designations are affected, which include: Mixed Use (MU); and Freeway Commercial (FC).
7. **Zoning Designations:** Two zoning districts are affected, which include: Mixed Use (MXU); and Freeway Commercial (FC).
8. **Project Description:**
The proposed project will amend the City of Laguna Hills General Plan and Development Code to create a Hospitality Overlay Zone. This overlay zone will cover ~~eleven-nine~~ properties and approximately 19 acres in North Laguna Hills near Avenida De La Carlota and Lake Forest Drive. Specific properties included in the overlay zone are located at: 23175 Avenida De La Carlota; 23461 South Pointe Drive; 23441 South Pointe Drive; 23421 South Pointe Drive; 23041 Avenida De La Carlota; 23046 Avenida De La Carlota; 23061 Avenida De La Carlota; 23052 Avenida De La Carlota; ~~23002 Avenida De La Carlota;~~ and 23002 Lake Forest Drive. The purpose of the overlay zone is to encourage hotel development, by providing more flexible development standards (e.g., required parking, building setbacks, allowable building area, etc.) than what is typically allowed in the Mixed Use and Freeway Commercial zones. In addition, a minor General Plan amendment is

included to ensure consistency between the City's General Plan and proposed amendments to the Development Code. No specific development proposal is being considered at this time.

9. Surrounding Land Uses and Setting:

The proposed Hospitality Overlay Zone is surrounded by the I-5 Freeway to the north and east, and by a variety of uses to the south and west, including warehouses, professional offices, manufacturing, auto repair, and a commercial shopping center. While the surrounding area is highly industrial in nature, many land uses within the project area are located to maximize the area's close proximity to the I-5 Freeway. For example, two hotels located in the project area benefit from access and visibility to the freeway.

10. Required Approvals:

This project requires approval of a Zone Change, Zoning Text Amendment, General Plan Amendment, and CEQA document certification by the Laguna Hills City Council. The Zone Change establishes the boundaries of the proposed overlay zone, the Zoning Text Amendment will establish the development standards for new hotels within the overlay zone, and the General Plan Amendment will establish intensity limits for new development occurring within the overlay zone boundaries.

Draft
March 24, 2014

ENVIRONMENTAL DETERMINATION

Environmental Factors Potentially Affected:

☐	Aesthetics	☐	Agriculture & Forest Resources	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Geology/Soils
☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials	☐	Hydrology/Water Quality
☐	Land Use/Planning	☐	Mineral Resources	☐	Noise
☐	Population/Housing	☐	Public Services	☐	Recreation
☒	Transportation/Traffic	☐	Utilities/Service Systems	☒	Mandatory Findings of Significance

Determination (To be completed by the Lead Agency):

☒	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☐	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect has 1.) been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2.) has been addressed by mitigation measures based on the earlier analysis as prescribed on attached sheets. An ENVIRONMENTAL IMPACT REPORT (EIR) is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects have 1.) been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and 2.) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Chris Dominguez, Assistant Planner

Date

ENVIRONMENTAL CHECKLIST

1. Aesthetics:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within view from a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion:

a-d.) No impact. The proposed amendments to the General Plan and Development Code to create the Hospitality Overlay Zone will not adversely impact a scenic vista, damage scenic resources, degrade the existing visual character of the site and its surroundings, or create a new source of substantial light or glare. This project will establish policies for future development of hotel uses, but no specific development proposal is under consideration at this time. The General Plan Program EIR identifies Laguna Hills as a nearly built out community (City of Laguna Hills, 2009), so future development of hospitality-related land uses is expected to occur as infill development using existing commercial structures. Further, according to the California Department of Transportation Scenic Highway Mapping System, there are no state-identified scenic highways in Laguna Hills (California Department of Transportation, 2011).

Should future development occur as a result of this project, any potential impacts relating to scenic vistas and visual resources will be analyzed separately under CEQA as each development occurs. These developments would be subject to the City's design regulations and standards as outlined in the Development Code, which are designed to maintain the existing visual character and quality of the community. Therefore, no impact will occur and no mitigation measures are necessary.

2. Agricultural Resources:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	☐	☐	☐	☒
d) Result in loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion:

- a-e.) No Impact. The Laguna Hills General Plan land use element does not identify farmland or forest resources within the City of Laguna Hills (City of Laguna Hills, 2009). Additionally, the California Department of Conservation does not identify land in Laguna Hills on their maps of important farmland in Orange County (California Department of Conservation, 2010). Therefore, no impact will occur and no mitigation measures are necessary.

3. Air Quality:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Discussion:

- a.) No impact. The City of Laguna Hills is located in the South Coast Air Basin, which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The most recent applicable air quality plan for this area is the 2012 Air Quality Management Plan published by the SCAQMD. The proposed project will not conflict with the 2012 Air Quality Management Plan since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to this plan will be analyzed for significance.
- b-e.) No impact. The proposed project will not violate any air quality standard, increase a criteria pollutant, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and air quality impacts will be analyzed for significance.

4. Biological Resources:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

Discussion:

a-c.) No impact. According to the City's General Plan Program EIR, the majority of land within the City of Laguna Hills is developed, with isolated patches of native vegetation limited to isolated patches occurring in stream channels, drainages,

hillsides, and small urban canyons (City of Laguna Hills, 2009). The document also found that there are no documented sensitive plants or wildlife species, habitats, or wetlands in or around the project area (2009). Additionally, no development project is under consideration at this time. Therefore, no impacts will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and any potential impacts to sensitive plants or wildlife species will be analyzed for significance.

- d.) No impact. Although the majority of land within the City of Laguna Hills is developed, the General Plan Program EIR identifies streams and riparian corridors that traverse the City that may serve as limited movement corridors for wildlife species (City of Laguna Hills, 2009). These potential wildlife corridors include Aliso Creek, located in the central part of the City, and Veeh Reservoir and its associated tributaries in the northwestern part of the City. The area affected by the Hospitality Overlay Zone is fully urbanized and is approximately one-half mile from the nearest potential wildlife corridor. Additionally, no specific development project is under consideration at this time. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and any potential impacts to movement of migratory fish and wildlife will be analyzed for significance.
- e.) No impact. The City of Laguna Hills Tree Protection Ordinance regulates the planting, maintenance, protection, and removal of City-owned trees and shrubs in City rights-of-way, parks, and open space (City of Laguna Hills, 2004). The proposed project will not conflict with the City's Tree Protection Ordinance since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and any potential impacts to the City's Tree Protection Ordinance will be analyzed for significance.
- f.) No impact. The City of Laguna Hills is included in the County's Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP), but no land designated as "reserve" under the NCCP/HCP occurs within the planning area (City of Laguna Hills, 2009). Further, since no specific development project is under consideration, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and any potential impacts to adopted conservation plans will be analyzed for significance.

5. Cultural Resources:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion:

- a.) No impact. The proposed project will not cause a substantial change in the significance of a historical resource as defined in §15064.5 since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to historical resources will be analyzed for significant impacts.
- b.) No impact. The General Plan Program EIR cites 14 archaeological sites within the City and indicates the potential for other archaeological resources to exist (City of Laguna Hills, 2009). The area encompassing the proposed Hospitality Overlay Zone is fully developed, so any archeological resources on the affected properties would have been discovered during their initial development. Additionally, no development project is under consideration at this time. Therefore, no impacts will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and any potential impacts to archeological resources will be analyzed for significance.
- c.) No impact. The General Plan Program EIR indicates that the City is home to paleontological resources ranging from no paleontological sensitivity to high sensitivity and that the development of land has the potential to impact known and unknown paleontological resources (City of Laguna Hills, 2009). The proposed project does not involve land development, since a specific

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development proposal is not under consideration at this time. Therefore, no impacts will occur and no mitigation measures are necessary at this time. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and any potential impacts to paleontological resources will be analyzed for significance.

- d.) No impact. The proposed project will not disturb any human remains since no specific development project is under consideration. The General Plan Program EIR indicates that any ground-disturbing activities (such as those associated with land development) have the potential to impact human remains (City of Laguna Hills, 2009). However, there are no known human remains within the project vicinity and the proposed project does not involve ground-disturbing activities. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to human remains will be analyzed for significance.

6. Geology and Soils:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Discussion:

- a.i-ii.) No impact. According to the most current (2012) Alquist-Priolo Earthquake Fault Zone map published by the California Department of Conservation, the City of Laguna Hills is not located within the boundaries of an established Alquist-Priolo Earthquake Fault Zone (California Department of Conservation, 2012). The proposed project will not expose people or structures to substantial adverse

effects from rupture of a known earthquake fault or strong seismic shaking since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and potential impacts will be analyzed for significance.

- a.iii.) No impact. The General Plan Program EIR identifies that a portion of the project area is within a liquefaction hazard zone generally associated with the south branch of the San Diego Creek channel (City of Laguna Hills, 2009). Despite this, the proposed project will not expose people or structures to substantial adverse effects from seismic related ground failure, including liquefaction, since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts relating to seismic related ground failure and liquefaction zones will be analyzed for significance.
- a.iv.) No impact. The project area is not located in an area of the City identified by the General Plan Program EIR as susceptible to earthquake-induced landslides and other types of slope failures (City of Laguna Hills, 2009). Additionally, the proposed project will not expose people or structures to substantial adverse effects from landslides since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts relating to landslides will be analyzed for significance.
- b.) No impact. The proposed project will not result in substantial soil erosion or loss of topsoil since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts relating to soil erosion or loss of topsoil will be analyzed for significance.
- c.) No impact. The properties affected by the Hospitality Overlay Zone are currently developed with office, hotel, and restaurant buildings. Any geologic hazards (such as unstable soil, lateral spreading, subsidence, liquefaction, etc.) associated with these sites would have been identified when they were originally developed. Additionally, the proposed project will not create any geologic hazards since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts relating to geologic hazards will be analyzed for significance.

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- d.) No impact. The proposed project will not be located on expansive soil since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts relating to expansive soils will be analyzed for significance.
- e.) No impact. The proposed project does not involve the use of septic tanks since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts relating to wastewater disposal will be analyzed for significance.

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7. Greenhouse Gas Emissions:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	☐	☐	☐	☒

Discussion:

- a-b.) No impact. The General Plan Program EIR determined that under the City's twenty year, build-out scenario, annual greenhouse gas emissions would increase by 24% compared to 2008 conditions (City of Laguna Hills, 2009). Thus, any development that occurs in accordance with the General Plan would incrementally contribute towards climate change. The General Plan Program EIR notes that all individual development projects will be required to undergo project-specific environmental review and mitigation measures to reduce significant environmental impacts relating to greenhouse gasses. No specific development proposal is under consideration at this time. Future redevelopment occurring in the Hospitality Overlay Zone will be evaluated for project-specific impacts as they are proposed. No impacts will occur at this time and no mitigation measures are necessary.

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8. Hazards and Hazardous Materials:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion:

a-c.) No impact. The proposed project will not involve routine transport, use, or disposal of hazardous materials since no specific development project is under consideration. Additionally, the proposed project is not located within one-

quarter mile of an existing or proposed school as confirmed by the City's GIS mapping system (City of Laguna Hills, 2014). Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts relating to hazardous materials will be analyzed for significance.

- d.) No Impact. The City's General Plan Program EIR identifies seven properties that are listed on the California Environmental Protection Agency's annual Hazardous Waste and Substances List, also known as the "Cortese List" (City of Laguna Hills, 2009). None of these properties are in or near the proposed Hospitality Overlay Zone. No impact will occur and no mitigation measures are necessary.
- e-f.) No impact. The proposed Hospitality Overlay Zone is not located within the boundaries of an airport land use plan or within the vicinity of a public or private airport. No impact will occur and no mitigation measures are necessary.
- g.) No impact. The proposed project does not include a specific development proposal that will impair or interfere with an adopted emergency response plan or emergency evacuation plan since no development is proposed. No impact will occur and no mitigation measures are necessary.
- h.) No impact. According to the latest Fire Hazard Severity Zone maps for Orange County released by CAL FIRE in 2011, there are no "Very High" fire severity areas within the City of Laguna Hills (CAL FIRE, 2011). Additionally, no specific development proposal is under consideration at this time. No impact will occur and no mitigation measures are necessary.

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9. Hydrology and Water Quality:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within 100-year flood hazard area structures, which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

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Discussion:

- a.) No impact. The proposed project will not violate any water quality standards or waste discharge requirements since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts relating to water quality standards or waste discharge requirements will be analyzed for significance.
- b.) No impact. Therefore, no impact will occur and no mitigation measures are necessary. The proposed project will not affect groundwater supplies or interfere with groundwater recharge since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and groundwater impacts will be analyzed for significance.
- c-e.) No impact. The proposed project will not affect existing drainage patterns since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and site drainage impacts will be analyzed for significance.
- f.) No impact. The proposed project will not violate any water quality standard since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and water quality impacts will be analyzed for significance.
- g-h.) No impact. The City's General Plan Program EIR identified three areas in the City as 100-year flood hazard areas as mapped in the Federal Insurance Rate Maps (City of Laguna Hills, 2009). These areas are located around Aliso Creek, Veeh Reservoir, Mill Creek, and in a zone northwest of Alicia Parkway in the southern portion of the City, outside of the proposed project area. Therefore, no impact will occur and no mitigation measures are necessary.
- i.) No impact. The City's General Plan Program EIR identifies specific areas of the City where there is potential for flooding due to failure of a levee, dam or reservoir (City of Laguna Hills, 2009). These areas include the southeastern edge of the City adjacent to the I-5 Freeway and the area immediately adjacent to the Veeh Reservoir and Sulphur Creek Reservoir. The project area is not located within or near these areas, so no impact will occur and no mitigation measures are necessary.

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- j.) No impact. Due to its inland location, the City of Laguna Hills is not located within an inundation zone associated with any seiche, tsunami, or mudflow event. No impact will occur and no mitigation measures are necessary.

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10. Land Use and Planning:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion:

- a.) No impact. The City of Laguna Hills is a built-out community and any new development that occurs as a result of this project will follow existing development patterns, which are characterized by high-density, 2-6 story office buildings and hotels. The proposed project will establish a Hospitality Overlay Zone, which will allow for a greater maximum density (1.0 Floor Area Ratio) to be applied to hotel uses. Because the area within and surrounding the proposed Hospitality Overlay Zone already experiences higher density than in other areas of the Mixed Use zone, the project will not physically divide an established community. Additionally, no specific development proposal is under consideration at this time. No impact will occur and no mitigation measures are necessary.
- b.) No impact. The Regional Comprehensive Plan (RCP) and Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) are two plans developed by the Southern California Association of Governments (SCAG) that include policies targeting greenhouse gas emissions from land use and transportation activities. While SCAG does not have the authority to mandate implementation of its policies, the City of Laguna Hills has nonetheless considered them a worthwhile undertaking in its own planning activities. The proposed Hospitality Overlay Zone will not conflict with any of the goals or policies of SCAG's regional plans and will even promote a number of goals and policies by encouraging infill and redevelopment. The City's General Plan anticipates a "build-out" capacity of 4,933,549 square feet of commercial development in the North Laguna Hills area, and this projection will not change as part of the proposed project (City of Laguna Hills, 2009). This build-out

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projection was also provided to SCAG during development of the RTP/SCS and future development that occurs within the Hospitality Overlay Zone will be analyzed to ensure consistency with that projection, the RCP, and RTP/SCS. Outside of the RCP and RTP/SCS, implementation of the Hospitality Overlay Zone will require amendments to the General Plan and Development Code to ensure consistency internally and between these two policy documents. No impact will occur and no mitigation measures are necessary.

- c.) No impact. According to the City's General Plan Program EIR, there are currently no adopted habitat conservation plans or natural community conservation plans in the City of Laguna Hills (City of Laguna Hills, 2009). No impact will occur and no mitigation measures are necessary.

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11. Mineral Resources:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion:

- a-b.) No impact. According to the City's General Plan Program EIR, the City is not located within an area that is specifically identified by the California Department of Mines and Geology as having substantial mineral resources (City of Laguna Hills, 2009). Further, the City is a fully developed, urbanized area and no new construction or soil disturbance will be affected. Therefore, no impact will occur and no mitigation measures are necessary.

12. Noise:

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion:

- a.) No impact. The proposed project will not violate any established noise standard since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and noise impacts will be analyzed for significance.
- b-d.) No impact. The proposed project will not create or add to existing sources of groundborne vibration or noise since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts relating to groundborne vibration and noise will be analyzed for significance.

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- e.) No impact. The General Plan Land Use Element shows the project area is not located within an area that is subject to the requirements of an airport land use plan or within two miles of a public airport or public use airport (City of Laguna Hills, 2009). No impact will occur and no mitigation measures are necessary.
- f.) No impact. The General Plan Land Use Element shows the project area is not located within the vicinity of a private airstrip (City of Laguna Hills, 2009). No impact will occur and no mitigation measures are necessary.

13. Population and Housing:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion:

- a-c.) No impact. Creation of the Hospitality Overlay Zone will not directly or indirectly induce substantial population growth since a specific development proposal is not under consideration at this time. Future development that occurs within the Hospitality Overlay Zone is not expected to include new housing or require expansion of existing infrastructure. Instead, future development is expected to be consistent with the growth projections outlined in the General Plan and with the Southern California Association of Governments' Regional Transportation Plan and Sustainable Community Strategy. Finally, future development within the Hospitality Overlay Zone will be evaluated under CEQA on a project-specific basis. No impact will occur at this time and no mitigation measures are necessary.

14. Public Services:

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Fire protection?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Discussion:

- a.) No impact. The proposed project will not impact fire protection services since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to fire protection services will be analyzed for significance.
- b.) No impact. The proposed project will not impact police protection services since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to police protection services will be analyzed for significance.
- c.) No impact. The proposed project will not have an adverse effect on local school services since no specific development proposal is under consideration. Student generation rates for the Saddleback Valley Unified School District (SVUSD) are determined by the number and type of dwelling units within a service area (Davis Demographics & Planning, Inc., 2004). Future housing development within the Hospitality Overlay Zone will not occur as a result of this amendment that would increase the number of students within the SVUSD service area. Therefore, no impacts will occur and no mitigation measures are necessary.
- d.) No impact. The proposed project will not impact park services since no specific development project is under consideration. Therefore, no impact will occur and

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no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and park impacts will be analyzed for significance.

- e.) No impact. The proposed project will not impact public facilities since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to public facilities will be analyzed for significance.

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15. Recreation:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion:

- a-b.) No impact. The proposed project will not impact neighborhood parks, regional parks, or other recreational facilities since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and recreational facility impacts will be analyzed for significance.

16. Transportation and Traffic:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Discussion:

- a.) ~~No impact~~ Less than significant impact. In order to fully understand how the proposed project may impact the effectiveness of the surrounding circulation system, the total number of vehicle trips was estimated using the Institute of Transportation Engineers Trip Generation Manual, 9th Edition, under a full "build-out" scenario, which assumed that every property included in the HOZ was redeveloped with a hotel use (existing hotels remained as is). Trips from future hotel developments in the HOZ were compared to the estimated trips generated by existing land uses to determine the potential traffic impact. Based upon this analysis, a total of 6,299 daily trips are anticipated under the HOZ build-out

scenario compared to the 4,636 daily trips generated by existing land uses – a difference of 1,663 new trips added to the area. The analysis also evaluated the number of trips occurring during peak periods (AM and PM); utilizing *Trip Generation Manual, 9th Edition*. Based upon land use, such as hotel, office, restaurant, etc., applying these profiles to the build-out scenario shows that if every existing land use in the HOZ were converted to hotel uses (existing hotel uses excepted), the total number of AM peak hour trips would decrease from 586 trips to 409 (a 30% decrease), and the total number of PM peak hour trips would decrease from 529 trips to 462 (a 13% decrease).

In summary, while the total number of daily trips occurring in the HOZ would increase under the build-out scenario, these trips would be spread more evenly throughout the day, resulting in less traffic during peak demand periods. Therefore, ~~the proposed project will have a less than significant impact on the City's circulation system and will not conflict with any plan, ordinance, or policy regulating the City's circulation system. since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to the City's circulation system will be analyzed for significance.~~

- b.) No impact. The proposed project will not conflict with an adopted congestion management plan since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to a congestion management plan will be analyzed for significance.
- c.) No impact. The City's General Plan Land Use Element shows there are no airports located near the project area (City of Laguna Hills, 2009). No aviation-related elements are included in this project and no elements of this project will affect existing air traffic patterns. No impact will occur and no mitigation measures are necessary.
- d.) No impact. The proposed project will not create hazards or incompatible uses since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and hazardous impacts will be analyzed for significance.
- e.) No impact. No specific development proposal is under consideration that would result in inadequate emergency access. Therefore no impacts will occur and no mitigation measures are necessary. The proposed project will not result in inadequate emergency access since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are

necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to emergency access will be analyzed for significance.

- f.) No impact. No specific development proposal is under consideration. Therefore no impacts will occur and no mitigation measures are necessary. The proposed project will not conflict with any adopted plans, policies or programs relating to public transit or bicycle and pedestrian facilities since no specific development project is under consideration. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and impacts to these facilities will be analyzed for significance.

17. Utilities and Service Systems:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion:

- a-b.) No impact. No specific development proposal is under consideration that would exceed wastewater treatment requirements of the local Regional Water Quality Control Board. For potential future development within the Hospitality Overlay Zone, the General Plan Program EIR found that the El Toro Water District has sufficient wastewater treatment capacity to serve potential development and redevelopment within the City, including the "build-out" scenario of 4,933,549 square feet of commercial development in the North Laguna Hills area (City of Laguna Hills, 2009). The proposed project will not impact this projection. As a matter of practice, the City routinely reviews development projects in consultation with the appropriate water district to ensure that sufficient wastewater

infrastructure capacity continues to be available. No impact will occur and no mitigation measures are necessary.

- c.) No impact. The General Plan Program EIR examined future land development within the City under a “build-out” scenario of 4,933,549 square feet of commercial development in the North Laguna Hills area and concluded that the existing flood control and storm water drainage systems are sufficient to handle the projected demand (City of Laguna Hills, 2009). The proposed project will not change the build-out scenario for the North Laguna Hills area. No impact will occur and no mitigation measures are necessary.
- d.) No impact. No specific development proposal is under consideration that would require new or expanded water supply facilities. The project area is serviced by the El Toro Water District, which concludes in its 2010 Urban Water Management Plan that it expects to have adequate water supply available to meet the demand posed by growth within its jurisdiction through 2035 (El Toro Water District, 2011). This determination considered the “build-out” scenario outlined in the City’s General Plan, where the North Laguna Hills area is expected to accommodate 4,933,549 square feet of commercial development (City of Laguna Hills, 2009). The proposed project will not change this build-out scenario. Finally, future development within the Hospitality Overlay Zone will be reviewed in consultation with the El Toro Water District to ensure adequate availability of long-term water supplies to the development. No impact will occur and no mitigation measures are necessary.
- e.) No impact. The South Orange County Wastewater Authority has indicated that the remaining capacity at its wastewater treatment facility is sufficient to serve potential new development and redevelopment in Laguna Hills, which includes 4,933,549 square feet of commercial development in the North Laguna Hills area (City of Laguna Hills, 2009). The proposed project will not change this growth projection. Additionally, no specific development proposal is under consideration at this time. No impact will occur and no mitigation measures are necessary.
- f.) No impact. No specific development proposal is under consideration that would require additional landfill capacity. Future development within the Hospitality Overlay Zone will create demand for solid waste services, but the demand generated is not expected to be greater than what was anticipated under the General Plan’s “build-out” scenario of 4,933,549 square feet of commercial development in the North Laguna Hills area (City of Laguna Hills, 2009). The proposed project will not change this build-out scenario. The City of Laguna Hills is currently served by the Frank R. Bowerman Landfill near the San Joaquin Foothills, which is expected to sufficiently accommodate the City’s solid waste disposal needs until its closure in 2022 (City of Laguna Hills, 2009). After its closure, the City plans for regional landfills to be able to accommodate the City’s solid waste disposal needs for the foreseeable future (2009). No impact will occur at this time and no mitigation measures are necessary.

- g.) No impact. No specific development proposal is under consideration that would conflict with federal, state, or local statutes and regulations related to solid waste. Any future development within the Hospitality Overlay Zone will be required to implement the City's solid waste reduction programs to further the City's goal of remaining in compliance with the California Integrated Waste Management Act of 1989. No impact will occur and no mitigation measures are necessary.

18. Mandatory Findings of Significance:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion:

- a.) No impact. As outlined in responses to "Biological Resources," "Agriculture and Forest Resources," and "Cultural Resources," the proposed project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory. As discussed throughout this analysis, no specific development proposal is under consideration at this time as the proposed project is policy oriented.
- b.) Less than significant impact. While no specific development proposal is under consideration at this time, this project may lead to future development due to the development standards offered to hotel uses within the overlay zone. Because the project area is a fully developed urban environment, future development is expected to occur reusing existing commercial structures (such as office buildings or hotels). As such, the "net" impact of future development within the

Draft
March 24, 2014

Hospitality Overlay Zone is expected to be less than significant. For example, the City's General Plan projects a total of 4,933,549 square feet of commercial development in the North Laguna Hills area as a "build-out" scenario, and this will not change as a result of this project (City of Laguna Hills, 2009). As outlined in the responses to "Public Services," and "Utilities and Service Systems," cumulative impacts are expected from future development, but the extent of those impacts can only be speculated at this time. Therefore, future development within the Hospitality Overlay Zone will be analyzed under CEQA for cumulative environmental impacts on a project-specific basis.

- c.) No impact. This project does not include a specific development proposal that will cause substantial adverse effects on human beings. The project is policy-oriented to allow for the creation of a Hospitality Overlay Zone. The impacts of future development within the Hospitality Overlay Zone will be analyzed under CEQA on a project-specific basis.

Exhibits:

- A. Proposed Hospitality Overlay Zone map

WORKS CITED

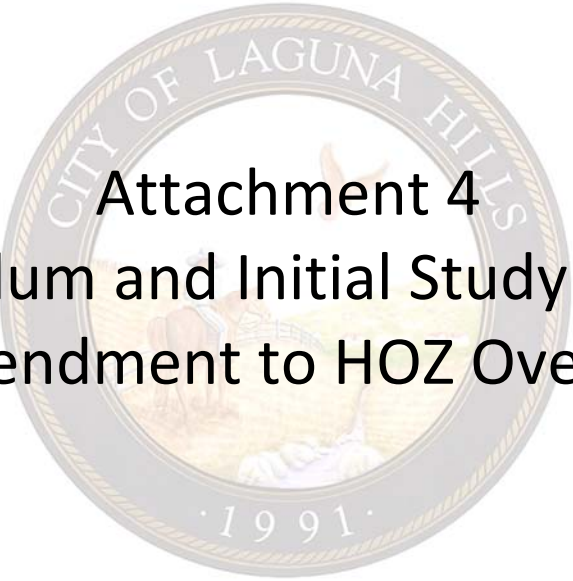
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EXHIBIT A



Attachment: Attachment 3 - 2014 Adopted IS-ND Hospitality Overlay Zone District (1250 : Increase in the Maximum Floor Area Ratio in the

The seal of the City of Laguna Hills is a circular emblem. It features a central illustration of a person in a white robe, possibly a saint or a historical figure, holding a staff. The text "CITY OF LAGUNA HILLS" is written in a circular path around the top, and "1991" is at the bottom.

Attachment 4

Addendum and Initial Study for FAR Amendment to HOZ Overlay

ADDENDUM TO THE PREVIOUSLY ADOPTED
2014 INITIAL STUDY AND NEGATIVE DECLARATION
FOR THE HOTEL OVERLAY (HOZ)

A. INTRODUCTION

On June 24, 2014, the Laguna Hills City Council adopted an Initial Study and Negative Declaration ("IS/ND"), for General Plan Amendment/ Zone Change Zoning Text Amendment No. 06-13-2608, a project consisting of a general plan amendment, zone change, and zoning text amendment to create a Hospitality Overlay Zone (HOZ) to allow alternative development standards (relating to building setbacks, height, and floor area ratio) to be applied to hotel uses within the overlay zone. The general plan amendment (GPA) added policies to the City's Land Use Element encouraging targeted infill development and the development of hotel uses on certain properties with proximity to the I-5 Freeway. The zone change (ZC) and zoning text amendment (ZTA) established the Hospitality Overlay Zone and corresponding, alternative development standards for hotel uses in the City's zoning ordinance and official zoning map. The GPA and ZTA applied to a total of nine (9) properties in the Mixed Use and Freeway Commercial Zoning Districts. A Notice of Determination (NOD) was filed on July 11, 2014. Along with language changes to the general plan, a specific set of development standards were adopted for hotel uses in the overlay area that are different from the standards shown in the Mixed Use and Freeway Commercial Zoning District.

Since the ND was adopted, development concepts in the hotel industry have been further refined that create the need to amend the specific standard related to Floor Area Ratio (FAR). Both the City's General Plan and the overlay zone limited the maximum FAR to a total of 1.0 in 2014. Trends in the hospitality industry point to a need to further apply a change to the FAR by ten percent or a total maximum FAR of 1.1.

When a change occurs to a proposed project or its surrounding circumstances following certification of an environmental impact report ("EIR") or negative declaration, further CEQA review may be required in certain instances. As detailed below, an addendum is appropriate in this case because increasing the maximum FAR by ten percent requires only a minor, technical change to the IS/ND, and does not result in any new significant effects or substantial increases in the severity of previously identified significant effects. (Public Resources Code § 21166; Cal. Code Regs., Title 14, §§ 15162(a), 15164.)

B. APPLICABLE LAW

According to Section 15162(a) of the CEQA Guidelines (Cal. Code Regs., title 14, Sections 15000, *et seq.*), when a negative declaration has been adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15162(b) states that if changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation. Per CEQA Guidelines section 15164(b), an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

C. PREVIOUSLY ADOPTED IS/ND AND AMENDMENT TO THE FAR FOR THE HOZ

The City of Laguna Hills prepared the original Draft IS/ND for the HOZ with a circulation period of March 27, 2014 through April 15, 2014. Based on the conclusions of the Initial study and in light of the full record the establishment of the HOZ and the creation of alternative development standards, the City concluded that the HOZ would not have a significant effect on the environment. Staff recommended adoption of a Negative Declaration because the proposed General Plan and Development Code Amendments would not result in any significant impacts on the environment or to the public health, safety, and welfare. No comments were received during the 20-day public comment period, although the City of Irvine did raise a concern regarding potential traffic impacts. After additional information was provided in the Draft IS/ND, the concerns were resolved to the satisfaction of the City of Irvine and the City proceeded to adopt

the project and negative declaration on July 8, 2014 and post the project Notice of Determination on July 14, 2014.

The Project consisted of amendments to the City's General Plan, Zoning Code and Map, including the following:

Changes to the General Plan consisted of language changes that were meant to provide more flexibility to development standards in the Mixed Use (MU) and Freeway Commercial (FC) general plan land use designations in order to facilitate hotel development. A maximum Floor Area Ratio of 1.0 was applied to hotel uses instead of the maximum FAR of .38 in the Mixed Use and .40 in the Freeway Commercial areas.

Chapter 9.11 of the City's Municipal Code details the use of overlay districts in the City. Amendments were included that created the Hospitality Overlay Zone (HOZ), a new overlay applied to the Mixed Use (MXU) and Freeway Commercial (FC) zoning districts. Instead of applying these standards to the entire area covered by these two zoning districts, a total of nine properties that were in proximity to I-5 Freeway were identified for inclusion. These included: 23002 Lake Forest Drive; 23052, 23041, 23046, 23061 and 23175 Avenida de la Carlota; 23421, 23441 and 23461 South Pointe Drive. Specific development standards developed for the overlay are similar to the existing standards for the two zoning districts with some notable exceptions. The maximum height for the HOZ overlay is 75 feet versus 40 feet in the MXU zone and 50 feet in the FC zone. As explained above, a maximum FAR of 1.0 is applied to hotel uses while the maximum FAR in the MXU zone is .38 and .40 in the FC zone. Setbacks were reduced by five feet for parking lots and street side setbacks and by ten feet for parking structures and buildings in the front setback.

Since adoption of the overlay zone, the hospitality industry continues to evolve and develop new options for travelers. Although it is not exclusive, hotels located in this affected area of Laguna Hills tend to center around the business traveler, either short term or for an extended period. In order to provide accommodations for this type of traveler, additional amenities create the need to further adjust the maximum FAR for the overlay zone. The proposed adjustment is for an addition of 0.1 FAR, creating an amended maximum FAR of 1.1.

Increasing the FAR from a maximum of 1.0 to 1.1 creates the potential for the nine properties to add additional building square footage. Depending on the size of the property potential additional development will vary between 5,204 square feet and 20,038 square feet. Over the entire +/- 19.7 acre HOZ area the increase in FAR could allow up to 85,893 square feet. This addendum considers the conclusions that were drawn in the adopted IS/ND and any potential impacts that may be caused by the proposed increase in FAR.

D. CONCLUSION

The Addendum is based on the attached initial study which is incorporated herein by reference. The proposed minor change to the maximum FAR for the HOZ does not alter any of the analyses

or conclusions contained in the IS/ND. The amendment does not involve any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In short, none of the circumstances set forth in Public Resources Code section 21166 or CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or ND have occurred, and at most, the increase in FAR by ten percent would require only a minor technical change to the previously-adopted IS/ND. Therefore, an addendum to the ND is appropriate, and no subsequent EIR or ND is required (Public Resources Code § 21166; CEQA Guidelines § § 15162; 15164.)

Initial Study for Addendum No. 1 to the 2014 Negative Declaration for the City of Laguna Hills Hospitality Overlay Zone

**An Amendment to the City's Hospitality Overlay Zone
Increasing the Allowable FAR from 1.0 to 1.1**

GPA/ZTA-10-16-3672

Prepared by:

City of Laguna Hills
Community Development Department
24035 El Toro Road
Laguna Hills, CA 92653



Public Hearing Date:

April 11, 2017

INITIAL STUDY

1. **Project Title:** General Plan Amendment/ Zone Text Amendment -10-16-3672; A minor amendment to the City of Laguna Hills Hospitality Overlay Zone to increase the allowable FAR from 1.0 to 1.1.

2. **Lead Agency Name & Address:** City of Laguna Hills
24035 El Toro Road
Laguna Hills, CA 92653

3. **Contact Person and Phone Number:** David Chantarangsu
Community Development Director
City of Laguna Hills
Phone: (949) 707-2675
Email: dchantarangsu@lagunahillsca.gov

4. **Project Location:** Eleven properties encompassing approximately 19 acres in North Laguna Hills as depicted in the map provided in **Exhibit A**.

5. **Project Sponsor's Name and Address:** City of Laguna Hills
24035 El Toro Road
Laguna Hills, CA 92653

6. **General Plan Designations:** The Hospitality Overlay Zone is located within an area that includes two General Plan land use designations: Mixed Use (MU); and Freeway Commercial (FC) General Plan Land Use designations.

7. **Zoning Designations:** Underlying zones within the existing Hospitality Overlay Zone are the Mixed Use (MXU); and Freeway Commercial (FC) zone designations.

8. **Project Description:**
The proposed project will amend the City of Laguna Hills General Plan and Development Code to modify the existing Hospitality Overlay Zone which was enacted in 2014. This overlay zone currently covers eleven properties and approximately 19 acres in North Laguna Hills near Avenida De La Carlota and Lake Forest Drive. Specific properties included in the overlay zone are located at: 23175 Avenida De La Carlota; 23461 South Pointe Drive; 23441 South Pointe Drive; 23421 South Pointe Drive; 23041 Avenida De La Carlota; 23046 Avenida De La Carlota; 23061 Avenida De La Carlota; 23052 Avenida De La Carlota; 23002 Avenida De La Carlota; and 23002 Lake Forest Drive.

When originally adopted, the purpose of the Hospitality Overlay Zone (HOZ) was to encourage hotel development by providing more flexible development standards (e.g., required parking, building setbacks, and allowable building area, among others) than what is allowed in the Mixed Use and Freeway Commercial zones. The proposed amendment increases allowable building area within the HOZ from 1.0 to 1.1 to enable future hotel projects to include more guest amenities in their facilities such as fitness areas and business conference spaces. A minor General Plan amendment is included to ensure consistency between the City's General Plan and the proposed Zoning Text Amendment. No specific development proposal is being considered at this time and no expansion of the HOZ boundary is proposed.

9. Surrounding Land Uses and Setting:

The Hospitality Overlay Zone is surrounded by the I-5 Freeway to the north and east, and by a variety of uses to the south and west, including warehouses, professional offices, manufacturing, auto repair, and a commercial shopping center. Several buildings within the HOZ are between two and six stories high (see **Exhibit B**).

10. Required Approvals:

This project requires approval of a CEQA document, Zoning Text Amendment, and General Plan Amendment. The General Plan Amendment will indicate a revised allowable FAR building intensity standard for new hotels within the overlay zone from 1.0 to 1.1, and the Zoning Text Amendment will reflect an identical increase in allowable intensity limits for new hotel development occurring within the overlay zone boundaries.

A Negative Declaration was adopted with the original approval of the Hospitality Overlay Zone in 2014. This initial study analyzes potential impacts to the environment as a result of the proposed FAR increase. (Public Resources Code § 21166; CEQA Guidelines § 15162.) Based on the findings in this initial study, an Addendum to the original Negative Declaration is proposed.

ENVIRONMENTAL DETERMINATION

Environmental Factors Potentially Affected:

☐	Aesthetics	☐	Agriculture & Forest Resources	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Geology/Soils
☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials	☐	Hydrology/Water Quality
☐	Land Use/Planning	☐	Mineral Resources	☐	Noise
☐	Population/Housing	☐	Public Services	☐	Recreation
☐	Transportation/Traffic	☐	Tribal Cultural Resources	☐	Utilities/Service Systems
☐	Mandatory Findings of Significance				

Determination (To be completed by the Lead Agency):

☒	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☐	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect has 1.) been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2.) has been addressed by mitigation measures based on the earlier analysis as prescribed on attached sheets. An ENVIRONMENTAL IMPACT REPORT (EIR) is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects have 1.) been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and 2.) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

David Chantarangsu, Community Development Director

Date

ENVIRONMENTAL CHECKLIST

1. Aesthetics:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within view from a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion:

- a) No Impact. In 2014, a Negative Declaration was adopted with the approval of the original Hospitality Overlay Zone (the "2014 ND"). The 2014 ND found that there were no state-identified scenic highways in Laguna Hills according to the California Department of Transportation Scenic Highway Mapping System. (California Department of Transportation, 2011). Since 2014, no new scenic highway designations have occurred in or near the HOZ. In addition, the immediately surrounding area remains built out, and consists of warehouses, professional offices, manufacturing, auto repair, and a commercial shopping center. Several buildings within the HOZ are between two and six stories high as depicted in Attachment X. As sites build out as hotel developments, it is expected that development will comply with the City's zoning code standards which require landscaped setbacks and site landscaping to maintain consistency with the look and appearance of existing developed properties in the area which also include landscaped setbacks and site landscaping. Therefore the level of impact remains the same as originally evaluated. Further, no specific development project is under consideration. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered under CEQA and any potential impacts to scenic vistas will be analyzed for significance.
- b) No Impact. The 2014 ND determined there were no state-identified scenic highways in Laguna Hills according to the California Department of Transportation Scenic Highway Mapping System, so there would be no impact to scenic resources. (California Department of Transportation, 2011) The 2014 ND also found that there would be no impact to scenic resources since no specific

development project was proposed. The 2014 ND identified Laguna Hills as a nearly built out community (City of Laguna Hills General Plan, 2009), and determined that future development of hospitality-related land uses is expected to occur as infill development using existing commercial structures. The HOZ is located in the northeast corner of the North Laguna Hills area, which is built out, consists of warehouses, professional offices, manufacturing, auto repair, and a commercial shopping center. Several buildings in the immediate area are between two and six stories high. Since 2014, no new scenic highway designations have occurred in or near the HOZ (California Scenic Highway Mapping System Website, 2017). Therefore the level of impact remains the same as originally evaluated. Further, no specific development project is under consideration. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered under CEQA and any potential impacts to scenic resources will be analyzed for significance.

- c) Less Than Significant Impact. The 2014 ND determined that there would be no impact to the visual character or quality of the area since no specific development project was proposed, and that future projects would be expected to comply with the City's design regulations and development standards. Since 2014, there have been no changes to the visual quality or condition of the area. No sites have been redeveloped and there have been no changes in the City's development standards affecting the area. The North Laguna Hills area, which is built out, consists of warehouses, professional offices, manufacturing, auto repair, and a commercial shopping center. Several buildings in the immediate area are between two and six stories high.

The proposed increase in allowable FAR within the HOZ could result in an increase in additional building area over the 19-acre HOZ boundary, the amount of which varies in accordance with the size of each property as indicated below.

Property	Additional Building Area Allowed (Square Feet)	Property Size (acres)
23046 Avenida De La Carlota	20,038	4.6
23175 Avenida De La Carlota	15,246	3.5
23052 Avenida De La Carlota 23002 Lake Forest Drive 23002 Lake Forest Drive	5,204	1.19
23461 S Pointe Drive	12,197	2.8
23421 S Pointe Drive	6,534	1.5
23441 S Pointe Drive	8,712	2
23041 Avenida De La Carlota	12,632	2.9
23061 Avenida De La Carlota 23061 Avenida De La Carlota	5,330	1.22
TOTALS:	85,893	19.71

Individually, properties could see an increase in building area over the current allowable floor area ranging from approximately 5,200 square feet to over 20,000 square feet depending on the property. The increased building area could result in taller buildings, and/or buildings with larger footprints than currently exist. Two-to-six story buildings are presently located within the HOZ so this increase would not be uncharacteristic of development that already exists in the HOZ. Since the HOZ already allows building heights of up to 75 feet, (which is more than sufficient to accommodate a six story building including any necessary roof-top mechanical wells) it is expected that the additional building area would be adequately accommodated. The ultimate build out under the HOZ will be determined by the building footprint that an individual property owner decides to build. As sites build out as hotel developments in the HOZ, it is expected that development will comply with the City's zoning code standards which require landscaped setbacks and site landscaping to maintain consistency with the look and appearance of existing developed properties in the area which also include landscaped setbacks and site landscaping. Therefore less than significant impacts will occur. Further, no specific development project is under consideration. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered under CEQA and any potential impacts to the existing visual character of the area will be analyzed for significance.

- d) Less Than Significant Impact. The 2014 ND determined that light and glare impacts would not be significant since no specific development was occurring, and since potential development would be subject to the City's design regulations and standards. Since 2014, there have been no changes to the City's development standards that would allow an increased level of light or glare, and the character of the area has not changed from a built out area consisting of warehouses, professional offices, manufacturing, auto repair, and commercial shopping centers with buildings between two and six stories high. The proposed increase in allowable FAR within the HOZ could result in an increase in additional building area over the 19-acre HOZ boundary, the amount of which will vary in accordance with the size of each property. (See response (c) above). The increased building area could result in taller buildings, and/or buildings with larger footprints. Any new development would be subject to the City's design regulations and standards as outlined in the Development Code (including standards regulating light and glare), which are designed to maintain the existing visual character and quality of the community. These standards include requirements for lighting to be shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel, requirements for light to be directed downward and away from adjoining properties and public rights-of-way, and prohibitions against lights that blink, flash, or lights that are of unusually high intensity or brightness. Fixtures are also required to be appropriate in scale, intensity, and height to the use served (Laguna Hills Municipal Code 9-40-170).

Despite the larger building sizes the project would authorize in the HOZ, new development is expected to be of similar size and height to what is currently permitted since many buildings that already exist in the HOZ are large, multi-story office buildings with large building footprints and are between two and six stories. Therefore impacts to light and glare as a result of the Project will be less than significant. Further, no specific development project is under consideration and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered under CEQA and any potential impacts to the existing visual character of the area will be analyzed for significance.

2. Agricultural and Forestry Resources:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	☐	☐	☐	☒
d) Result in loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
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Discussion:

a-e.) No Impact. The 2014 ND did not identify any farmland or forest resources within the City of Laguna Hills (City of Laguna Hills, 2009). Since 2014 the California Department of Conservation has not identified any land in Laguna Hills on maps of important farmland in Orange County (California Department of Conservation, 2010). There has been no change to the City's General Plan or Department of Conservation maps pertaining to Laguna Hills since 2014, therefore, no impact will occur.

3. Air Quality:

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Discussion:

a-b.) Less Than Significant Impact. The 2014 ND determined that the establishment of the HOZ would not conflict with the 2012 AQMP since no specific development project was under consideration. The 2012 AQMP is still in effect. For the proposed FAR increase, emissions modeling was conducted to identify any potential impacts caused by the buildout of the HOZ under the proposed FAR modification. Based on the modelling, full buildout of the HOZ results in nearly the same level of pollutant emissions as those modelled for existing conditions as depicted in the table below:

		NOX	CO	SO2	PM10	PM2.5
EXISTING USES	LBS/DAY	39.51	350.12	0.54	94.26	18.13
HOZ @ 1.0 FAR	LBS/DAY	36.89	296.79	0.46	80.89	15.55
HOZ @ 1.1 FAR	LBS/DAY	41.67	355.08	0.52	91.38	17.57

HOZ @ 1.1 FAR LESS EXISTING USES	LBS/DAY	2.16	4.96	-0.02	-2.88	-0.56
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SCAQMD SIGNIFICANCE THRESHOLDS	LBS/DAY	55	550	150	150	55
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For informational purposes, emissions estimates are shown for buildout of the HOZ at the currently permitted FAR of 1.0 and with the proposed modification (FAR 1.1). Based on the modelling above, full build out of the FAR under the proposed modification would not exceed the Thresholds of Significance adopted by the South Coast Air Quality Management District (SCAQMD) shown above. The impact is therefore less than significant. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and consistency with the applicable AQMP will be analyzed for significance.

- c. Less Than Significant Impact. The 2014 ND determined that the establishment of the HOZ would not increase a criteria pollutant since no specific development project was under consideration. The South Coast Air Basin (SCAB) is a nonattainment area for O₃, PM₁₀, and PM_{2.5} under state and federal standards (CARB 2014; EPA 2015). The nonattainment status in the SCAB is the result of cumulative emissions from motor vehicles, off-road equipment, commercial and industrial facilities, and other emission sources. Projects that emit these pollutants or their precursors (e.g., VOC and NO_x for O₃), potentially contribute to poor air quality. A project would be considered to have a significant cumulative impact if the project's contribution accounts for a significant proportion of the cumulative total emissions (i.e., it represents a "cumulatively considerable contribution" to the cumulative air quality impact) for pollutants for which the SCAB is designated as nonattainment. If a project's emissions would exceed the SCAQMD significance thresholds, it would be considered to have a cumulatively considerable contribution to nonattainment status in the SCAB. If a project does not exceed thresholds and is determined to have less-than-significant project-specific impacts, it may still contribute to a cumulative impact on air quality; however, the basis

for analyzing the project's cumulative considerable contribution under CEQA is the project's potential to exceed SCAQMD thresholds and its consistency with the most recent AQMP. As described above, the project would not exceed the thresholds of significance established by the SCAQMD. Therefore the level of impact is less than significant. The proposed project will not result in a cumulatively considerable net increase of a criteria pollutant. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts related to criteria pollutants will be analyzed for significance.

- d. Less Than Significant Impact. The 2014 ND determined that the establishment of the HOZ would not expose sensitive receptors to substantial pollutant concentrations since no specific development project was under consideration. Since 2014, the City has approved development projects that would add traffic to the area around the HOZ that might have the potential to create a CO hotspot. Typically, high CO concentrations are associated with severely congested intersections operating at an unacceptable level of service (LOS E or worse). The nearest major intersection to the HOZ is the Lake Forest/ Avenida de la Carlota intersection. In 2015 the intersection maintained an LOS of B in the AM peak hour and an LOS of C in the PM peak hour. The proposed project would add 53 AM peak hour trips and 60 PM peak hour trips in addition to the traffic conditions that were analyzed in the 2014 ND. When compared to existing conditions, the additional traffic created by full build-out of the HOZ under the FAR increase to 1.1 would increase by approximately 1 percent and would not result in a change in LOS. Typically, for an intersection to exhibit a significant CO concentration, it would operate at level of service (LOS) E or worse without improvements (Caltrans 1997). Since the project would not result in LOS E or worse at any intersection, the level of impact is less than significant. Additionally, no specific development project is under consideration at this time. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered under CEQA and any potential impacts regarding exposure of sensitive receptors to pollutant concentrations will be analyzed for significance.

- e. No Impact. The 2014 ND determined that the establishment of the HOZ would not create objectionable odors since no specific development project was under consideration. The additional building area the project would allow is not expected to create any objectionable odors. The proposed hotel uses are not the types of uses that are normally associated with odor impacts, such as landfills and agricultural operations. In addition, new development would be subject to the City's property maintenance standards that currently prohibit conditions that could result in fumes and/ or noxious odors such as the storage of debris or the improper storage of waste (Laguna Hills Municipal Code 9-94.050). Therefore the level of impact remains the same as originally evaluated. An increase in the building area allowed within the HOZ will not result in the creation of objectionable odors. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and odor impacts will be analyzed for significance.

4. Biological Resources:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

Discussion:

- a-c.) No Impact. The 2014 ND explained that the majority of land within the City of Laguna Hills is developed, with isolated patches of native vegetation occurring in stream channels, drainages, hillsides, and small urban canyons (City of Laguna Hills, 2009). The 2014 ND also identified that there were no documented sensitive plants or wildlife species, habitats, or wetlands in or around the project area (2009). The land use patterns and existing uses within the HOZ remain essentially identical to the conditions that existed in 2014, as well as in immediately surrounding areas. There have been no activities such as habitat restoration projects, the formation or creation of wetlands, the establishment of mitigation land banks, or other similar activities, which could have increased the potential for biological resources to be found in the HOZ or surrounding areas. Therefore the level of impact remains the same as originally evaluated. An increase in the building area allowed within the HOZ will continue to have no impacts to the Biological Resources described in (a)-(c). Additionally, no development project is under consideration at this time. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and any potential impacts to sensitive plants or wildlife species will be analyzed for significance.
- d.) No Impact. The 2014 ND identified that the use of streams and riparian corridors that traverse the City may serve as limited movement corridors for wildlife species (City of Laguna Hills, 2009). It was explained that potential wildlife corridors included Aliso Creek, located in the central part of the City, and Veeh Reservoir and its associated tributaries in the northwestern part of the City. The area affected by the Hospitality Overlay Zone is fully urbanized and is approximately one-half mile from the nearest potential wildlife corridor. Since 2014 there have been no modifications to stream beds or riparian corridors that traverse the City that would change the analysis conducted in 2014 and the level of impact remains the same as originally evaluated. Additionally, no specific development project is under consideration at this time. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered under CEQA and any potential impacts to movement of migratory fish and wildlife will be analyzed for significance.
- e.) No Impact. The 2014 ND identified the City of Laguna Hills' Tree Protection Ordinance as a regulating scheme for the planting, maintenance, protection, and removal of City-owned trees and shrubs in City rights-of-way, parks, and open space (City of Laguna Hills General Plan, 2009). Since 2014 there has been no change in the City's ordinance and the proposed project is not likely to conflict with the City's Tree Protection Ordinance since all development is expected to occur on private property where the City's ordinance does not apply. Therefore the level of impact remains the same as originally evaluated. Further, no specific development project is under consideration. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and

any potential impacts to the City's Tree Protection Ordinance will be analyzed for significance.

- f.) No Impact. The 2014 ND identified that the City of Laguna Hills was included in the County's Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP), but that no land was designated as being in a "reserve" under the NCCP/HCP within the planning area (City of Laguna Hills, 2009). Since 2014 there have been no changes to the NCCP/HCP affecting Laguna Hills therefore the proposed Project will not conflict with any applicable conservation plans and the level of impact remains the same as originally evaluated. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and any potential impacts to adopted conservation plans will be analyzed for significance.

5. Cultural Resources:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion:

- a.) No Impact. The proposed project will not cause a substantial change in the significance of a historical resource as defined in §15064.5. The 2014 ND explained that there were no historic resources located within the HOZ, and no such resources have been designated since. All existing development within the HOZ is approximately 30 years old and is of no significant historic value. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts to historical resources will be analyzed for significant impacts.
- b.) No Impact. The 2014 ND indicated that 14 archaeological sites had been documented within the City based on information contained in the 2009 General Plan EIR, and that there was potential for other archaeological resources to exist (City of Laguna Hills, 2009). The area encompassing the proposed Hospitality Overlay Zone is fully developed, so any archeological resources on the affected properties should have been discovered during their initial development. Since 2014, no new archeological resources have been identified within the HOZ and the level of impact remains the same as originally evaluated. Additionally, no development project is under consideration at this time. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and any potential impacts to archeological resources will be analyzed for significance.

- c.) No Impact. The 2014 ND identified that the level of paleontological resources within the City ranges from no paleontological sensitivity to high sensitivity and that the development of land within the City has the potential to impact known and unknown resources based on information contained in the 2009 General Plan EIR (City of Laguna Hills, 2009). Since 2014, no new resources have been identified within the HOZ. Given that all of the properties within the HOZ are already developed, the likelihood that additional resources will be discovered is expected to be limited since new development would be occurring over existing development. In addition, the proposed project does not involve land development, since a specific development proposal is not under consideration at this time. Therefore the level of impact remains the same as originally evaluated and no impacts will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and any potential impacts to paleontological resources will be analyzed for significance.
- d.) No Impact. The 2014 ND determined that the proposed project would not disturb any human remains since no specific development project was under consideration. Since 2014, no human remains have been discovered within the project vicinity. In addition, given that all of the properties within the HOZ are already developed, the likelihood that any remains will be discovered is expected to be limited since new development would be occurring over existing development. Any such discovery, though unlikely, would be handled in accordance with the applicable California laws and regulations. Therefore, the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts to human remains will be analyzed for significance.

6. Geology and Soils:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Discussion:

- a.i-ii.) No Impact. The 2014 ND indicated that the most current (2012) Alquist-Priolo Earthquake Fault Zone map published by the California Department of Conservation (DOC) determined that the City of Laguna Hills was not located within the boundaries of an established Alquist-Priolo Earthquake Fault Zone (California Department of Conservation, 2012). Since 2014, no new maps

affecting Laguna Hills have been published by the DOC and the level of impact remains the same as originally evaluated. In addition, despite the potential for additional building area to be constructed as a result of the proposed project, the additional development is not likely to expose more people or structures to substantial adverse effects from rupture of a known earthquake fault or strong seismic shaking other than under existing conditions since the HOZ is already developed with multiple story buildings and high-occupancy uses such as office buildings and hotels. Further, any development under the proposed project would be subject to State and local building requirements that would address any potential impacts from rupture of a fault or strong seismic shaking such as use of shear paneling, seismic anchoring for walls and equipment, proper structural component sizing in building design, and foundation design appropriate for the seismic zone in which the HOZ is located pursuant to the California Building Standards Codes. In addition no specific development project is under consideration. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and potential impacts will be analyzed for significance.

- a.iii.) No Impact. The 2014 ND identified that a portion of the project area was located within a liquefaction hazard zone generally associated with the south branch of the San Diego Creek channel (City of Laguna Hills, 2009). Since 2014 no additional areas prone to seismic-related ground failure have been identified within the HOZ. Despite the potential for additional building area to be constructed as a result of the proposed project, additional development is not likely to expose more people or structures to substantial adverse effects from seismic related ground failure, including liquefaction, since the HOZ is already developed with multiple story buildings and high-occupancy uses such as office buildings and hotels. Further, any development under the proposed project would be subject to State and local building requirements that would address any potential impacts from liquefaction such as the completion of soils and geotechnical investigations to identify potentially poor soils and geotechnical conditions and appropriate remediation such as over-excavation and re-compaction, and use of properly designed building slabs, footings and foundations. Therefore, the level of impact remains the same as originally evaluated - no impact will occur. In addition no specific development project is under consideration. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts relating to seismic related ground failure and liquefaction zones will be analyzed for significance.
- a.iv.) No Impact. The 2014 ND determined that the project area was not located in an area of the City susceptible to earthquake-induced landslides and other types of slope failures (City of Laguna Hills, 2009). Since 2014, no areas within the HOZ have been identified as being susceptible to earthquake-induced landslides and other types of slope failures. Despite the potential for additional building area to be constructed as a result of the proposed project, additional development is not likely to expose more people or structures to substantial adverse effects from

earthquake-induced landslides and other types of slope failures since the HOZ is already developed with multiple story buildings and high-occupancy uses such as office buildings and hotels. Further, any development under the proposed project would be subject to State and local building requirements that would address any potential impacts from liquefaction such as the completion of soils and geotechnical investigations to identify potentially poor soils and geotechnical conditions, and appropriate remediation such as over-excavation and re-compaction, and use of properly designed building slabs, footings, and foundations. Additionally, the proposed project will not expose people or structures to substantial adverse effects from landslides since no specific development project is under consideration. Therefore, no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts relating to landslides will be analyzed for significance.

- b.) No Impact. The 2014 ND determined the establishment of the HOZ would not result in substantial soil erosion or loss of topsoil since no specific development project is under consideration. Since 2014 no changes to the development pattern of the HOZ or surrounding areas have occurred. The HOZ and surrounding areas are fully urbanized and developed with multiple story buildings and near 100 percent impervious coverage since all properties in the HOZ are developed. The additional building area the project could result in would not affect the amount of water run-off that already exists within the project area. Therefore, the project is not expected to increase the amount of soil erosion or topsoil loss and the level of impact remains the same as originally evaluated - no impact will occur. Further, any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts relating to soil erosion or loss of topsoil will be analyzed for significance.
- c.) No Impact. The 2014 ND explained that the properties affected by the establishment of the HOZ were developed with office, hotel, and other commercial buildings. Since 2014, no new information has become available that identifies any geologic hazards within the HOZ. Further, any development under the proposed project would be subject to State and local building requirements that would address any potential impacts such as the completion of soils and geotechnical investigations to identify potentially poor soils and geotechnical conditions and appropriate remediation such as over-excavation and re-compaction, and use of properly designed building slabs, footings and foundations. The level of impact remains the same as originally evaluated. Therefore, no impact will occur and no mitigation measures are necessary. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts relating to geologic hazards will be analyzed for significance.
- d.) No Impact. The 2014 ND explained that the properties affected by the establishment of the HOZ were developed with office, hotel, and other commercial buildings. Since 2014, no new information has become available that identifies

property within the HOZ as being subject to expansive soils. Further, any development under the proposed project would be subject to State and local building requirements that would address any potential impacts such as the completion of soils and geotechnical investigations to identify potentially poor soils and geotechnical conditions and appropriate remediation such as over-excavation and re-compaction, and use of properly designed building slabs, footings and foundations and the level of impact remains the same as originally evaluated. In addition no specific development project is under consideration. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts relating to expansive soils will be analyzed for significance.

- e.) No Impact. The area is served by the El Toro Water District which provides sewer service to all properties in the HOZ. No impact will occur.

7. Greenhouse Gas Emissions:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	☐	☐	☒	☐

Discussion:

- a.) Less Than Significant Impact. The 2014 ND identified that under the City's twenty year, build-out scenario, annual greenhouse gas emissions would increase by 24% compared to 2008 conditions (City of Laguna Hills, 2009). Thus, any development that occurs in accordance with the General Plan would incrementally contribute towards climate change. For the proposed FAR increase, GHG emissions modeling was conducted to identify any potential GHG impacts caused by the buildout of the HOZ under the proposed FAR modification. Based on the modelling, full buildout of the HOZ results in a slight increase of GHG emissions (approximately 3.4 percent) as compared to those modelled for existing conditions as depicted in the table below:

	Unit	GHG
EXISTING USES	Annual Metric Tons of CO ₂ Equivalent (MTCO ₂ E/ Year)	59,433
HOZ @ 1.0 FAR	MTCO ₂ E/ Year	54,418
HOZ @ 1.1 FAR	MTCO ₂ E/ Year	61,475

HOZ @ 1.1 FAR LESS EXISTING USES	MTCO ₂ E/ Year	2,042
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SCAQMD SIGNIFICANCE THRESHOLDS	MTCO ₂ E/ Year	10,000
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For informational purposes, emissions estimates are shown for buildout of the HOZ at the currently permitted FAR of 1.0 and with the proposed modification (FAR 1.1). Based on the modelling above, full build out of the FAR under the proposed modification would not exceed the Thresholds of Significance adopted by the South Coast Air Quality Management District (SCAQMD) shown above. The impact is therefore less than significant. On this basis, the proposed project's GHG impacts are less than significant. In addition, no specific development proposal is under consideration at this time. Future redevelopment occurring in

the Hospitality Overlay Zone will be evaluated under CEQA and analyzed for significance.

- b.) Less Than Significant Impact. The 2014 ND determined that there would be no conflicts with applicable plans, policies or regulations adopted for the purpose of reducing GHG emissions since no specific development was being considered. The applicable GHG policy document for the City (including the HOZ) is the City's General Plan which was adopted in 2009. The City has not amended its General Plan since 2009 to revise any policies specific to reducing GHG. Many of the 2009 General Plan goals and policies call for the City to encourage new development to reduce GHG emissions through the incorporation of green building standards, site features, renewable energy, facilities for alternative transportation, and other sustainable development strategies that could reduce GHG emissions as the City continues to develop. Additional development in the HOZ would continue to be evaluated against the 2009 General Plan (or as amended) for opportunities to incorporate features associated with sustainable development that reduce GHG emissions.

8. Hazards and Hazardous Materials:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles or a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion:

- a-c.) No Impact. The 2014 ND determined that the establishment of the HOZ would have no impacts since no specific development project was under consideration. The buildout of the HOZ area with hotel uses is not expected to result in a

significant increase in the use of hazardous materials. Existing commercial sites within the HOZ use pesticides, fertilizers, cleaning supplies, (and other common supplies that may contain hazardous substances) as a result of routine maintenance activities occurring on the property. It is likely that hotel uses would use similar materials, and that those materials would be properly used and stored pursuant to applicable state, federal and local regulations. Therefore, no impact will occur and no mitigation measures are necessary. Since 2014 there has been no change in the types of land uses that exist in or around the HOZ which increase the risk of exposure of people or structures to hazardous substances, and no new information has become available that indicates property within the HOZ is subject to significant exposure to hazardous substances. The level of impact remains the same as originally evaluated. Additionally, the proposed project is not located within one-quarter mile of an existing or proposed school as confirmed by the City's GIS mapping system. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts relating to hazardous materials will be analyzed for significance.

- d.) No Impact. The 2014 ND indicated that seven properties within the City were listed on the California Environmental Protection Agency's annual Hazardous Waste and Substances List, also known as the "Cortese List" (City of Laguna Hills, 2009). None of these properties were in or near the proposed Hospitality Overlay Zone. A review of the Cortese List on February 12, 2017 indicated that there are no sites listed in Laguna Hills. With no new information indicating properties in or near the HOZ are on the Cortese List, the level of impact remains the same as originally evaluated. No impact will occur. Any future proposal to develop the sites included in the HOZ will be evaluated under CEQA and the Cortese List will be revisited.
- e-f.) No Impact. The 2014 ND indicated the Hospitality Overlay Zone was not located within the boundaries of an airport land use plan or within the vicinity of a public or private airport. This circumstance has not changed and the level of impact remains the same as originally evaluated. No impact will occur.
- g.) No Impact. The 2014 ND did not identify any impacts that would prohibit the implementation of, or interfere with an adopted emergency response plan or evacuation plan. Since 2014, no such plans have been adopted that include properties in or around the HOZ. Future development projects are not likely to result in permanent road closures, or changes in street design that could result in permanent changes that limit emergency access. Emergency access will be maintained during construction with the implementation of traffic control measures. Existing streets adequately serve the HOZ for emergency access purposes and are expected to do so in the future. The proposed project does not include a specific development proposal that will impair or interfere with an adopted emergency response plan or emergency evacuation plan since no development is proposed. No impact will occur. Any future proposal to develop the sites included

in the HOZ will be evaluated under CEQA and impacts will be analyzed for significance.

- h.) No Impact. The 2014 ND determined that the HOZ was not located in a designated fire hazard severity zone such as a “Very High” fire severity area. Since 2014, no properties within the HOZ have been included in any fire hazard severity zone and the level of impact remains the same as originally evaluated. No impact will occur. Any future proposal to develop the sites included in the HOZ will be evaluated under CEQA and impacts will be analyzed for significance.

9. Hydrology and Water Quality:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within 100-year flood hazard area structures, which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion:

- a.) No Impact. The 2014 ND found that the proposed project would not violate any water quality standards or waste discharge requirements since no specific development project was under consideration. There has been no change in development patterns or intensity or types of uses in or around the HOZ that would increase the risk of impacts to water quality with the project. In addition, new development would be subject to the City's standards that require compliance with state, federal and local water quality requirements during construction and in the post-construction phase. Appropriate water quality measures would be identified through the City's review and approval process for stormwater pollution prevention plans (SWPPPs) during construction, through the use of structural BMPs (best management practices), and through the approval of water quality management plans that are implemented post-construction over the life of a development. Typical BMPs in construction include erosion control during grading and construction, the use of wash-down areas for vehicles and equipment, use of sand bag barriers to contain run-off, and storm drain inlet protection. Operational BMPs after construction could include the use of vegetated swales, clarifiers, infiltration areas, and detention basins. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts relating to water quality standards or waste discharge requirements will be analyzed for significance.
- b.) No Impact. The 2014 ND determined the proposed project would not affect groundwater supplies or interfere with groundwater recharge since no specific development project is under consideration. Since 2014, no properties in or around the HOZ have been converted into facilities that contribute to ground water recharge efforts by any water utility. In addition, all water within the City's planning area is provided through purchases of water from the state water project through the Metropolitan Water District – no water supplies are provided through groundwater. Further, all properties within the HOZ are nearly impervious as a result of prior development activity that has taken place. Upon review of the City's GIS aerial imagery and field investigations, it was determined that sites consist of the building footprint, surrounded by extensive parking areas, with only nominal landscape areas provided for required landscaped building setbacks or small planter areas in parking lots. The proposed increase in FAR is not expected to alter the already existing impervious nature of the area. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered a separate project under CEQA and groundwater impacts will be analyzed for significance.
- c-e.) No Impact. The 2014 ND determined the proposed project would not affect existing drainage patterns since no specific development project was under consideration. Since 2014, there has been no change in topographical conditions

in or around the HOZ and water runoff continues to move downstream from the HOZ as it did in 2014. Neither have there been any changes in the condition of the area's stormdrain capacity since neither the City nor the El Toro Water District, which manage the City's stormdrain network, have undertaken any projects in or around the HOZ. Future development in the HOZ could result in decreased runoff levels since the City requires applicable projects to implement Low Impact Development (LID) requirements that require a certain amount of stormwater runoff to be retained on-site. LID includes specific techniques, tools, and materials to control the amount of impervious surface, increase infiltration, and improve water quality by reducing runoff from developed sites. LID practices include; bioretention facilities or rain gardens, grass swales and channels, vegetated rooftops, rain barrels, cisterns, vegetated filter strips, and permeable pavements. Inclusion of these types of measures will be evaluated for appropriateness as new development is reviewed. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and site drainage impacts will be analyzed for significance.

- f.) No Impact. See 9a above. In addition, the 2014 ND determined that no water quality standard would be violated since no specific development project was under consideration. Since 2014, there has been no change in development patterns or intensity or types of uses in or around the HOZ that would increase the risk of a water quality violation with the adoption of the project. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be considered under CEQA and water quality impacts will be analyzed for significance.
- g-h.) No Impact. The 2014 ND identified three areas in the City as being in 100-year flood hazard areas as mapped in the Federal Insurance Rate Maps ("FIRM") (City of Laguna Hills, 2009). These areas are located around Aliso Creek, Veeh Reservoir, Mill Creek, and in a zone northwest of Alicia Parkway in the southern portion of the City, outside of the proposed project area. Since 2014, there has been no change to FIRM maps adding properties in the HOZ in a flood hazard area. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and flood hazard impacts will be analyzed for significance.
- i.) No Impact. The 2014 ND identified specific areas of the City where there is potential for flooding due to failure of a levee, dam or reservoir (City of Laguna Hills, 2009). These areas include the southeastern edge of the City adjacent to the I-5 Freeway and the area immediately adjacent to the Veeh Reservoir and Sulphur Creek Reservoir. Since 2014, no new levees, dams, or reservoirs have been constructed in the City or in the vicinity of the City, and there is no new information from a county, state or federal agency identifying any new threats to

the City from the failure of a water storage facility. In reviewing county-wide flood hazards and flood threats, the County of Orange did not specify any specific hazards affecting the City from levees, dams, or reservoirs when it revised its Safety Element in 2012, and no planned facilities were identified. Neither have any updates to the County's Safety Element occurred since 2014 that identified new facilities. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and flooding due to failure of a dam, levee or reservoir will be analyzed for significance.

- j.) No Impact. The 2014 ND determined that due to its inland location, the City of Laguna Hills is not located within an inundation zone associated with any seiche, tsunami, or mudflow event. This condition has not changed. No impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and any impacts from inundation will be analyzed for significance.

10. Land Use and Planning:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion:

- a.) No Impact. The 2014 ND explained that the City of Laguna Hills is a built-out community and that any new development that occurred as a result of the establishment of the HOZ would follow existing development patterns, which are characterized by high-density, 2-6 story office buildings and hotels within the HOZ. The proposed project will increase the allowable building intensity on properties within the HOZ by 10 percent, which will allow for a maximum density (1.1 Floor Area Ratio) to be applied to hotel uses. Based on a review of the City's GIS aerial imagery, staff field investigations and the City's zoning and building permit records,

since 2014, there has been no change in development pattern, land use intensity or land use type in or around the HOZ. Conditions that existed in or around the HOZ in 2014 remain today. Therefore there is no greater risk that development within the HOZ would physically divide an established community than existed in 2014. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to land use will be evaluated.

- b.) No Impact. The 2014 ND identified that changes to the City's General Plan and Development Code were necessary to establish the HOZ and its accompanying development standards. No approval from other agencies beyond the City are required for the proposed increase in FAR. The level of impact remains the same as originally evaluated - no impact will occur.

The proposed change is also consistent with the City's 2009 General Plan which generally contemplates that new development occurring within the City will be through infill development. While individual projects will have to be evaluated for consistency with the General Plan, on its face the proposed change will not (as explained elsewhere in this initial study) result in conditions that would be contrary to the goals and policies of the General Plan that promote a safe, healthy, economically viable, and vibrant community. No impact will occur.

- c.) No Impact. The 2014 ND determined that there were no adopted habitat conservation plans or natural community conservation plans in the City of Laguna Hills (City of Laguna Hills, 2009). Since 2014, no studies have been undertaken or plans adopted to include property in or around the HOZ in any conservation plans. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to conservation plans will be evaluated.

11. Mineral Resources:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion:

- a-b.) No Impact. The 2014 ND determined that the City was not located within an area that is specifically identified by the California Department of Mines and Geology as having substantial mineral resources (City of Laguna Hills, 2009). Since 2014, the state has not identified any property in or around the HOZ as containing mineral resources of value to the state. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to mineral resources will be evaluated.

12. Noise:

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion:

- a.) No Impact. The proposed project will not violate any established noise standard since no specific development project is under consideration. Further, any future development under the proposed project will be subject to the City's noise regulations and standards that regulate temporary noise from construction by limiting the hours of construction, or the operation of machinery or equipment for extended periods of time. The standards contained in the City's General Plan and Noise Ordinance would also serve to mitigate or avoid permanent noise increases that would be inconsistent with the City's standards. Permanent noise sources from future development could be reduced or avoided during the site plan review process by requiring equipment to be enclosed or located away from sensitive receptors. Therefore, no impact will occur. Further, any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and noise impacts will be analyzed for significance.

- b-d.) No Impact. Additional development anticipated as a result of this project would be subject to the City's General Plan policies and the City's Noise Ordinance, contained in Chapter 5-24 of the Laguna Hills Municipal Code, during construction and operations. The City's Noise Ordinance regulates temporary noise from construction by limiting the hours of construction, or the operation of machinery or equipment for extended periods of time. The standards contained in the City's General Plan and Noise Ordinance would also serve to mitigate or avoid permanent noise increases that would be inconsistent with the City's standards. Permanent noise sources from future development could be reduced or avoided during the site plan review process by requiring equipment to be enclosed or located away from sensitive receptors. Chapter 5-24 also limits the hours of construction to avoid causing excessive groundborne vibration during construction. The proposed project will not create or add to existing sources of groundborne vibration or noise since no specific development project is under consideration. Therefore, no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be evaluated under CEQA and impacts relating to groundborne vibration and noise will be analyzed for significance.
- e.) No Impact. The 2014 ND determined that the project area was not located within an area that is subject to the requirements of an airport land use plan or within two miles of a public airport or public use airport (City of Laguna Hills, 2009). Since 2014, no new airports have been built in the region and no airport land use plan has been adopted. The level of impact remains the same as originally evaluated - no impact. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts from airport noise will be evaluated. No impact will occur and no mitigation measures are necessary.
- f.) No Impact. The 2014 ND determined the project area was not located within the vicinity of a private airstrip (City of Laguna Hills, 2009). Since 2014, no new private airstrips have been built in adjacent cities or in the City's planning area. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts related to the operation of private airstrips will be evaluated.

13. Population and Housing:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion:

a-c.) No Impact. The 2014 ND determined the establishment of the Hospitality Overlay Zone would not directly or indirectly induce substantial population growth since a specific development proposal was not under consideration at that time. The project increases the permitted building intensity for hotel developments within the HOZ and does not modify the City's housing policies. Additional jobs would be created since additional employees would be needed to service the additional 86,000 square feet of building area that could be built. Depending on the quality and service levels provided by the hotel, the number of employees could vary from 1-3 employees per room based on hotel industry standards. The additional development could yield 100-300 new employment opportunities based on the additional 100 rooms expected from the modification. As described in Section 10 above, future development is expected to be consistent with the growth projections outlined in the General Plan and with the Southern California Association of Governments' Regional Transportation Plan and Sustainable Community Strategy. The level of impact remains the same as originally evaluated. No impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to population and housing will be evaluated.

14. Public Services:

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Fire protection?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☐	☒

Discussion:

- a.) No Impact. The 2014 ND determined the establishment of the HOZ would not impact fire protection services since no specific development project was under consideration. Since 2014 there has been no change to the City's fire services that would require additional fire facilities in the City's planning area (OCFA, 2016). The OCFA maintains a ratio of 0.75 firefighters per 1,000 residents for the City. Fire Station #22, which serves Laguna Hills, currently exceeds this ratio. OCFA has also indicated in the 2009 General Plan EIR that no new equipment would be needed to serve the planning area which also considered new development that was anticipated to occur within the City's Urban Village area. Fire Station #22, however, is reportedly one of the busiest stations in Orange County. OCFA has been evaluating potential sites for a new station within the region to house one of the existing fire units located at Station #22 in a proactive effort to maintain response times. On this basis, it is not anticipated that the proposed project will result in any need for new or altered fire protection services facilities. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to fire services facilities will be evaluated.
- b.) No Impact. The 2014 ND determined the establishment of the HOZ would not impact police protection services since no specific development project was under consideration. Since 2014 there has been no change to the City's police services that would require additional police facilities in the City's planning area (OCSD 2016). In addition, the Orange County Sheriff's Department (OCSD) currently maintains a ratio of 1.2 sworn officers per 1,000 residents but the City does not utilize a standard personnel-to-population ratio to measure the adequacy of

policing levels within the City. Instead, the City analyzes demographics, calls for service, population, and crime trends to determine the level of police services needed in the planning area. Based on this standard, it is not anticipated that the proposed project will result in any need for new or altered police protection services facilities. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to police services facilities will be evaluated.

- c.) No Impact. The proposed project will not have a direct adverse effect on local school services since no provision is being made for housing as part of the project. The increased building area allowed by the project could result in additional employment generation as described in Section 13 above. Even if the project generated maximum employment, it is not expected to result in a significant enrollment in local schools. The Saddleback Valley Unified School District is authorized to charge and collect school impact fees to offset impacts to its schools as a result of new development. New student enrollment occurring as a result of new construction occurring in the HOZ would be offset by the school district's collection of fees. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts on schools will be evaluated.
- d.) Less Than Significant Impact. The 2014 ND determined the establishment of the HOZ would not impact park services since no specific development project was under consideration. Since 2014, no properties within the HOZ have been designated as private or public parks therefore the project would not lead to the conversion of property from park space. Neither are any of the properties in the HOZ involved in maintenance activities of private or public parks. Additionally, the City maintains a ratio of 5 acres of open space per 1,000 residents and maintains nearly 200 acres of park acreage – a surplus of over 20 acres. Visitors to the City could utilize City parks, but given the City's surplus, the additional visitors to parks the additional 100 hotel rooms could generate is expected to be less than significant. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to parks will be evaluated.
- e.) No Impact. The 2014 ND determined the establishment of the HOZ would not impact public facilities since no specific development project was under consideration. Since 2014, no properties within the HOZ have been designated as public facilities therefore the project would not lead to the conversion of property from public facilities. Neither are any of the properties in the HOZ involved in a support role for public facilities. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to any public facilities will be evaluated.

15. Recreation:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion:

- a-b.) No Impact. The 2014 ND determined the establishment of the HOZ would not impact neighborhood parks, regional parks, or other recreational facilities since no specific development project was under consideration. Since 2014, no properties within the HOZ have been developed as private or public recreational facilities, therefore the project would not lead to the conversion of property used as a recreational facility. Neither are any of the properties in the HOZ involved in maintenance activities of public recreational facilities. In addition, see 14d above. City park and recreation facilities could see an increase in use from hotel guests and employees but the expected increase is not anticipated to be high given the transitory nature of hotel guests and employees. Since the City maintains a 20-acre park surplus based on its population, the impact from the proposed increase is not expected to be significant since the City's parkland surplus is equivalent to the park needs for 4,000 residents based on the City's current park ratio of 5-acres per 1,000 residents. The level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to recreational facilities will be evaluated.

16. Transportation and Traffic:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Discussion:

- a.) Less Than Significant Impact. The 2014 ND determined that conflicts with adopted performance measures would be less than significant. Traffic impact analyses are typically focused on evaluating traffic operations during the morning and evening commute peak hours (7:00 to 9:00 a.m., and 4:00 to 6:00 p.m.) on a typical weekday because these are generally when the busiest traffic conditions occur. LOS measures the operating conditions within a traffic system and how drivers and passengers perceive these conditions. Levels of service range from LOS A to overloaded conditions at LOS F. LOS D is typically recognized as the minimum satisfactory service level in urban areas.

According to the Orange County Congestion Management Program (CMP) traffic impact analysis guidelines, LOS E is the minimum acceptable service level at CMP intersections. Based upon the City's traffic study guidelines, the Intersection Capacity Utilization (ICU) methodology was used to determine the volume-to-capacity relationship for signalized intersections (based upon the individual volume-to-capacity ratios for key conflicting traffic movements), and corresponding LOS.

In addition, the 2010 HCM operations methodology was applied in the analysis of all freeway ramp intersections (to address Caltrans traffic impact study requirements). In Chapter 18 of the 2010 HCM, LOS criteria for traffic signals are stated in terms of the average control delay per vehicle.

To evaluate future traffic conditions the project may generate, the City Commissioned a Traffic Impact Study (TIS) to determine traffic levels the project could create at surrounding intersections. Existing traffic conditions were determined by using traffic data from the November 2015 Traffic Study prepared for the Five Lagunas Project. For this project, existing conditions (Year 2017 traffic volumes) were estimated based upon the growth rate utilized in the Five Lagunas study of one percent per year. A total of two percent growth was added to the Year 2015 volumes included in the Five Lagunas study since it was based upon Year 2015 traffic counts. Five study intersections were identified and which included the following:

- Moulton Parkway at Lake Forest Drive
- Moulton Parkway at Ridge Route Drive
- Ridge Route Drive at Avenida de la Carlota
- I-5 Southbound Off-Ramp at Lake Forest Drive
- I-5 Northbound On-Ramp at Lake Forest Drive

The City's General Plan indicates that intersections should not exceed an operational level of LOS D (except for CMP arterials, which should not exceed an LOS E). For the Year 2017 traffic volumes, no study intersection exceeded a Level of Service (LOS) of C in either the AM or PM peak hour traffic condition. At I-5 on/off ramps the HCM methodology was used consistent with CalTrans requirements. Table 3 of the TIS reflects the existing conditions at the study intersections. The information is summarized below:

Study Intersection	Traffic Control ²	Intersection Approach Lane(s) ¹												ICU Methodology ³		HCM Methodology ⁴			
		Northbound			Southbound			Eastbound			Westbound			Critical V/C Ratio		Level of Service		Delay (Seconds)	
		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM	AM	PM
Irvine Center Dr - Moulton Pkwy (NS) at:																			
42. Lake Forest Dr (EW)	TS	2.0	3.0	1.0	2.0	2.5	0.5	2.0	3.0	1.0	2.0	3.0	1>>>	0.455	0.687	A	B	N/A	N/A
43. Ridge Route Dr (EW)	TS	2.0	4.0	1.0	2.0	3.0	1.0	1.0	2.0	1.0	2.0	2.0	1.0	0.360	0.580	A	A	N/A	N/A
Avenida De La Carlota - I-5 SB Ramps (NS) at:																			
49. Lake Forest Dr (EW)	TS	1.0	0.0	2>	2.5	1.5	1.0	0.0	3.5	0.5	2.0	2.5	1.5>>>	0.662	0.766	B	C	26.8	27.5
I-5 NB Ramps (NS) at:																			
50. Lake Forest Dr (EW)	TS	2.0	0.0	2.0	0.0	0.0	0.0	0.0	4.0	0.0	0.0	2.5	1.5>>>	0.400	0.564	A	A	22.8	20.0
Avenida De La Carlota - I-5 SB Ramps (NS) at:																			
52. Ridge Route Dr (EW)	TS	1.0	2.0	0.0	0.0	1.5	0.5	1.0	0.0	1.0	0.0	0.0	0.0	0.434	0.777	A	C	N/A	N/A

A trip generation estimate and peak hour traffic conditions for the project were generated using ITE's 9th Edition Trip Generation Handbook. The following summarizes daily trips and peak hour trips from the project. This information can be found in Table 2 of the TIS.

Land Use	Quantity	Units	Peak Hour						Daily
			AM			PM			
			In	Out	Total	In	Out	Total	
Hotel	100	Rooms	31	22	53	31	29	60	817
Totals			31	22	53	31	29	60	817

When project traffic was applied to the existing Year 2017 traffic volumes, it was determined that there was no change in the LOS to any of the study intersections. Table 4 of the TIS reflects this condition which is also depicted in the table below.

Comparing the proposed project to existing conditions is a conservative approach. Specifically, the 2014 Negative Declaration demonstrated that the HOZ buildout at a FAR of 1.0 would actually reduce existing traffic impacts.

Study Intersection	Traffic Control ²	Intersection Approach Lane(s) ¹												ICU Methodology ³		HCM Methodology ⁴			
		Northbound			Southbound			Eastbound			Westbound			Critical V/C Ratio		Level of Service		Delay (Seconds)	
		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM	AM	PM
Irvine Center Dr - Moulton Pkwy (NS) at:																			
42. Lake Forest Dr (EW)	TS	2.0	3.0	1.0	2.0	2.5	0.5	2.0	3.0	1.0	2.0	3.0	1>>>	0.455	0.687	A	B	N/A	N/A
43. Ridge Route Dr (EW)	TS	2.0	4.0	1.0	2.0	3.0	1.0	1.0	2.0	1.0	2.0	2.0	1.0	0.360	0.580	A	A	N/A	N/A
Avenida De La Carlota - I-5 SB Ramps (NS) at:																			
49. Lake Forest Dr (EW)	TS	1.0	0.0	2>	2.5	1.5	1.0	0.0	3.5	0.5	2.0	2.5	1.5>>>	0.668	0.779	B	C	27.5	28.2
I-5 NB Ramps (NS) at:																			
50. Lake Forest Dr (EW)	TS	2.0	0.0	2.0	0.0	0.0	0.0	0.0	4.0	0.0	0.0	2.5	1.5>>>	0.402	0.565	A	A	22.8	20.0
Avenida De La Carlota - I-5 SB Ramps (NS) at:																			
52. Ridge Route Dr (EW)	TS	1.0	2.0	0.0	0.0	1.5	0.5	1.0	0.0	1.0	0.0	0.0	0.0	0.434	0.779	A	C	N/A	N/A

All study intersections maintained their respective Levels of Service even after project peak hour trips were added.

To evaluate the project's potential cumulative traffic impacts, an additional analysis was conducted to determine if any significant cumulative impacts would be created. The cumulative with project conditions (Year 2018) traffic analysis is shown in Table 6 of the TIS. All study area intersections were found to operate at level of service C or better for these conditions.

Study Intersection	Traffic Control ²	Intersection Approach Lane(s) ¹												ICU Methodology ³				HCM Methodology ⁴			
		Northbound			Southbound			Eastbound			Westbound			Critical V/C Ratio		Level of Service		Delay (Seconds)		Level of Service	
		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM	AM	PM	AM	PM
Irvine Center Dr - Moulton Pkwy (NS) at:																					
42. Lake Forest Dr (EW)	TS	2.0	3.0	1.0	2.0	2.5	0.5	2.0	3.0	1.0	2.0	3.0	1>>	0.460	0.693	A	B	N/A	N/A	N/A	N/A
43. Ridge Route Dr (EW)	TS	2.0	4.0	1.0	2.0	3.0	1.0	1.0	2.0	1.0	2.0	2.0	1.0	0.363	0.586	A	A	N/A	N/A	N/A	N/A
Avenida De La Carlota - I-5 SB Ramps (NS) at:																					
49. Lake Forest Dr (EW)	TS	1.0	0.0	2>	2.5	1.5	1.0	0.0	3.5	0.5	2.0	2.5	1.5>>	0.679	0.790	B	C	27.6	28.6	C	C
I-5 NB Ramps (NS) at:																					
50. Lake Forest Dr (EW)	TS	2.0	0.0	2.0	0.0	0.0	0.0	0.0	4.0	0.0	0.0	2.5	1.5>>	0.409	0.573	A	A	22.8	20.1	C	C
Avenida De La Carlota - I-5 SB Ramps (NS) at:																					
52. Ridge Route Dr (EW)	TS	1.0	2.0	0.0	0.0	1.5	0.5	1.0	0.0	1.0	0.0	0.0	0.0	0.447	0.792	A	C	N/A	N/A	N/A	N/A

Since no intersections exceed an LOS D, the project will not result in any significant impacts either cumulatively, or as a stand-alone project. The level of impact will remain less than significant. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to traffic will be evaluated.

- b.) Less Than Significant Impact. See 13a above. In addition, the 2014 ND determined the establishment of the HOZ would not have any impacts since the adoption of the HOZ would not conflict with an adopted congestion management plan since no specific development project was under consideration. Since 2014, the Orange County Transportation Authority (OCTA) adopted a new CMP for 2015. No roadways in the HOZ are included in the 2015 CMP. However Lake Forest Avenue is a CMP arterial and two intersections are included in the list of study intersections evaluated for traffic impacts as a result of this project. As indicated in 13a above, though, the project will not have any significant traffic impacts at these or any other intersections. The level of impact will be less than significant. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to traffic will be evaluated.
- c.) No Impact. The 2014 ND identified that there were no airports located near the HOZ (City of Laguna Hills, 2009). Since 2014, no new airports have been established in the region and no aviation-related elements are included in this project and no elements of this project will affect existing air traffic patterns. In 2016 commercial airspace over the City was included in the FAA's Southern California Metroplex Project, the implementation of which began in November, 2016. According to the FAA, the SoCal Metroplex project is intended to improve the efficiency of the airspace in Southern California by optimizing aircraft arrival and departure procedures at a number of airports in the region. The Metroplex Project may involve changes in aircraft flight paths and/or altitudes in certain areas of the region. The City has reviewed the changes proposed by the Metroplex

Project and determined that the City is not materially impacted by the proposed changes since flight paths will generally remain the same over the City as they exist today. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to air traffic patterns will be evaluated.

- d.) No Impact. The 2014 ND determined the establishment of the HOZ would not create hazards or incompatible uses since no specific development project was under consideration. Since 2014 there have been no changes to street or right-of-way design in or around the HOZ and no plans have been approved to modify existing conditions. No new uses have been established or approved that could create incompatibility between planned and existing uses of the public-rights-of-way in the area. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and any impacts to design or compatibility will be evaluated.
- e.) No Impact. The 2014 ND determined the establishment of the HOZ would not result in inadequate emergency access since no specific development proposal was under consideration. Since 2014, there have been no new emergency access routes planned, approved or constructed in or around the HOZ, and no changes to the existing points of emergency access have occurred. It is expected that emergency access would be maintained in the HOZ and surrounding areas at all times during construction. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to emergency access will be evaluated.
- f.) No Impact. The 2014 ND determined that the establishment of the HOZ would not conflict with any adopted plans, policies or programs relating to public transit or bicycle and pedestrian facilities since no specific development project was under consideration. The City's Public Service Department has indicated that since 2014, the City has not adopted any new plans, policies, or programs relating to bike and pedestrian facilities, and no new public transit facilities have been approved or are planned by any agency within the HOZ. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to bicycle, pedestrian and public transit plans policies and programs will be evaluated.

17. Tribal Cultural Resources:

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
g.) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Discussion:

a.) No Impact. See 5a-5d above.

b.) No Impact. See 5a-5d above. In addition, given that all of the properties within the HOZ are already developed, the likelihood that tribal cultural resources will be discovered is expected to be limited since new development would be occurring over existing development. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to tribal cultural resources will be evaluated.

18. Utilities and Service Systems:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment	☐	☐	☒	☐

facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion:

- a) No Impact. The 2014 ND determined the establishment of the HOZ would not exceed wastewater treatment requirements of the local Regional Water Quality Control Board since no development proposal was being considered. ETWD has indicated that existing sewer line infrastructure in its service area is between four and 24-inches. Existing line sizes are typical of those needed to serve the additional development allowed by the project. The 2014 ND also identified that the El Toro Water District (ETWD) had sufficient wastewater treatment capacity to serve potential development and redevelopment within the City, including the "build-out" scenario of 4,933,549 square feet of commercial development in the North Laguna Hills area (City of Laguna Hills, 2009). Since 2014, the El Toro Water District has performed a detailed hydraulic analysis of its entire sewer collection system as part of its 2014 Sewer System Management Plan. The ETWD analysis determined that the existing collection system has adequate capacity to accommodate existing and future flows. Almost all of the wastewater generated within the ETWD service area is conveyed to its water recycling plant where it is either treated and used for irrigation, or disposed of through the South Orange County Wastewater Authority (SOCWA) effluent transmission main and ocean outfall. In 2014, ETWD submitted its Sewer System Management Plan (SSMP) to the State Water Resources Control Board (SWRCB) in order to comply with Order No. 2006-0003-DWQ (Order) on Statewide General Waste Discharge

Requirements for Wastewater Collection Agencies. The Order requires that each agency properly fund, manage, operate, and maintain the sewage collection system for which it is responsible. The State Water Board issued the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Order No. 2006-0003-DWQ (General Order) on May 2, 2006, as amended by Order No. WQ. 2008-0002- EXEC. The General Order requires public agencies that own or operate sanitary sewer systems with greater than one mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires Water Recycling Plant agencies to develop sanitary sewer management plans and report all sanitary sewer overflows, among other requirements and prohibitions. ETWD has obtained coverage under the General Order and implemented its requirements. Furthermore, the General Order contains requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows (SSO). In 2014 ETWD reported one incident where its wastewater facilities were not in compliance with the General Order. The District reported that it had one sewer system overflow as a result of an extended "El Nino" rain event. Prior to this event, ETWD reported that it had never had an SSO resulting from insufficient capacity in the collection system.

As a matter of practice, the City routinely reviews development projects in consultation with the appropriate water district to ensure that sufficient wastewater infrastructure capacity continues to be available. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to water/ wastewater treatment facilities will be evaluated.

- b.) Less Than Significant Impact. See 18a above and 18d below. In addition, the proposed project could result in an increase in the maximum build out of North Laguna Hills by less than 2 percent of the current square footage. Information obtained from SOCWA indicated that its three regional water treatment facilities have a capacity to treat 26 million gallons of water per day and that 17.4 million gallons of water per day are currently being treated. The project will allow an increase of approximately 86,000 square feet of building area – the equivalent of 100 hotel rooms. Based on data obtained from the U.S. Environmental Protection Agency's (EPA) ENERGY STAR Data Trends web page, estimated wastewater generation from the increase in FAR would be 12,000 gallons of water per day (120 gallons per room per day) which is well within the capacity remaining at SOCWA's water treatment facilities. Since no additional water or wastewater facilities are expected to be required as a result of the project, the impact will be less than significant. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts resulting from the need for additional water and wastewater facilities will be evaluated.
- c.) No Impact. The 2014 ND determined the existing flood control and storm water drainage systems were sufficient to handle projected runoff (City of Laguna Hills,

2009). Since 2014 there have been no capacity reductions in flood control or storm water drainage systems that serve the City. There have also been no changes to drainage patterns, or increases in the volume of water runoff occurring within the HOZ. Also see 9b above. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to storm water facilities will be evaluated.

- d.) No Impact. The 2014 ND determined no new or expanded water supply facilities would be required for the establishment of the HOZ since no development proposal was being considered. Since 2014 the El Toro Water District, adopted an Urban Water Management Plan (UWMP) in 2016. ETWD expects to have adequate water supply available to meet the demand posed by growth within its jurisdiction through 2040 (El Toro Water District, 2016). This determination considered the “build-out” scenario outlined in the City’s General Plan, as amended, which included the HOZ when ETWD last updated its UWMP. The proposed project could result in an increase in the maximum build out of North Laguna Hills of less than 2 percent of the current square footage. ETWD noted in its 2016 UWMP that it expected to be able to obtain 100% of its water demand in normal years through 2040, regardless of increased demand, which would include demand from the increased development proposed in the HOZ (but this was predicated on the availability of supply from MWD). ETWD indicated its 2015 demand for potable and raw water was 8,649 acre feet of water. Looking forward from 2016, ETWD actually projects a decrease in its need for water from MWD since it extended its availability of reclaimed water to the City of Laguna Woods, which is also located in its service area. The availability of recycled water is expected to reduce demand for potable water by 1,600 acre feet. The 2016 UWMP also indicated ETWD could provide up to 109 percent of demand in single and multiple dry years, which would include demand from the additional development proposed in the HOZ. Additional development from the project would result in demand for an additional 14 acre-feet of water annually. This represents a 0.16% increase in water demand from what was reported for 2015.

Future development within the Hospitality Overlay Zone will be reviewed in consultation with the El Toro Water District to ensure adequate availability of long-term water supplies to new development in the HOZ. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to water supply will be evaluated.

- e.) Less Than Significant Impact. The 2014 ND determined that the South Orange County Wastewater Authority (SOCWA) had indicated that the remaining capacity at its wastewater treatment facilities was sufficient to serve potential new development and redevelopment in Laguna Hills, which includes 4,933,549 square

feet of commercial development in the North Laguna Hills area (City of Laguna Hills, 2009). The proposed project could result in an increase in the maximum build out of North Laguna Hills by less than 2 percent of the current square footage. Information obtained from SOCWA indicated that its three regional water treatment facilities have a capacity to treat 26 million gallons of water per day and that 17.4 million gallons of water per day are currently being treated. The project will allow an increase of approximately 86,000 square feet of building area – the equivalent of 100 hotel rooms. Based on data obtained from the U.S. Environmental Protection Agency's (EPA) ENERGY STAR Data Trends web page, estimated wastewater generation from the increase in FAR would be 12,000 gallons of water per day (120 gallons per room per day) which is well within the capacity remaining at SOCWA's water treatment facilities. Therefore the impact will be less than significant. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to wastewater treatment will be evaluated.

- f.) No Impact. The 2014 ND determined that regional landfills operated by the county will adequately serve the City's solid waste needs for the foreseeable future. The landfill that accepts waste originating from the City is the Frank R. Bowerman Landfill located in eastern Orange County. Information obtained from the County indicates the landfill is expected to continue operating until 2053. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to solid waste will be evaluated.
- g.) No Impact. The 2014 ND determined that future development within the Hospitality Overlay Zone will be required to implement the City's solid waste reduction programs to further the City's goal of remaining in compliance with the California Integrated Waste Management Act of 1989. Since 2014, the City has continued on in its goal to be in compliance with federal, state and local mandates related to solid waste. Therefore the level of impact remains the same as originally evaluated - no impact will occur. Any future proposal to develop the sites included in the Hospitality Overlay Zone will be analyzed under CEQA and impacts to solid waste will be evaluated.

19. Mandatory Findings of Significance:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion:

- a.) No Impact. As outlined in responses to "Biological Resources," "Agriculture and Forest Resources," and "Cultural Resources," the proposed project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory. Therefore the level of impact remains the same as originally evaluated - no impact will occur.

Less Than Significant Impact. While no specific development proposal is under consideration at this time, this project may lead to future development due to the development standards offered to hotel uses within the overlay zone. Because the project area is a fully developed urban environment, future development is expected to occur reusing existing commercial structures (such as office buildings or hotels). Based on the information and analysis contained in the initial study, there is no evidence that the increase in FAR from 1.0 to 1.1 yielding an additional

86,000 square feet of building area within the HOZ would result in any cumulatively considerable impacts. The checklist evaluated cumulative impacts to air quality, GHG, population and housing, public services, recreation and utilities/ service systems. While the project will result in incremental increases in air pollutant emissions (minor increases in NOX and CO only), GHG emissions, employment, demand for public services such as police and fire, and use in public parks, these increases were not determined to be significant since the increases were either below established significance thresholds established by other agencies such as the SCAQMD, analyzed in regional planning documents such as SCAG's SCS/RTP, were determined to be less than significant, or were considered to be minor in nature such that existing facilities could accommodate the additional demand for services or use in facilities that the project could create as determined by existing community standards of the City. Other impacts resulting from the incremental increase in development will be offset by the payment of fees (such as school district fees). The impact is less than significant. Future development within the Hospitality Overlay Zone will be analyzed under CEQA for cumulative environmental impacts on a project-specific basis.

- c.) No Impact. The initial study evaluated impact categories pertaining to impacts that could have a substantial adverse impact on people such as CO hot spots, noxious odors, fault rupture, ground shaking, ground failure, landslides unstable geologic conditions, expansive soils, unsuitable soils, hazardous materials, water quality, flooding, inundation, excessive noise and vibration, poor emergency access, hazardous street design conditions, and pedestrian safety. Based on the information contained in the entire foregoing initial study, there is no substantial evidence that the project will have an adverse effect on human beings. The impacts of future development within the Hospitality Overlay Zone will be analyzed under CEQA on a project-specific basis.

EXHIBIT A

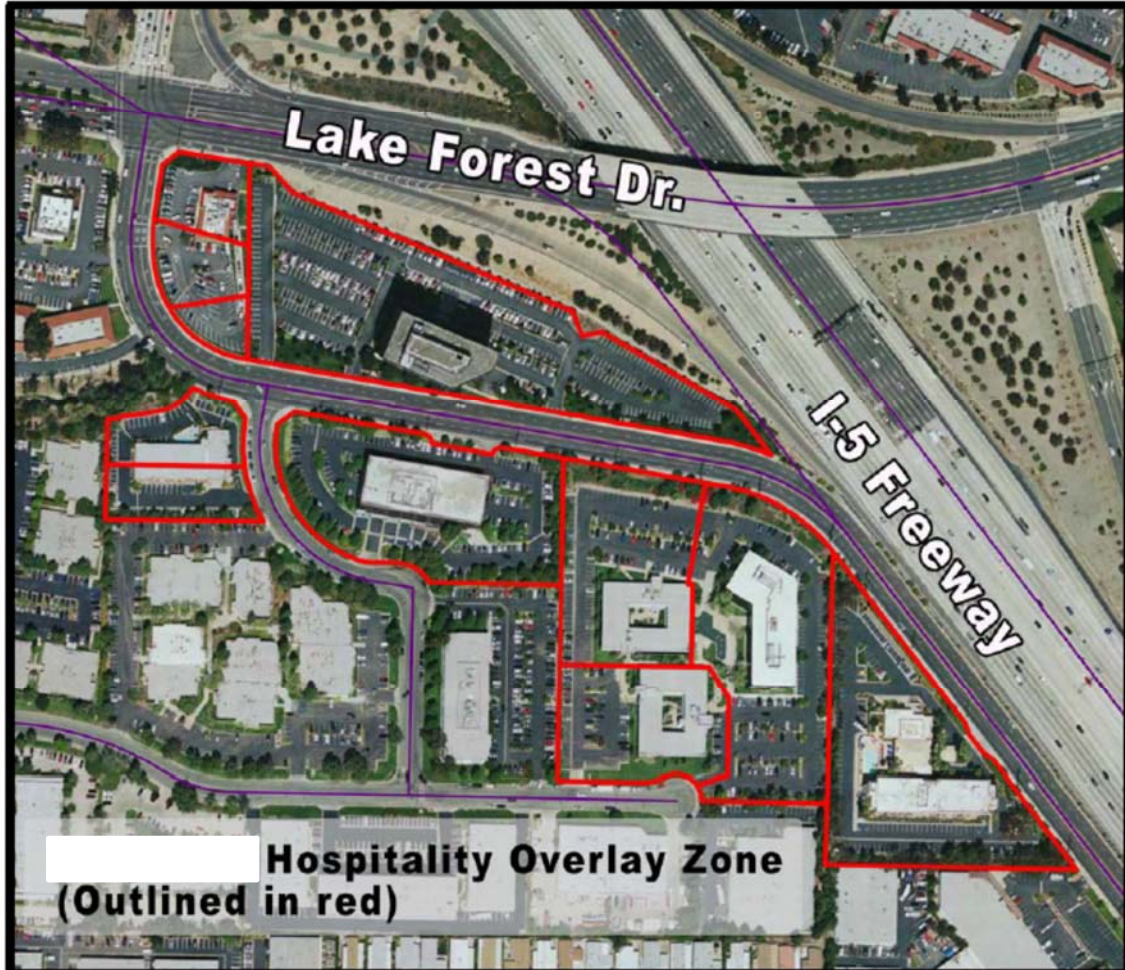


Exhibit B



GPA/ZTA-10-16-3672

Attachment 5

**Proposed Resolution Adopting an Addendum (Addendum
No. 1) to the Previously Adopted 2014 Negative
Declaration for GPA/ZC/ZTA-06-13-2608**

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING AN ADDENDUM (ADDENDUM NO. 1) TO A PREVIOUSLY ADOPTED NEGATIVE DECLARATION FOR CASE NO. GPAZTA-10-16-3672, GENERAL PLAN AND DEVELOPMENT CODE AMENDMENTS MAKING MODIFICATIONS TO THE MAXIMUM FLOOR AREA RATIO (FAR) FOR THE HOSPITALITY OVERLAY ZONE DISTRICT.

The City Council of the City of Laguna Hills, California, hereby finds, determines, declares, and resolves as follows:

WHEREAS, on June 24, 2014, the City Council adopted Resolution No. 2014-06-24-3, approving General Plan Amendment 06-13-2608 adding language and increasing maximum intensity for hotel developments within the MU and FC Land Use Designations that would provide greater flexibility to promote the development of hotel uses in North Laguna Hills; and

WHEREAS, on June 24, 2014 the City Council also approved Resolution No. 2014-06-24-2 adopting a Negative Declaration for General Plan Amendment No. 06-13-2608 ("2014 Negative Declaration") pursuant to the California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Sections 15000 et seq.; and

WHEREAS, the City of Laguna Hills now proposes a minor amendment to the Laguna Hills General Plan Land Use Element to increase the allowable building density/intensity for hotel uses within the Mixed Use (MU) and Freeway Commercial (FC) General Plan Land Use Designations from a maximum of 1.0 Floor Area Ratio (FAR) to 1.1 FAR and a corresponding Zoning Text Amendment ("Amendment") in reaction to the recent evolutions of the hospitality industry to provide more guest amenities and services and to provide further encouragement for hotel development; and

WHEREAS, pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, the City prepared an initial study to determine whether any further environmental review is required; and

WHEREAS, the initial study concluded that an Addendum to the 2014 Negative Declaration is the appropriate environmental review document for the Amendment pursuant to Public Resources Code section 21166 and CEQA Guidelines sections 15162 and 15164; and

WHEREAS, the City properly noticed the public hearing concerning the adoption of the Amendment pursuant to Government Code section 6061 and as required under Government Code section 65090 which was noticed for March 14, 2017, and continued to April 11, 2017 at which time all interested persons were given an opportunity to be heard; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The City Council has independently considered the 2014 Negative Declaration, the Addendum to the adopted 2014 Negative Declaration prepared by the City, the staff report from the Community Development Department analyzing the Addendum to the 2014 Negative Declaration, and received and considered all written and oral public comments on the environmental effects of the Amendment, and finds that no further environmental documentation is required because: (i) there are no substantial changes within the Amendment that will require major revisions to the 2014 Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (ii) there are no substantial changes with respect to the circumstances under which the Amendment is being undertaken which will require major revisions of the 2014 Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and (iii) there is no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the 2014 Negative Declaration was adopted showing that: (a) the Amendment will have one or more significant effects not discussed in the 2014 Negative Declaration; (b) significant effects previously examined will be substantially more severe than shown in the 2014 Negative Declaration; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the Amendment, but those mitigation measures or alternatives have not been adopted; or (d) mitigation measures or alternatives considerably different from those analyzed in the 2014 Negative Declaration would substantially reduce one or more significant effects on the environment, but the mitigation measures or alternatives have not been adopted.

SECTION 3. The City Council on the basis of the whole record before it, finds that no further environmental review is required for the Amendment and hereby adopts Addendum No. 1 to the 2014 Negative Declaration.

SECTION 4. The record of proceedings on which the City Council's decision is based is located at the City of Laguna Hills, 24035 El Toro Road, Laguna Hills, California. The custodian of records of proceedings is the Community Development Director for the City of Laguna Hills.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2017.

DON SEDGWICK, MAYOR

ATTEST:

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 201X-
XXX by the City Council of the City of Laguna Hills, California, at a Regular Meeting
thereof held on the _____ day of _____ 201x, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MELISSA AU-YEUNG, CITY CLERK