



# **CITY OF LAGUNA HILLS**

## **CITY COUNCIL/PLANNING AGENCY**

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### **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 of 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.***