

# **AGENDA of THE LAGUNA WOODS CITY COUNCIL**

**Regular Meeting  
December 15, 2010  
2:00 P.M.**

**Council Chambers  
Laguna Woods City Hall  
24264 El Toro Road  
Laguna Woods, CA 92637**

AGENDA DESCRIPTION: The Agenda descriptions are intended to give notice, to members of the public, of a general summary of items of business to be transacted or discussed. The listed Recommended Action represents staff or a particular Committee's recommendation. The City Council may take any action, which it deems to be appropriate on the agenda item and is not limited in any way by the recommended action. Any person wishing to address the City Council on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council. Whenever possible, lengthy testimony should be presented to the City Council in writing (8 copies) and only pertinent points presented orally. Requests to speak to items on the agenda shall be heard at the appropriate point on the agenda; requests to speak about subjects not on the agenda will be heard during the Public Comment section of the meeting.

## **I. CALL TO ORDER**

## **II. FLAG SALUTE**

## **III. ROLL CALL**

COUNCILMEMBERS:  Conners  Rhodes  Ring  
 Hack, Mayor Pro Tem  Robbins, Mayor

#### **IV. PRESENTATIONS**

#### **V. CITY PROCLAMATIONS - None**

All proclamations listed under this section will be enacted by one vote, unless Members of the City Council request specific items be removed for separate action. Proclamations will then be read and presented.

#### **VI. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

##### **6.1 City Council Minutes**

###### **RECOMMENDED ACTION:**

Approve the minutes from the November 9, 2010 adjourned regular meeting and the November 17, 2010 regular meeting.

##### **6.2 Approve the reading by title of all ordinances and resolutions. Said ordinances and resolutions that appear on the public agenda shall be determined to have been read by title only and further reading waived.**

**RECOMMENDED ACTION:** Waive reading of ordinances and resolutions.

##### **6.3 Treasurer's Report**

**RECOMMENDED ACTION:** Receive and File the November 2010 monthly Treasurer's Report.

##### **6.4 Warrant Register**

**RECOMMENDED ACTION:** Approve the December 15, 2010 in the amount of \$3,588,674.88.

##### **6.5 Development Impact Fees Annual Report**

**RECOMMENDED ACTION:** Receive and file.

## 6.6 Investment Policy

RECOMMENDED ACTION: Approve a resolution ratifying the City's 2008 Investment Policy, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF LAGUNA WOODS, CALIFORNIA,  
ACKNOWLEDGING THE REVIEW, RECEIPT AND  
FILING OF THE ANNUAL STATEMENT OF  
INVESTMENT POLICY

## 6.7 Fiscal Year 2009-10 Budget Carryovers

RECOMMENDED ACTION: Improve increases to the Fiscal Year 2010-11 budget to reflect prior year carryovers in the following amounts:

|    |                             |              |
|----|-----------------------------|--------------|
| A. | General Fund                | \$ 155,098   |
| B. | Grants Fund                 | \$ 75,226    |
| C. | Capital Improvement Program | \$ 3,200,000 |

## 6.8 City Landscape Maintenance Services

RECOMMENDED ACTION: Approve an agreement with Nieves Landscape, Inc. for public property landscape maintenance services for two years with an option to extend for up to six additional years; and authorize the City manager to execute the agreement subject to approval as to form by the City Attorney.

## VII. PUBLIC HEARING

### 7.1 Citywide Zoning Code Modification Project

RECOMMENDED ACTION (Staff and Land Use and Design Review Committee):

A. Receive Staff Report

B. Open Public Hearing

C. Receive Public Comment

D. Close Public Hearing

E. Take the following actions implementing the recommendations of the Zoning Code Modification Project:

1. Adopt a resolution approving a negative declaration for the proposed zoning code and general plan modifications, entitled:

A RESOLUTION OF THE CITY COUNCIL OF LAGUNA WOODS, CALIFORNIA, ADOPTING NEGATIVE DECLARATION 10-02 FOR THE COMPREHENSIVE UPDATE OF THE CITY'S GENERAL PLAN LAND USE ELEMENT, ZONING CODE AND ZONING MAP

AND

2. Adopt a resolution approving modifications to the City's general plan, entitled:

A RESOLUTION OF THE CITY COUNCIL OF LAGUNA WOODS, CALIFORNIA, APPROVING AN AMENDMENT TO THE LAND USE ELEMENT AND LAND USE MAP OF THE LAGUNA WOODS GENERAL PLAN

AND

3. Introduce and approve first reading of an ordinance modifying certain chapters of the zoning code, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTERS 13.04, 13.06, 13.08, 13.10, 13.12, 13.13, 13.14, AND 13.18 OF THE CITY'S MUNICIPAL CODE TO REMOVE OUTDATED AND EXTRANEIOUS LANGUAGE, APPROVING THE ZONE CHANGE FOR TEN SITES AND DIVIDING THE URBAN ACTIVITY CENTER SPECIFIC PLAN AREA INTO TWO SEPARATE PLANNING AREAS

AND

4. Introduce and approve first reading of an ordinance establishing regulations for emergency and transitional housing shelters, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADDING CHAPTER 13.23 TO THE LAGUNA WOODS MUNICIPAL CODE, ESTABLISHING EMERGENCY AND TRANSITIONAL HOUSING SHELTER REGULATIONS

## **VIII. CITY MANAGER**

- 8.1 Rights of the Individual vs. Rights of the Community

RECOMMENDED ACTION (Staff and Public Safety Committee): Receive Public Safety Committee report and recommendations and provide direction to staff.

## **IX. CITY ATTORNEY**

## **X. COMMITTEE REPORTS**

- 10.1 Transportation Corridor Agencies (Mayor Pro Tem Hack)
- 10.2 Orange County Library Board (Mayor Robbins)
- 10.3 Orange County Fire Authority (Councilmember Rhodes)
- 10.4 Southern California Water Committee (Mayor Pro Tem Hack)
- 10.5 Coastal Greenbelt Authority (Councilmember Conners)
- 10.6 Laguna Canyon Foundation (Councilmember Rhodes)
- 10.7 Vector Control District Board (Board Member Bouer)

## **XI. PUBLIC COMMENTS**

## **XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS**

## 12.1 Reports on Meetings Attended (per Government Code §53232.3)

None

State law requires Councilmembers to provide a report on all meetings or events they attend for which the City pays fees, travel or other expenses. These are informational reports and no action is taken on the item.

## 12.2 Other Comments and Announcements

### **XIII. CITY COUNCIL REORGANIZATION**

#### 13.1 City Council Election

**RECOMMENDED ACTION:** Present certificates of election and administer oath of office to Councilmembers Bert Hack and Robert Ring.

#### 13.2 City Council Reorganization – Office of Mayor

**RECOMMENDED ACTION:**

- A. Comments from outgoing Mayor Robbins
- B. The Council, acting on nominations from its members, will appoint a Mayor to serve for the period December 2010 to December 2011
- C. Comments from newly appointed Mayor

#### 13.3 City Council Reorganization – Office of Mayor Pro Tem

**RECOMMENDED ACTION:** The Council, acting on nominations from its members, will appoint a Mayor Pro Tem to serve for the period December 2010 to December 2011.

#### 13.4 City Council Regional Appointments

**RECOMMENDED ACTION:** Approve two year Councilmember appointments to regional boards and committees.

### **XIV. CLOSED SESSION**

- 14.1 The City Council will meet in closed session to confer with legal counsel regarding one matter of pending litigation: Golden Rain Foundation vs. City of Laguna Woods, Case No 30-2010 00424268, pursuant to the provisions of Government Code Section 54956.9(a).

## **XV. ADJOURNMENT**

The meeting will be adjourned to a meeting of the City Council at 2:00 p.m. on Wednesday, January 19, 2011 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

**AMERICANS WITH DISABILITIES ACT:** In compliance with Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (949) 639-0500 (Voice) or, TDD (949) 639-0535 or the California Relay Service at (800) 735-2929 if you have a TDD or (800) 735-2922 if you do not have a TDD. Notification 48 hours prior to the meeting should enable the City to make reasonable arrangements to assure accessibility to the meeting.

**AGENDA:** The City Council agenda and agenda back-up materials are available from the Office of the City Clerk, after 4:30 p.m., on the Friday prior to the City Council meeting. The office of the City Clerk is located at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637. Copies of the agenda are provided at no cost. Agenda back-up materials are available at City Hall for inspection and copies are available at no charge prior to the meeting. A per page copy cost does apply after the meeting. If you wish to be added to the e-mail or regular mail list to receive a copy of the agenda, a request must be made to the City Clerk in writing. Copies of the agenda are mailed only if stamped, self-addressed envelopes are provided. The City of Laguna Woods mailing address is 24264 El Toro Road, Laguna Woods, CA 92637. Phone: (949) 639-0500, FAX (949) 639-0591.

**6.1-6.7**  
**CONSENT CALENDAR SUMMARY**

## City of Laguna Woods Agenda Report

**FOR:** December 15, 2010 City Council Meeting

**TO:** Honorable Mayor and Councilmembers

**FROM:** Leslie A. Keane, City Manager 

**Agenda Item:** Consent Calendar

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### Recommendation

Approve all proposed actions on the December 15, 2010 Consent Calendar by single motion and Council action.

### Discussion

In general, the Consent Calendar contains routine matters or matters that have already been discussed by Council. It is adopted in total with a single motion and Council action. However, if any councilmember or member of the public has questions or wishes to discuss an item further, it may be removed from the Consent Calendar and placed later in the agenda for discussion and action. The way to remove an item from the Consent Calendar is to request its removal, by agenda item number, immediately prior to the adoption of the Consent Calendar. Members of the public may fill out a request to speak on the item they wish removed and the City Clerk will note the item. No reason need be given with the request. Items pulled from the Consent Calendar are not discussed at the time they are pulled; they are scheduled for discussion immediately after action on the balance of the Consent Calendar.

The December 15<sup>th</sup> Consent Calendar contains the following eight items:

- 6.1 Approval of the minutes from the November 9, 2010 adjourned regular and the November 17, 2010 regular City Council meetings, as submitted.

- 6.2 Approval of a motion to allow reading proposed ordinances and resolutions by title only – this is a standard practice in cities. If this motion is not approved, all ordinances and resolutions must be read out loud in their entirety during the Council Meeting.
- 6.3 Approval of a motion to receive and file the November 2010 Treasurer's Report. This report identifies the City's current liquid assets and their location. At the end of November, the City had approximately \$12.5 million in cash on hand and in other liquid assets. However, this amount decreased by \$2.8 million in the second week of December due to a payment for the acquisition of city hall.
- 6.4 Approval of the December 15, 2010 Warrant Register, as submitted, in the amount of \$ 3,588,674.88, which includes a \$2.8 million payment for the acquisition of city hall. A list of all warrants is included in the agenda packet; detailed information about individual warrants is available in the Finance Manager's office.
- 6.5 Pursuant to California Government Code 66006, the City must provide an annual fiscal year accounting of its development impact fees. Currently, the City collects only park in-lieu fees and has received only one deposit into that Fund (June 2006 for the San Sebastian condominium project). As of the end of the reporting period (June 30, 2010), \$239,799 in park development impact fees was allocated/spent for Ridge Route Linear Park. The balance of the money in this Fund - \$238,819 – has been allocated in the Fiscal year 2010-11 budget for the completion of Ridge Route Park, Woods End nature preserve and City Centre Park.
- 6.6 Approval of a resolution that acknowledges Council's annual review of the City investment policy. There are no changes proposed to the policy adopted by the Council last year – all surplus funds continue to be invested with the Local Agency Investment Fund (LAIF) or by Bank of America through overnight investments in U.S. government securities. To assure that there is adequate and on-going oversight and review, California Government Code Sections 5921 and 53600 et. seq. requires city councils to review their investment policies each year even if no changes are contemplated.
- 6.7 Approval of a modification to the Fiscal Year 2010-11 annual budget to reflect carryovers from the prior fiscal year for the comprehensive general plan and zoning code update project (planning and legal consulting services

and part time salaries), work underway but not complete related to bee removal from city hall, the balance of community services grants awarded in the prior year, the continuation of two recycling grant programs and the allocation of funds for the acquisition of city hall. The carryovers for the General and grants Funds were reserved at the close of the fiscal year and will not affect the anticipated \$10.8 million Fund Balance. Funding for the acquisition of city hall will reduce the Fund Balance.

- 6.8 Approve and agreement with Nieves Landscape, Inc. for public property landscape maintenance services for two years with an option to extend for up to six additional years, either annually or bi-annually. The City issued a Request for Proposal (RFP) for landscape maintenance services in October 2010, including a detailed scope of work and technical maintenance specifications. Services to be performed include trimming trees, shrubs and ground cover and mowing grass in medians and parkways, general litter control, weeding and pest control, cleaning of sidewalks and gutters, irrigation equipment maintenance and water management.

Seven proposals were received by the November 9, 2010 deadline:

| <u>Firm</u>            | <u>Hours per week*</u> | <u>Annual Cost</u> |
|------------------------|------------------------|--------------------|
| Nieves Landscape       | 180                    | \$127,665          |
| O'Connell Landscape    | 120                    | \$125,880          |
| Merchants Landscape    | 120                    | \$121,416          |
| Mariposa Landscapes    | 120                    | \$127,148          |
| Marina Landscape       | Not provided           | \$140,346          |
| SpectrumCare Landscape | 120                    | \$155,604          |
| Artistic Landscape     | 120                    | \$175,255          |

Annual costs include additional crews for specialized tasks and annual tree trimming, but not irrigation repairs or landscape replacement. TruGreen Landcare, the current contractor, inadvertently missed the deadline for submission. Staff believes that right-of-way and park landscape maintenance requires a minimum of 160 hours per week, the equivalent of four full time workers, including Ridge Route Linear Park and City Centre Park. The three-person crew that is currently assigned is unable to adequately maintain the City's landscaping and additional manpower, at an additional cost, is required on a regular basis to meet minimum standards.

Four firms- Nieves Landscape, O'Connell Landscape, Merchants Landscape and Mariposa Landscape- were interviewed by the Laguna Hills landscape and parks manager, the City's assistant city manager and the City's landscape inspector. Each was scored in nine areas, including proposed operations and scope of services, related experience and capabilities, environmental record and training (including stormwater best management practices), and proposed rates. The panel ranked Nieves Landscape highest by a significant margin over the other firms interviewed and recommends its selection for landscape maintenance services. Current clients of the firm, including the Cities of Mission Viejo, Lake Forest, Orange, Laguna Hills and Walnut, gave the firm high ratings on all counts: service, cost, professionalism, dependability, customer service. Costs of the new contract are included in the current fiscal year budget.

The above matters are routine and/or have been reviewed by the Council on other occasions. Staff recommends that they be approved as part of the December 15, 2010 Consent Calendar.

If you have questions about any of the above items, feel free to call me prior to the meeting so that I may provide additional information.

**6.1**  
**MINUTES**  
**ADJOURNED AND REGULAR MEETINGS**

**CITY OF LAGUNA WOODS, CALIFORNIA  
CITY COUNCIL MINUTES  
ADJOURNED REGULAR MEETING  
November 9, 2010  
2:00 P.M.**

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**I. CALL TO ORDER**

Mayor Robbins called the Regular Meeting of the City Council of the City of Laguna Woods to order at 2:00 p.m.

**II. FLAG SALUTE**

Mayor Robbins led the flag salute.

**III. ROLL CALL**

COUNCILMEMBERS:   PRESENT:   Conners, Ring, Hack, Robbins  
                          ABSENT:   Rhodes

STAFF PRESENT:       City Manager Keane; Assistant City Manager Reilly; Special Projects Manager Macon; Deputy City Clerk Trippy; City Attorney McEwen

**IV. CONSENT CALENDAR**

Moved by Councilmember Ring, seconded by Mayor Pro Tem Hack, and carried unanimously to approve Consent Calendar Items 4.1 – 4.2.

4.1   Approved the reading by title of all ordinances and resolutions. Said ordinances and resolutions that appear on the public agenda shall be determined to have been read by title only and further reading waived.

4.2   Quarterly Treasurer’s Report  
  
      Received and filed the first quarter Fiscal Year 2010-11 (July – September 2010) Treasurer’s Report

**V. CITY COUNCIL – None**

**VI. CITY MANAGER**

6.1   Administrative Policy Regarding City Budget  
  
      City Manager Keane summarized the policy, stating that it would formalize past practices.

Moved by Councilmember Ring, seconded by Councilmember Conners, and carried unanimously to approve Administrative Policy 2.8: Budget.

## 6.2 Water Quality Regulations

City Manager Keane noted that the proposed ordinances are required by State law and that the City is subject to fines if it does not come into compliance.

Special Projects Manager Macon summarized the proposed regulations, noting that the City will now be required to cite for all irrigation run-off and that the City's current practice of citing for "leafleting" would be discontinued due to a court ruling about a similar practice in San Clemente.

Councilmember Conners asked about the effect of the regulations on fire fighting.

Special Projects Manager Macon responded that there are exceptions for emergency fire fighting flows and that the Orange County Fire Authority is aware of best management practices relevant to fire fighting activities. Fire hydrant flows are allowed, however there are steps that must be taken to prevent pollutants from entering the storm drain system.

Mayor Pro Tem Hack commented on the court ruling regarding "leafleting" in the City of San Clemente and asked if it applies to all leaflets or only commercial advertisements.

City Manager Keane stated that it applies to all leaflets.

Mayor Pro Tem Hack responded that he feels it is odd that the City can fine a person for throwing a leaflet onto the street, but cannot prohibit them from being placed on vehicles.

City Manager Keane noted that Laguna Woods Village and other private parties may be able to enforce their own regulations concerning leafleting.

At Mayor Pro Tem Hack's request, Special Projects Manager Macon explained that staff is recommending merging many of the requirements of the Santa Ana Board and San Diego Board NPDES Permits in order to implement as uniform a program as possible.

City Manager Keane explained that the San Diego Board's regulations tend to be more stringent and that where regulations differ, the City must implement the more stringent regulations.

Mayor Pro Tem Hack noted that the San Diego Board is known to be difficult.

City Manager Keane explained that in order for the City to be consolidated under the jurisdiction of single regional water quality control board, both the Santa Ana Board and the San Diego Board would have to agree.

Mayor Pro Tem Hack and Mayor Robbins commented on previous experiences with the San Diego Board.

Responding to Mayor Pro Tem Hack, City Manager Keane discussed enforcement action that has been taken by the water quality control boards against Orange County cities.

Mayor Pro Tem Hack stated that the City may need to consider and budget for additional code enforcement staff in order to implement the new regulations.

City Manager Keane concurred with Mayor Pro Tem Hack and indicated that staffing is sufficient for the current fiscal year.

Moved by Councilmember Ring, seconded by Councilmember Conners, and carried unanimously to approve the introduction and first reading of four ordinances modifying water quality regulations, entitled:

A. AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 4.14 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO WATER QUALITY

AND

B. AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 4.06 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO TRASH AND LITTER CONTROL

AND

C. AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 10.06 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO GRADING

AND

D. AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 4.16 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO FATS, OILS AND GREAT DISPOSAL

**VII. CITY ATTORNEY'S REPORT – None**

**VIII. PUBLIC COMMENTS – None**

**IX. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS**

Councilmember Ring noted the passing of former Councilmember Jan McLaughlin.

Councilmember Conners commented on information that she received from the Nuclear Regulatory Commission concerning evacuation in the event of an emergency at the San Onofre Nuclear Generating Station. Residents should stay home unless told otherwise.

City Manager Keane noted that the City's AlertOC emergency notification system and CERT members could be used to assist with evacuations.

Mayor Pro Tem Hack discussed an aerial photograph that was important during the El Toro Airport debate. He invited the public to view the photograph at City Hall. Councilmember Conners noted the physical effects of the former aviation easement on the City, including the angle of the City Hall building.

Mayor Pro Tem Hack and Mayor Robbins reflected on opposition to the El Toro Airport.

## **X. CLOSED SESSION**

- 10.1 The City Council met in closed session to confer with legal counsel regarding one matter of potential litigation, pursuant to the provisions of Government Code Section 54956.9(c).

The City Council reconvened in open session at 3:10 p.m. City Attorney McEwen advised that there was no reportable action.

## **XI. ADJOURNMENT**

The meeting was adjourned at 3:10 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, November 17, 2010 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

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YOLIE TRIPPY, Deputy City Clerk

Adopted: December 15, 2010

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MILTON ROBBINS, Mayor

**CITY OF LAGUNA WOODS, CALIFORNIA  
CITY COUNCIL MINUTES  
REGULAR MEETING  
November 17, 2010  
2:00 P.M.**

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**I. CALL TO ORDER**

Mayor Robbins called the Regular Meeting of the City Council of the City of Laguna Woods to order at 2:00 p.m.

**II. FLAG SALUTE**

Councilmember Conners led the flag salute.

**III. ROLL CALL**

COUNCILMEMBERS:   PRESENT:   Conners, Rhodes, Ring, Hack, Robbins  
                          ABSENT:   None

STAFF PRESENT:       City Manager Keane; Assistant City Manager Reilly; Deputy City Clerk Trippy; City Attorney McEwen

**IV. PRESENTATIONS – None****V. CITY PROCLAMATIONS**

Moved by Councilmember Conners, seconded by Councilmember Rhodes, and carried unanimously to approve City Proclamation 5.1.

5.1   Proclamation – Family Caregiver’s Month, November 2010

**VI. CONSENT CALENDAR**

Moved by Councilmember Ring, seconded by Councilmember Rhodes, and carried unanimously to approve Consent Calendar Items 6.1 – 6.5.

6.1   City Council Minutes

Approved the minutes from the October 20, 2010 regular meeting.

6.2   Approved the reading by title of all ordinances and resolutions. Said ordinances and resolutions that appear on the public agenda shall be determined to have been read by title only and further reading waived.

6.3   Treasurer’s Report

Received and filed the October 2010 monthly Treasurer’s Report.

6.4 Warrant Register

Approved the November 17, 2010 Warrant Register in the amount of \$435,466.38.

6.5 Water Quality Regulations

Adopted four ordinances modifying water quality regulations, entitled:

**Ordinance No. 10-03**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 4.14 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO WATER QUALITY

AND

**Ordinance No. 10-04**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 4.06 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO TRASH AND LITTER CONTROL

AND

**Ordinance No. 10-05**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 10.06 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO GRADING

AND

**Ordinance No. 10-06**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REPEALING CHAPTER 4.16 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO FATS, OILS AND GREASE DISPOSAL

**VII. PUBLIC HEARINGS**

7.1 Building and Constructions Codes

City Manager Keane summarized the agenda report and noted that the Residential Code and the Green Building Standards Code apply only to new construction.

Mayor Robbins opened the public hearing.

Councilmember Connors stated that, in her opinion, the issue was very well discussed at the previous City Council meeting.

City Manager Keane stated that no written comments were received.

There being no requests to speak, the public hearing was closed.

Moved by Councilmember Ring, seconded by Councilmember Rhodes, and carried unanimously to approve **Resolution No. 10-19** that identifies findings for local Building and Construction Code amendments, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS WITHIN THE CITY THAT JUSTIFY CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA BUILDING CODE, THE CALIFORNIA FIRE, CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA ELECTRICAL CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA GREEN BUILDING STANDARDS CODE

AND

Adopt **Ordinance No. 10-07** modifying Laguna Woods Building and Constructions Codes, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA AMENDING TITLE 10 OF THE LAGUNA WOODS MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2010 EDITIONS OF THE CALIFORNIA BUILDING, FIRE, RESIDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL AND GREEN BUILDING STANDARDS CODES, AND RELATED MODEL AND UNIFORM CODES, WITH APPENDICES AND AMENDMENTS THERETO

**VIII. CITY COUNCIL – None**

**IX. CITY MANAGER**

**9.1 2011 Community Services Grants**

Assistant City Manager Reilly summarized the agenda report and identified the proposed recipients of grant funding.

Mary Wall, resident, objected to awarding a grant to Laura's House. She stated that she would rather have additional funds go to the Florence Sylvester Senior Center where she feels more residents would benefit. She suggested that the City look into how the Laura's House grant is used and how much is used in administration costs.

City Manager Keane explained that the 2010 grant that was awarded to Laura's House was used to start-up a program. Staff has informed the organization that if they receive a 2011 grant, they must provide higher levels of service.

Mayor Pro Tem Hack expressed interest, as he has in the past, in funding programs for

the American Lung Association that deal with respiratory problems.

City Manager Keane noted that no such application was received. She suggested that staff could conduct outreach to see if applications could be encouraged in the future.

Councilmember Conners thanked the Community Services Committee and staff for their work in evaluating the grant applications. She suggested to Ms. Wall that she attend a Community Services Committee meeting to review the information they have available on the grants. She also stated that she believes that the quarterly reports could be made available. Councilmember Conners noted that the City will evaluate the Laura's House grant for its benefit to residents.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Hack, and carried unanimously to:

- A. Award a total of \$75,000 in competitive Community Services grants to six grantees: The Braille Institute \$20,000; South County Outreach (formerly Saddleback Community Outreach) \$20,000; Trauma Intervention Program \$5,000; Laura's House \$5,000; Dayle McIntosh Center (DMC) \$10,000; and the Foundation of Laguna Woods Village \$15,000.
- B. Award a total of \$75,000 in Community Services grants to Age Well Senior Services for:
  - Adult day health care \$22,500
  - Transportation services \$22,500
  - General operations at Florence Sylvester Memorial Senior Center \$30,000.

## **X. CITY ATTORNEY'S REPORT**

City Attorney McEwen reported on Proposition 26 which establishes a new definition of taxes that requires a two-thirds majority vote of the electorate. He noted that there are numerous exemptions and that each fee will need to be examined on a case-by-case basis.

Mayor Pro Tem Hack shared his concerns with Proposition 26 and the initiative process.

Councilmember Rhodes asked City Attorney McEwen about Proposition 26's effect on existing fees and taxes.

City Attorney McEwen stated that it only applies to new levies, charges and exactions.

City Manager Keane stated that the inclusionary housing in-lieu fee may be the only existing fee subject to Proposition 26 due to changes in regulations. She noted that the park in-lieu fee would be grandfathered.

City Manager Keane concurred with Mayor Pro Tem Hack that the State may be greatly affected because it funded much of its deficit by calling taxes "fees."

## **XI. COMMITTEE REPORTS**

## 11.1 Transportation Corridor Agencies (Mayor Pro Tem Hack)

Mayor Pro Tem Hack discussed TCA's move to cashless tolling systems.

Councilmember Conners commented on a problem with her transponder and stated that she was told that the program is already in place.

Mayor Pro Tem Hack noted that replacement transponders are available.

Councilmember Rhodes asked for Mayor Pro Tem Hack's opinion on the proposed use of the 405 freeway as a toll road.

Mayor Pro Tem Hack stated that, in his opinion, it would be difficult to turn an existing highway into a toll system. He also noted that it is a CalTrans issue.

## 11.2 Orange County Library Board (Mayor Robbins)

Mayor Robbins stated that there was no meeting.

## 11.3 Orange County Fire Authority (Councilmember Rhodes)

Councilmember Conners attended the meeting but had nothing to report.

## 11.4 Southern California Water Committee (Mayor Pro Tem Hack)

Mayor Pro Tem Hack discussed the Committee's recent dinner meeting and challenges facing Southern California waters supply.

## 11.5 Coastal Greenbelt Authority (Councilmember Conners)

Councilmember Conners stated that there was no meeting.

## 11.6 Laguna Canyon Foundation (Councilmember Rhodes)

Councilmember Rhodes stated that there was no meeting.

## 11.7 Vector Control District Board (Board Member Bouer)

Mayor Robbins announced that Board Member Bouer was not present to provide a report and that Council will need to make a new appointment for the 2011-12 term.

**XII. PUBLIC COMMENTS**

Mary Wall, resident, expressed concern with bike racing and the illegal use of golf carts and scooters on the El Toro sidewalk. She suggested installing bollards.

City Manager Keane acknowledged Ms. Wall's concern and noted that the City has been unable to witness violations. She explained that staff believes that bollards would prevent not only golf carts, but wide mobility scooters, as well, from using the sidewalk.

Ms. Wall stated there is a difference in width between golf carts and mobility scooters.

City Manager Keane responded that some mobility scooters are very wide. She noted that staff is taking a look at the situation to see what can be done.

Ms. Wall asked why the City placed a requirement to donate land on the Laguna Woods Village golf starter building.

City Manager Keane explained that there are a number of conditions placed on the golf starter building project. She stated that the City Council approved the conditions and that only the City Council has the ability to change the conditions.

### **XIII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS**

#### **13.1 Reports on Meetings Attended (Government Code §53232.3)**

A. California Joint Powers Insurance Authority Conference, October 27-29, 2010  
(Robbins, Conners)

#### **13.2 Other Comments and Announcements**

Councilmember Conners reported on a recent meeting of the Orange County Waste and Recycling Commission. She discussed her desire to increase waste diversion rates and develop a program to reuse corrugated cardboard moving boxes. Rentagreenbox.com provides plastic moving bins made of recycled material. There are also new statues on paint and carpet that place liability on manufacturers to recycle expired material.

Councilmember Ring reflected on the recent passing of former Councilmember Jan McLaughlin and her achievements and contributions to the community. He requested that the City Council meeting be adjourned in her memory.

Mayor Robbins stated that he would adjourn the meeting in Jan McLaughlin's memory.

Mayor Pro Tem Hack congratulated Councilmember Ring on his recent appointment as a Commissioner to the Local Agency Formation Commission (LAFCO) beginning in 2011.

### **XIV. CLOSED SESSION**

City Manager Keane stated that an item needs to be added to the closed session agenda. The matter was previously included under Item 14.2, but since the agenda was posted, the City has been served and the matter has changed from potential litigation to pending litigation. Moved by Mayor Pro Tem Hack, seconded by Councilmember Conners, and carried unanimously to add Item 14.3 as listed below.

14.1 The City Council met in closed session to confer with legal counsel regarding one matter of pending litigation: City of Laguna Woods vs. Raintree Realty LLC. Case No. 05 CC 09350 pursuant to the provisions of Government Code Section 54956.9(a).

ITEM 6.1

14.2 The City Council met in closed session to confer with legal counsel regarding a matter of pending litigation: Golden Rain Foundation of Laguna Woods vs. City of Laguna Woods. Case No. 30-2010 pursuant to the provisions of Government Code Section 54956.9(a).

The City Council reconvened in open session at 4:28 p.m. City Attorney McEwen advised that there was no reportable action.

**XV. ADJOURNMENT**

The meeting was adjourned at 4:28 p.m. in memory of former Councilmember Jan McLaughlin. The next adjourned regular meeting will be at 2:00 p.m. on Wednesday, December 15, 2010 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

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YOLIE TRIPPY, Deputy City Clerk

Adopted: December 15, 2010

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MILTON ROBBINS, Mayor

**6.2**  
**WAIVE READING OF ORDINANCES AND**  
**RESOLUTIONS**  
**(No Report)**

**6.3**  
**TREASURER'S REPORT**

**City of Laguna Woods**  
**Treasurer's Report**  
**November 30, 2010**

**CASH ON HAND**1. Investments/General Fund

|                              |    |            |
|------------------------------|----|------------|
| Local Agency Investment Fund | \$ | 11,132,332 |
|                              |    | <hr/>      |
| Subtotal                     | \$ | 11,132,332 |

2. Investments/Transportation Fund

|                              |    |         |
|------------------------------|----|---------|
| Local Agency Investment Fund | \$ | 905,659 |
|                              |    | <hr/>   |
| Subtotal                     | \$ | 905,659 |

3. Other Interest & Non-Interest Bearing/General & Transportation

|                           |    |         |
|---------------------------|----|---------|
| Petty Cash Funds          | \$ | 941     |
| Analyzed Checking Account | \$ | 475,095 |
|                           |    | <hr/>   |
| Subtotal                  | \$ | 476,036 |

|              |           |                   |
|--------------|-----------|-------------------|
| <b>TOTAL</b> | <b>\$</b> | <b>12,514,027</b> |
|              |           | <hr/> <hr/>       |

Note: LAIF reports interest earnings quarterly.

**6.4**  
**WARRANT REGISTER**

CITY OF LAGUNA WOODS  
WARRANT REGISTER - FY 2011  
December 15, 2010

| CK #   | WR #    | Vendor                              | Account       | Item/Purpose   | Amount    |
|--------|---------|-------------------------------------|---------------|--|-----------|
| 109634 | 11-0600 | Dayle McIntosh Center               | 001.6500.7300 | Community Services Grant/4th Quarter Payment         | 1,250.00  |
| 109659 | 11-0601 | WLC Architects                      | 340.6590.7640 | Professional Services/City Hall ADA Improvements     | 4,200.00  |
| 109662 | 11-0602 | Douglas Reilly                      | 001.6100.8110 | Employee Benefit Program                             | 587.62    |
| 109663 | 11-0603 | Aliso Creek Printing                | 190.6500.7222 | Printing/Senior Mobility Taxi Books/FY 2010-2011     | 3,180.94  |
| 109664 | 11-0604 | Scotty Burghardt                    | 010.0000.4501 | Waste Diversion Deposit Refund                       | 1,500.00  |
| 109668 | 11-0605 | Cynthia Connors                     | 001.6000.7204 | Mileage Reimbursement/October 2010                   | 145.00    |
| 109669 | 11-0606 | Coppola Construction                | 010.0000.4501 | Waste Diversion Deposit Refund                       | 1,200.00  |
| 109671 | 11-0607 | El Toro Water District              | 001.6700.7341 | Linear Park/Landscape Irrigation/November 2010       | 153.98    |
| 109672 | 11-0608 |                                     | 001.6700.7341 | Dog Park Irrigation/November 2010                    | 23.60     |
| 109673 | 11-0609 |                                     | 001.6590.7231 | City Hall Utilities/October 2010                     | 28.00     |
| 109674 | 11-0610 |                                     | 001.6590.7231 | City Hall Utilities/October 2010                     | 94.57     |
| 109675 | 11-0611 | Hogle-Ireland                       | 001.6400.7357 | GIS Mapping/Water-Related Easements                  | 762.00    |
| 109676 | 11-0612 | Hydrosaver                          | 100.6700.7341 | Repair Irrigation Controller                         | 200.00    |
| 109677 | 11-0613 | Orange County Register/Notices      | 010.6500.7224 | Public Notices/Deposit-Based/October 2010            | 96.75     |
|        |         |                                     | 001.6100.7224 | Public Notices/October 2010                          | 64.40     |
| 109685 | 11-0614 | SCP Plumbing, Inc.                  | 001.4401.0000 | Cancelled Building Permit/Refund                     | 791.44    |
| 109687 | 11-0615 | Southern California Edison          | 100.6700.7341 | Irrigation Controllers/November 2010                 | 92.13     |
| 109688 | 11-0616 | The Bee Man                         | 001.6590.7234 | Bee Removal  | 330.00    |
| 109691 | 11-0617 | Leo K. Yen                          | 010.0000.4501 | Waste Diversion Deposit Refund                       | 1,800.00  |
| 109693 | 11-0618 | Allied Mechanical                   | 001.6590.7234 | Building Maintenance                                 | 1,149.00  |
| 109694 | 11-0619 | AT&T                                | 001.6590.7232 | Telephone/581-3974/October 2010                      | 76.37     |
| 109695 | 11-0620 |                                     | 001.6590.7232 | Telephone/583-1105/October 2010                      | 15.42     |
| 109696 | 11-0621 |                                     | 001.6590.7232 | Telephone/458-3487/November 2010                     | 31.74     |
| 109697 | 11-0622 | Burke, Williams & Sorensen          | 570.6590.7260 | Legal Services/City Hall Acquisition/August 2010     | 30,378.51 |
| 109698 | 11-0623 | Charles Abbott Associates, Inc.     | 001.6400.7357 | Water Quality Consulting Services/October 2010       | 864.00    |
| 109700 | 11-0624 | Captioning Unlimited                | 001.6100.7391 | Closed Captioning/City Council Meeting/November 2010 | 300.00    |
| 109701 | 11-0625 | GCI Construction                    | 125.0000.2501 | El Toro/Avenida Sevilla Storm Drain/Retention        | 32,328.19 |
| 109703 | 11-0626 | Lynn Capouya                        | 275.6590.7609 | City Centre Park/October 2010                        | 10,366.20 |
| 109704 | 11-0627 | Madison Materials                   | 001.6700.7349 | Bulky Item Processing                                | 118.56    |
| 109706 | 11-0628 | Southern California Edison          | 001.6590.7231 | Utilities/City Hall/November 2010                    | 1,257.97  |
| 109707 | 11-0629 |                                     | 001.6700.7341 | Ridge Route Dog Park/November 2010                   | 21.11     |
| 109708 | 11-0630 | State Water Resources Control Board | 001.6400.7357 | Annual Permit/Fiscal Year 2010-2011                  | 5,400.00  |
| 109709 | 11-0631 | The Gas Company                     | 001.6590.7231 | City Hall/November 2010                              | 99.61     |
| 109712 | 11-0632 | WLC Architects                      | 340.6590.7640 | City Hall ADA Improvements/October 2010              | 5,600.00  |

|        |         |                                    |               |   |              |
|--------|---------|------------------------------------|---------------|---|--------------|
| 109713 | 11-0633 | Avanti Printing                    | 001.6500.7330 | Spring Newsletter/Additional Postage            | 64.80        |
|        |         |                                    | 001.6500.7330 | Winter Newsletter                               | 6,502.08     |
| 109715 | 11-0634 | El Toro Water District             | 100.6700.7341 | City Hall/Landscape Irrigation/October 2010     | 3,991.17     |
| 109716 | 11-0635 | Orange County Superior Court Clerk | 570.6590.7260 | City Hall Acquisition/Settlement Base Amount    | 2,780,000.00 |
| 109717 | 11-0636 | Rutan & Tucker                     | 570.6590.7260 | City Hall Acquisition/Attorney Services         | 113,637.83   |
| 109718 | 11-0637 | Rus Calisch                        | 001.6500.7330 | Winter Newsletter                               | 450.00       |
| 109720 | 11-0638 | Patrick Foley                      | 001.6100.8110 | Employee Benefit Program/December 2010          | 1,218.23     |
| 109721 | 11-0639 | Gary Gates                         | 001.6400.8110 | Employee Benefit Program/November 2010          | 291.84       |
|        |         |                                    | 001.6590.7232 | Cell Phone Reimbursement/November 2010          | 40.00        |
|        |         |                                    | 001.6100.7204 | Mileage Reimbursement/November 2010             | 106.50       |
| 109723 | 11-0640 | Southern California Edison         | 001.6700.7236 | Residential Streetlights/United/November 2010   | 1,858.65     |
| 109724 | 11-0641 |                                    | 110.6700.7346 | Traffic Signal Controllers/November 2010        | 833.16       |
| 109725 | 11-0642 | TruGreen Landscape                 | 275.6590.7600 | Wood's End Improvements                         | 1,313.29     |
|        |         |                                    | 100.6700.7341 | Landscape/Irrigation Repair/July 2010           | 1,603.54     |
|        |         |                                    | 110.6700.7341 | Landscape/Irrigation Repair/August 2010         | 817.90       |
|        |         |                                    | 001.6500.7300 | Community Services Grant/1st Quarter Payment    | 18,750.00    |
|        |         |                                    | 001.6100.7221 | Printing Services                               | 1,082.06     |
|        |         |                                    | 001.6100.7222 |   | 48.94        |
|        |         |                                    | 001.6590.7232 | White Pages Listing/December 2010               | 3.88         |
|        |         |                                    | 001.6590.7232 | Telephone/639-0500/November 2010                | 189.46       |
|        |         |                                    | 001.6590.7232 | Telephone/452-0600/November 2010                | 228.14       |
|        |         |                                    | 001.6590.7232 | Telephone/770-9359/November 2010                | 15.81        |
|        |         |                                    | 2601          | See Below                                       | 417.61       |
|        |         |                                    | 001.6500.7300 | Community Services Grant/1st Quarter Payment    | 5,000.00     |
|        |         |                                    | 001.6100.7301 | Legal Services/Retainer/October 2010            | 4,625.00     |
|        |         |                                    | 001.6400.7357 | Water Quality Consulting Services/November 2010 | 512.00       |
|        |         |                                    | 260.6700.7369 | NEMT/November 2010                              | 3,736.00     |
|        |         |                                    | 260.6700.7369 | Taxi Voucher Services/November 2010             | 23,821.00    |
|        |         |                                    | 001.6100.7222 | Copier Lease/January 2011                       | 647.07       |
|        |         |                                    | 001.6600.7351 | Sheriff Services/December 2010                  | 102,742.59   |
|        |         |                                    | 230.6600.7351 |   | 8,333.33     |
|        |         |                                    | 110.6590.7600 | Moulton Smart Street/Fair Share/September 2010  | 103,202.51   |
|        |         |                                    | 110.6590.7600 | Moulton Smart Street/Fair Share/October 2010    | 88,962.97    |
|        |         |                                    | 110.6700.7343 | Street Maintenance/October 2010                 | 2,966.52     |
|        |         |                                    | 110.6700.7347 |   | 2,353.53     |
|        |         |                                    | 001.6700.7236 | Streetlights/Monthly Maintenance/December 2010  | 930.00       |
|        |         |                                    | 140.6590.7600 | Moulton Smart Street/October 2010               | 20,271.25    |
|        |         |                                    | 001.6500.7300 | Community Services Grant/1st Quarter Payment    | 2,500.00     |

## ITEM 6.4

|         |  |               |  |           |
|---------|--|---------------|--|-----------|
| 11-0662 | Dennis Nelson, PE                      | 100.6700.7332 | Traffic Engineering Services/October 2010            | 6,914.03  |
|         |  | 250.6590.7600 | Santa Maria/Phase I/October 2010                     | 5,485.00  |
|         |  | 140.6590.7600 | Traffic Mitigation/Moulton Smart Street/October 2010 | 5,970.00  |
|         |  | 001.6700.7342 | Landscape Inspection/October 2010                    | 2,835.00  |
|         |  | 110.6590.7600 | El Toro/Aliso Creek Project/October 2010             | 6,967.64  |
|         |  | 275.6590.7609 | City Centre Park/October 2010                        | 4,400.00  |
| 11-0663 | Hogle-Ireland                          | 001.6400.7312 | Advance Long-Range Planning/September 2010           | 9,035.00  |
|         |  | 001.6400.7311 | Planning & Staffing Services/September 2010          | 9,940.00  |
|         |  | 010.6400.7311 | Deposit-Based Planning Services/September 2010       | 875.00    |
|         | Laura's House                          | 001.6500.7300 | Community Services Grant/1st Quarter Payment         | 1,250.00  |
| 11-0665 | Los Angeles Times                      | 001.6100.7221 | Newspaper Delivery                                   | 44.80     |
| 11-0666 | South County Outreach                  | 001.6500.7300 | Community Services Grant/1st Quarter Payment         | 5,000.00  |
| 11-0667 | The Foundation of Laguna Woods Village | 001.6500.7300 | Community Services Grant/1st Quarter Payment         | 3,750.00  |
| 11-0668 | Trauma Intervention Program            | 001.6500.7300 | Community Services Grant/1st Quarter Payment         | 1,250.00  |
| 11-0669 | Ware Disposal                          | 340.6590.7640 | CDBG Rehab Program/Hauling & Disposal/Nov. 2010      | 366.59    |
| 11-0670 | Bea Wester                             | 190.0000.2610 | Taxi Voucher Refund                                  | 30.00     |
| 11-0671 | Sandra Verrall                         | 190.0000.2610 | Taxi Voucher Refund                                  | 14.40     |
| 11-0672 | Yolie Trippy                           | 001.6100.8110 | Employee Benefit Program/December 2010               | 500.00    |
| 11-0673 | Great Cleaning Services, Inc.          | 001.6590.7234 | Janitorial Service/November 2010                     | 495.00    |
|         |  |               | Janitorial Supplies/November 2010                    | 163.84    |
| 11-0674 | Sonitrol                               | 001.6590.7234 | City Hall/Alarm System Maintenance/December 2010     | 55.53     |
| 11-0675 | Redflex                                | 001.6600.7371 | Redlight Photo Enforcement/December 2010             | 25,000.00 |
| 11-0676 | Commpro                                | 001.6100.7391 | Website Hosting Services/December 2010               | 295.00    |
| 11-0677 | Orkin                                  | 001.6590.7234 | City Hall/Building Maintenance/December 2010         | 79.71     |
| 11-0678 | Practical Data Solutions               | 001.6100.7391 | Information Technology Services/December 2010        | 1,080.00  |
| 11-0679 | KONE, Inc.                             | 001.6590.7234 | Elevator Maintenance/City Hall/December 2010         | 167.45    |
| 11-0680 | TruGreen Landscape                     | 001.6700.7341 | Landscape Maintenance/December 2010                  | 8,962.00  |
| 11-0681 | Leslie Keane                           | 001.6100.7204 | Automobile Allowance/January 2011                    | 450.00    |
| 11-0682 | Ernestine Jones                        | 001.6100.8110 | Employee Benefit Program/November 2010               | 266.34    |
| 11-0683 | Sandra Verrall                         | 001.6590.7232 | Cell Phone Reimbursement/November 2010               | 25.00     |
| 11-0684 | Douglas Reilly                         | 001.6100.8110 | Employee Benefit Program/January 2011                | 51.00     |
| 11-0685 | Vision Service Plan                    | 001.6590.7232 | Cell Phone Reimbursement/January 2011                | 79.50     |
|         |  | 001.6100.8110 | Employee Benefit Program/January 2011                | 147.23    |
|         |  | 001.6400.8110 |  | 20.30     |
| 11-0686 | CalPers/Health                         | 001.6100.8110 | Employee Benefit Program/January 2011                | 2,716.82  |
|         |  | 001.6400.8110 |  | 477.95    |
|         |  | 001.6100.7391 |  | 12.08     |
| 11-0687 | CitiStreet/CalPers 457 Plan            | 001.6100.8110 | Employee Benefit Program/January 2011                | 273.00    |
|         |  | 001.6400.8110 |  | 300.00    |

ITEM 6.4

|         |                             |               |  |           |
|---------|-----------------------------|---------------|--|-----------|
| 11-0688 | Vantage Point/ICMA 457 Plan | 001.0000.2601 | Employee Contributions/January 2011      | 800.00    |
|         |                             | 001.6100.8110 | Employee Benefit Program/January 2011    | 1,222.84  |
|         |                             | 001.6400.8110 | Employee Benefit Program/January 2011    | 500.00    |
| 11-0689 | AFLAC                       | 001.6100.8110 | Employee Benefit Program/January 2011    | 278.70    |
|         |                             | 001.6400.8110 |  | 93.10     |
| 11-0690 |                             | 001.6100.7303 | Program Fees/January 2011                | 50.00     |
| 11-0691 | Managed Health Network      | 001.6100.8110 | Employee Benefit Program/January 2011    | 17.29     |
|         |                             | 001.6400.8110 |  | 4.94      |
| 11-0692 | Delta Dental                | 001.6100.8110 | Employee Benefit Program/January 2011    | 519.72    |
|         |                             | 001.6400.8110 |  | 45.09     |
| 11-0693 | Principal Financial Group   | 001.6100.8110 | Employee Benefit Program/January 2011    | 374.41    |
|         |                             | 001.6400.8110 |  | 73.48     |
| 11-0694 | Cynthia Conners             | 001.6000.8102 | December Compensation                    | 300.00    |
| 11-0695 | Bert Hack                   | 001.6000.8102 | December Compensation                    | 300.00    |
| 11-0696 | Martin Rhodes               | 001.6000.8102 | December Compensation                    | 300.00    |
| 11-0697 | Robert Ring                 | 001.6000.8102 | December Compensation                    | 300.00    |
| 11-0698 | Milt Robbins                | 001.6000.8102 | December Compensation                    | 300.00    |
| 11-0699 | ADP                         | 001.6100.8101 | Payroll Ending 11/5/10 Full-time Staff   | 21,879.84 |
|         |                             | 001.6100.8102 | Payroll Ending 11/5/10 Part-time Staff   | 565.50    |
|         |                             | 001.0000.2601 | Deferred Comp/Payroll Ending 11/5/10     | -400.00   |
|         |                             | 001.0000.2180 | FSA Payable/Payroll Ending 11/5/10       | -200.00   |
|         |                             | 001.6400.8101 | Payroll Ending 11/5/10 Full-time Staff   | 4,603.00  |
|         |                             | 001.6100.8111 | Payroll Taxes- Employer                  | 1,338.23  |
|         |                             | 001.6400.8111 | Payroll Taxes- Employer                  | 344.48    |
|         |                             | 001.6100.2601 | Deferred Comp/Payroll Ending 11/5/10     | -1,219.80 |
|         |                             | 190.6500.8101 | Payroll Ending 11/5/10 Full-time Staff   | 540.00    |
|         |                             | 190.6500.8102 | Payroll Ending 11/5/10 Part-time Staff   | 675.00    |
|         |                             | 190.6500.8111 | Payroll Taxes- Employer                  | 92.95     |
| 11-0700 | ADP                         | 001.6100.7303 | Payroll Processing                       | 111.14    |
| 11-0701 | CalPERS Retirement          | 001.6100.8112 | Retirement System/Payroll Ending 11/5/10 | 3,820.68  |
|         |                             | 001.6400.8112 |  | 759.96    |
| 11-0702 | ICMA Retirement Corporation | 001.6100.8101 | Deferred Comp/Payroll Ending 11/5/10     | 374.23    |
|         |                             | 001.0000.2601 | Deferred Comp/Payroll Ending 11/5/10     | 1,219.80  |

ITEM 6.4

|         |                             |               |   |              |
|---------|-----------------------------|---------------|---|--------------|
| 11-0703 | ADP                         | 001.6100.8101 | Payroll Ending 11/19/10 Full-time Staff   | 21,879.85    |
|         |                             | 001.6100.8102 | Payroll Ending 11/19/10 Part-time Staff   | 497.50       |
|         |                             | 001.0000.2601 | Deferred Comp/Payroll Ending 11/19/10     | -400.00      |
|         |                             | 001.0000.2180 | FSA Payable/Payroll Ending 11/19/10       | -200.00      |
|         |                             | 001.6400.8101 | Payroll Ending 11/19/10 Full-time Staff   | 4,603.01     |
|         |                             | 001.6100.8111 | Payroll Taxes- Employer                   | 1,270.52     |
|         |                             | 001.6400.8111 | Payroll Taxes- Employer                   | 344.48       |
|         |                             | 001.6100.2601 | Deferred Comp/Payroll Ending 11/19/10     | -1,219.80    |
|         |                             | 190.6500.8101 | Payroll Ending 11/19/10 Full-time Staff   | 540.00       |
|         |                             | 190.6500.8102 | Payroll Ending 11/19/10 Part-time Staff   | 675.00       |
|         |                             | 190.6500.8111 | Payroll Taxes- Employer                   | 92.95        |
| 11-0704 | ADP                         | 001.6100.7303 | Payroll Processing                        | 111.14       |
| 11-0705 | CalPERS Retirement          | 001.6100.8112 | Retirement System/Payroll Ending 11/19/10 | 3,820.68     |
|         |                             | 001.6400.8112 |   | 759.96       |
| 11-0706 | ICMA Retirement Corporation | 001.6100.8101 | Deferred Comp/Payroll Ending 11/19/10     | 374.23       |
|         |                             | 001.0000.2601 | Deferred Comp/Payroll Ending 11/19/10     | 1,219.80     |
|         | TOTAL                       |               |   | 3,588,674.88 |

Void Check(s): 109635

November

|       |       |                   |  |        |
|-------|-------|-------------------|--|--------|
| Debit | Debit | Peppino's         | League Division Meeting/Dinner/Hack, Ring, Keane | 41.00  |
| Debit | Debit | Overnight Express | Delivery Charges                                 | 126.13 |
| Debit | Debit | Quickship Toner   | Printer Supplies                                 | 80.48  |
| Debit | Debit | USA Petroleum     | CJPIA Conference/Keane, Robbins                  | 40.21  |
| Debit | Debit | Office Max        | Supplies/CDBG Grant Applications                 | 84.70  |
| Debit | Debit | Office Max        | Supplies/Water Quality Report                    | 45.09  |

**6.5**  
**DEVELOPMENT IMPACT FEES ANNUAL**  
**REPORT**

**Development Impact Fees Fund**  
**Park In Lieu Fees\***  
**Report for Period Ending 6/30/2010**

The purpose of establishing park land dedications or a fee in lieu of park dedication is to finance park land acquisition and rehabilitation commensurate with the level of need resulting from new development and population growth.

| <b>Date</b> | <b>Description</b>                          | <b>Project</b> | <b>Amount</b>    | <b>Balance</b> |
|-------------|---|----------------|------------------|----------------|
| 07/01/09    | <b>Beginning Balance</b>                    | San Sebastian  |                  | <b>477,412</b> |
|             | <b>Income:</b>                              |                |                  |                |
| 09/30/09    | Quarterly Interest Allocation               |                | 561              |                |
| 12/31/09    | Quarterly Interest Allocation               |                | 386              |                |
| 03/31/10    | Quarterly Interest Allocation               |                | 121              |                |
| 06/30/10    | Quarterly Interest Allocation               |                | 139              |                |
|             | <b>Total Income</b>                         |                | <b>1,207</b>     |                |
|             | <b>Expenditures:</b>                        |                |                  |                |
|             | Public Improvements/Ridge Route Linear Park |                |                  |                |
|             | <b>Total Expenditures</b>                   |                | <b>(30,298)</b>  |                |
|             | Total Deposit (6/15/06)                     |                | 425,629          |                |
|             | Total Fund to Date Interest                 |                | 52,990           |                |
|             | Total Fund to Date Expenditures             |                | <b>(239,799)</b> |                |
|             | <b>Fund Ending Balance</b>                  |                |                  | <b>238,819</b> |

\* Reference City Ordinance No. 05-01, adopted January 19, 2005

Construction of the public improvements commenced during October, 2008 and 38% of the cost of the project will be funded with fees. The ending fund balance of \$238,819 was budgeted in the FY 2010 Capital Improvement Program (CIP) for Town Centre Park, Ridge Route Linear Park, and Woods End Improvements and will be expended by June 2011.

No interfund transfers, loans or refunds were made during this reporting period.

**6.6**

**INVESTMENT POLICY**

**RESOLUTION NO. 10-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ACKNOWLEDGING THE REVIEW, RECEIPT AND FILING OF THE ANNUAL STATEMENT OF INVESTMENT POLICY

**WHEREAS**, The Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (California Government Code Sections 53600.6 and 53630.1); and

**WHEREAS**, the legislative body of a local agency may invest surplus monies not required for the immediate necessities of the local agency in accordance with the provisions of California Government Code Sections 5921 and 53601 et seq.; and

**WHEREAS**, the City Treasurer is required to annually prepare and submit a statement of investment policy, and any changes thereto, which shall be considered by the City Council at a public meeting; (California Government Code Section 53646(a)); and

**WHEREAS**, the Finance Manager/Treasurer of the City of Laguna Woods has prepared the annual Investment Policy detailed in Exhibit 1 to this resolution;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS DOES HEREBY RESOLVE** that Exhibit 1 to this resolution is a statement of the City's Investment Policy, and that it does so receive and file said statement in accordance with applicable Government Code requirements.

PASSED, APPROVED AND ADOPTED on this \_\_\_\_ day of December 2010.

\_\_\_\_\_  
MILTON ROBBINS, Mayor

ATTEST:

\_\_\_\_\_  
Yolie Trippy, Deputy City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) ss.  
CITY OF LAGUNA WOODS   )

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do  
HEREBY CERTIFY that the foregoing **Resolution No. 10-XX** was duly adopted  
by the City Council of the City of Laguna Woods at a regular meeting thereof, held  
on the \_\_\_ day of December 2010, by the following vote:

AYES:           COUNCIL MEMBERS:  
NOES:           COUNCIL MEMBERS:  
ABSENT:        COUNCIL MEMBERS:

---

YOLIE TRIPPY, Deputy City Clerk

**CITY OF LAGUNA WOODS**

**ADMINISTRATIVE POLICY 3.2  
CITY INVESTMENT POLICY**

3.2.01 PURPOSE

To provide an investment policy in keeping with the goals and objectives of the City of Laguna Woods, in conformance with California Government Code Sections 5921 and 53600 et. seq.

3.2.02 INVESTMENT POLICY

It shall be the policy of the City of Laguna Woods to invest funds in a manner which will provide the highest investment return possible consistent with maximum security while meeting daily cash flow demands and conforming to all other statutes governing the investment of City funds.

3.2.03 SCOPE

This investment policy shall apply without exception to any and all financial assets and funds of the City of Laguna Woods.

3.2.04 PRUDENCE

The standard of prudence to be used by investment officials shall be the “prudent investor” standard (CGC 53600.3):

*When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence and diligence under circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency.*

Investment officers acting in accordance with the investment policy and exercising due diligence shall not be held personally responsible for an individual security’s credit risk or market price changes, provided that the reporting requirements of this policy are made in a timely manner and appropriate action is taken to control adverse developments.

3.2.05 OBJECTIVES

When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives of investment activities, in absolute priority order, shall be:

- A. **Safety:** Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
- B. **Liquidity:** The investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might reasonably be anticipated.
- C. **Yield:** The investment portfolio shall be designed with the objective of attaining the highest investment return consistent with safety and liquidity objectives. Yield should become a consideration only after the basic requirements of safety and liquidity have been met.

3.2.06 DELEGATION OF AUTHORITY

Management responsibility for the investment program is hereby delegated to the:

City Manager  
Finance Manager/Treasurer

No person may engage in an investment transaction except as provided under the terms of this policy

3.2.07 ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

3.2.08 AUTHORIZED INVESTMENTS

- A. **FDIC Insured Accounts:** Monies required for immediate cash flow needs shall be deposited in an FDIC insured checking account at the Bank of America or similar institution authorized by the City Council.
- B. **Local Agency Investment Fund (LAIF):** Monies not required for immediate cash flow needs shall be deposited in LAIF, a special fund in the California State Treasury.
- C. **Overnight Government Securities:** Monies not required for immediate cash flow needs may be invested by the City's primary bank (Bank of America or other

## Exhibit 1

similar institution authorized by the City Council) in overnight securities of U.S. Treasuries, Agencies and Instrumentalities.

- D. *Prohibited Investments.* Under the provisions of CGC 53601.6 and 53631.5, the City of Laguna Woods shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

### 3.2.09 PUBLIC TRUST

All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a diversified portfolio it must be recognized that occasional measurement losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

### 3.2.10 DIVERSIFICATION

The City of Laguna Woods will diversify its investments in keeping with the objectives enunciated in this Statement of Investment Policy.

### 3.2.11 REPORTING

- A. The Finance Manager/Treasurer shall prepare and submit an investment report to the City Council on a quarterly basis.
- B. The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed for City of Laguna Woods by third party contracted managers. The report will include the source of the portfolio valuation.
- C. For funds placed in LAIF, U.S. government securities and/or FDIC insured accounts, the foregoing report elements may be replaced by copies of the latest statements from such institutions.
- D. The report shall include a certification that:

## Exhibit 1

1. All investment actions executed since the last report have been made in full compliance with the Investment Policy and that,
2. The City of Laguna Woods will meet all expenditure obligations which might reasonably be anticipated for the next six months.

### 3.2.12 INVESTMENT POLICY ADOPTION

The Investment Policy and modifications, if any, shall be adopted at least annually by resolution of the City Council at a public meeting.

Adopted by City Council: 12/14/01, 12/18/02, 12/17/03, 12/22/04, 12/21/05, 12/13/06, 12/12/07, 12/12/08, 12/16/09

**6.7**  
**FISCAL YEAR 2009-10 BUDGET**  
**CARRYOVERS**

**FISCAL YEAR 2009-10 BUDGET CARRYOVERS**

|                               |                    |   |  |
|-------------------------------|--------------------|---|--|
| <b>General Fund</b>           |                    |   |  |
| Administrative Services       |                    |   |  |
| Contract-Attorney             | \$6,244            | General Plan/Zoning Project             |  |
| Community Development         |                    |   |  |
| Advance Planning              | \$65,160           | General Plan/Zoning Project             |  |
| Part Time Salaries            | \$7,512            | General Plan/Zoning Project             |  |
| Community Services            |                    |   |  |
| Community Grants              | \$74,750           | Community services organizations        |  |
| Non-Departmental              |                    |   |  |
| Building Maintenance          | \$1,432            | Bee relocation/structure repair         |  |
|                               | <b>\$155,098</b>   |   |  |
| <b>Grants Fund</b>            |                    |   |  |
| State Recycling Grant         | \$33,634           | Household Hazardous Waste Program       |  |
| Orange County Recycling Grant | \$41,592           | Business recycling bins                 |  |
|                               | <b>\$75,226</b>    |   |  |
| <b>CIP</b>                    |                    |   |  |
| City Hall Acquisition         | \$3,200,000        | Legal fees and additional building cost |  |
|                               | <b>\$3,200,000</b> |   |  |

**6.8**  
**CITY LANDSCAPE MAINTENANCE SERVICES**

**AGREEMENT FOR  
LANDSCAPE MAINTENANCE SERVICES  
BETWEEN THE  
CITY OF LAGUNA WOODS  
AND  
NIEVES LANDSCAPE, INC.**

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**AGREEMENT FOR  
LANDSCAPE MAINTENANCE SERVICES  
BETWEEN  
THE CITY OF LAGUNA WOODS  
AND  
NIEVES LANDSCAPE, INC.**

This **AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES** ("Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2010, by and between the **CITY OF LAGUNA WOODS ("City")**, a California municipality, and **NIEVES LANDSCAPE, INC. ("Contractor")**, a California corporation, for providing landscape maintenance services.

**RECITALS**

**NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

**SECTION 1. CONTRACT DOCUMENTS**

Contract documents for the project shall consist of the Proposal, Landscape Maintenance scope of work and General Provisions; Special Provisions, attachments and landscape maintenance specifications together with this Contract Agreement and required insurance certificates. All the provisions of the contract documents are made a part hereof as though fully set forth herein.

**SECTION 2. TERM OF AGREEMENT**

Subject to the provisions of SECTION 20 "TERMINATION" of this Agreement, the term of this Agreement shall be for a period of two (2) years from the date of execution of this Agreement, as first shown above. Such term may be extended upon written agreement of both parties to this Agreement for one or two year periods for up to six (6) more years.

**SECTION 3. PAYMENTS AND AGREEMENTS**

For and in consideration of the payments and agreements to be made and performed by City, Contractor agrees to furnish all materials and perform all work required for the above-stated project, and to fulfill all other obligations as set forth in the aforesaid contract documents.

Contractor agrees to receive and accept the prices set forth in the Proposal as full compensation for furnishing all materials, performing all work, and fulfilling all obligations hereunder. Said compensation shall cover all expenses, losses, damages, and consequences arising out of the nature of the work during its progress or prior to its acceptance including those for well and faithfully completing the work and the whole thereof in the manner and time specified in the contract documents; and also including those arising from actions of the elements, unforeseen difficulties or obstructions encountered in the prosecution of the work, suspension or discontinuance of the work, and all other unknowns or risks of any description connected with the work.

City hereby agrees to employ Contractor to provide the materials, perform the work and fulfill the obligations according to the terms and conditions herein contained, for the prices set for the in the proposal, and hereby contracts to pay the same at the time, in the manner, and upon the conditions set forth in the contract documents.

#### **SECTION 4. COMPLIANCE WITH LAWS AND REGULATIONS**

Contractor shall keep itself informed of State and Federal laws and regulations which in any manner affect those employed by it or in any way affect the performance of its service pursuant to this Contract. Contractor shall at all times observe and comply with all such laws and regulations. City, and its officers, employees, and agents shall not be liable at-law or in-equity occasioned by failure of the Contractor to comply with this Section.

#### **SECTION 5. LABOR CODE**

Contractor acknowledges the provisions of the State Labor Code requiring every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code and certifies compliance with such provisions.

Contractor further acknowledges the provisions of the State Labor Code requiring every employer to pay at least the minimum prevailing rate of per diem wages for each craft classification or type of worker needed to execute this Contract as determined by the Director of Labor Relations of the State of California.

Contractor hereby agrees to comply with the State Labor Code and acknowledges that, in accordance with Labor Code Section 3700, it/it will be required to secure the payment of compensation to his/her/its employees.

Contractor acknowledges that, in accordance with Labor Code Section 1777.5, it/it will be held responsible for compliance with the provisions of this Section for all apprenticeable occupations.

#### **SECTION 6. FALSE CLAIMS ACT**

Contractor hereby waives for itself and for Contractor's Subcontractors any right Contractor may now or in the future possess in relation to this Contract and these Contract Documents and the work hereunder, to utilize the provisions of Civil Code Section 47(b) in any action, proceeding, or prosecution pursuant to California False Claims Act, Government Code Section 12650 et seq.

#### **SECTION 7. LICENSES**

Contractor acknowledges and agrees that it must have all appropriate Contractor licenses. Contractor further warrants and represents that it has the appropriate Contractor's license to perform the work described in the Scope of Work and other contract documents. Contractor's failure to have or maintain all appropriate licenses during the entire term of this Contract, or any period thereof, shall be cause for the immediate and summary termination of this Contract by City. Contractor shall be liable for all City costs to complete the work and this Contract.

**SECTION 8. HAZARDOUS WASTE OR OTHER UNUSUAL CONDITIONS**

If the Contract involves digging trenches or other excavations that extend deeper than four feet (4') below the surface, Contractor shall promptly, and before the following conditions are distributed, notify City, in writing, of any:

- A. Hazardous Waste.** Material that Contractor believes may be material that is hazardous waste, as defined in Health and Safety Code Section 25117, that is required to be removed to a Class I, Class II, or Class III disposal site in accordance with provisions of existing law.
- B. Differing Conditions.** Subsurface or latent physical conditions at the site differing from those indicated.
- C. Unknown Physical Conditions.** Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided in the Contract.

City shall promptly investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in Contractor's costs of, or the time required for, performance of any part of the work shall issue a change order under the procedures described in this Contract.

In the event that a dispute arises between City and Contractor whether the conditions materially differ, or involve hazardous waste, or cause a decrease or increase in the Contractor's cost of, or time required for, performance of any part of the work, Contractor shall not be excused from any scheduled completion date provided for by the Contract, but shall proceed with all work to be performed under the Contract. Contractor shall retain any and all rights provided either by Contract or by law which pertain to the resolution of disputes and protests between the contracting parties.

**SECTION 9. SUBCONTRACTORS**

Nothing contained in this Contract shall create any contractual relationship between any Subcontractor and the City. Contractor covenants and agrees that it has made itself aware of Public Contract Code Sections 4100 et seq. pertaining to the identification and use of Subcontractors in the bid submitted and Contractor is fully aware and knowledgeable of the liability to the Contractor for violations of said Sections of the Public Contract Code.

**SECTION 10. ASSIGNMENT**

Contractor shall under no circumstances assign this Contract to another party.

**SECTION 11. INDEPENDENT CONTRACTOR**

Contractor is an independent entity and not an officer, agent, servant or employee of City. Contractor is solely responsible for the acts and omissions of its officers, agents, employees, Contractors and sub-Contractors, if any. Nothing in this Agreement shall be construed as creating a

partnership or joint venture between City and Contractor, nor an arrangement for the disposal of hazardous substances. Neither Contractor nor its officers, employees, agents or subcontractors shall obtain any rights to retirement or other benefits which accrue to City employees.

#### **SECTION 12. NO THIRD PARTY BENEFICIARIES**

This Contract is entered into for the sole benefit of City and Contractor, and their successors, transferees, and assigns. No other person shall have any right of action based upon any provision of this Contract and no third party beneficiaries shall be created thereby.

#### **SECTION 13. INDEMNIFICATION**

Contractor, upon demand of the City, made by attorney retained to represent the City, shall protect, defend, indemnify and hold harmless City, its elected officials, officers, employees, volunteers and agents from and against any and all losses, liabilities, fines, penalties, claims, damages, liabilities or judgments, including attorneys fees, arising out of or resulting in any way from City's grant of this Agreement to Contractor or Contractor's NEGLIGENT ACTS /PERFORMANCE exercise of its Contract Rights, including the provision of services under this Agreement, unless such claim is due to the sole negligence or willful acts of the City, its elected officials, officers, employees, agents or Contractors.

Contractor shall indemnify, defend, and hold City and City Personnel harmless from and against any and all actions, suite, claims, demands, judgments, attorney's fees, costs, and damages to persons or property, losses, penalties, obligations, expenses or liabilities (herein "claims" or liabilities") that may be asserted or claimed by any person or entity arising out of the willful or negligent acts, errors, or omissions of Contractor, its employees, agents, representatives or subcontractors in the performance of any tasks or services for or on behalf of City, whether or not there is concurrent active or passive negligence on the part of City and /or City Personnel, but excluding such claims or liabilities arising from the sole active negligence or willful misconduct of City or City Personnel. In connection therewith:

Contractor shall defend any action or actions filed in connection with any such claims or liabilities, and shall pay all costs and expenses, including attorney's fees incurred in connection therewith.

Contractor shall promptly pay any judgment rendered against City of any City Personnel for any such claims or liabilities.

#### **SECTION 14. NO PERSONAL LIABILITY**

Neither the City nor any officer or authorized agent of the City shall be personally responsible for any liability arising under the contract.

#### **SECTION 15. PATENTS**

The Contractor shall assume all costs arising from the use of patented materials, equipment, devices, or processes used in or incorporated in the work and agrees to indemnify and hold harmless the City

and its duly authorized representatives, from all suits of law, or actions of every nature for or on account of the use of any patented materials, equipment, devices or processes.

#### **SECTION 16. WARRANTY OF TITLE**

No materials, supplies, or equipment for the work under this contract shall be purchased subject to any chattel mortgage or under a conditional sale contract or other agreement or supplier. The Contractor warrants clear and good title to all materials, supplies, and equipment installed and incorporated in the work and agrees upon completion of all work to deliver the premises, together with all improvements and appurtenances constructed or placed thereon by him, and further agrees that neither he nor any person, firm or corporation furnishing any material or labor for any work covered by the contract shall have any right to a lien upon the premises or any improvement or appurtenance thereon, provided that this shall not preclude the Contractor from installing metering devices or other equipment of utility companies the title of which is commonly retained by the utility company. Nothing contained in this article, however, shall defeat or impair the right of such persons furnishing materials or labor under any bond given by the Contractor for their protection, or any right under any law permitting such persons to look to funds due the Contractor, which are in the hands of the City. The provisions of this article shall be inserted in all subcontracts and material contracts, and notices of its provisions shall be given to all persons furnishing materials for the work when no formal contract is entered into for such materials.

#### **SECTION 17. UNFORSEEN DIFFICULTIES**

All loss or damage arising out of the nature of the work to be done under the contract, or from any unforeseen obstruction or difficulties which may be encountered during the progress of the work and in the prosecution of the same, or from the action of the elements, or from encumbrances on the line of the work, shall be sustained by the Contractor.

#### **SECTION 18. INSURANCE**

Contractor agrees to obtain and maintain in full force and effect during the term of this Agreement the insurance policies set forth in Exhibit "C" "INSURANCE" and made a part of this Agreement. All insurance policies shall be subject to approval by City as to form and content. These requirements are subject to amendment or waiver if so approved in writing by the City Manager. Contractor agrees to provide City with copies of required policies upon request.

Contractor agrees to endorse general and umbrella liability coverage required herein to include the City as additional insured under the insurance coverage required here using standard ISO endorsement number CG 20 10 attached to an ISO-CGL policy with an edition date of 1991 or earlier and which does not limit the scope of coverage for the additional insured to vicarious liability or to the additional insured's supervision of a given project and which allows coverage to apply to the additional insured to the full extent provided by the policy. In no event will the Contractor use an additional insured endorsement with an edition date of 1993 or later. Contractor also agrees to require all Contractors, subcontractors and anyone else involved in any way with the project contemplated by this Contract Agreement to do likewise.

**SECTION 19. NONPERFORMANCE**

If the City Representative does not approve of the performance of the Contractor, he may require a formal written report from the Contractor. Based upon the formal written report and such other facts that the City Representative may gather, he may determine that the Contractor has not performed the work satisfactorily under the provisions of this contract, and the Contractor may not be paid for the period of "noncompliance." This pro rata amount for each such day shall be based on the total contract amount for labor divided by the working days available.

In case of termination by the City for nonperformance, the City may contract or cause to be performed any work not completed at the time of the termination, and the Contractor shall reimburse the City for such work.

If a noncredit status is imposed due to the Contractor's nonperformance and/or noncompliance to the specifications, requirements and provisions contained herein, or due to any other work applicable under this contract, it is agreed that the City shall withhold payment or partial payment of any and all invoices submitted by the Contractor for such period. This provision shall have no effect on any other rights the City may have under this Contract.

In the judgment of the City, if the level of maintenance is less than that specified herein, the City shall, at its option, in addition to or in lieu of other remedies provided herein, withhold appropriate payment from the Contractor until services are rendered in accordance with specifications set forth within this document; providing no other arrangements have been made between the Contractor and the City. Failure to give notification of a change and/or failure to perform an item of work on a scheduled day may result in a deduction of payment for that date or week. Payment will be retained for work not performed until such time as the work is performed to City standard.

The Contractor is required to correct deficiencies within the time specified by the City. If deficient work has not been completed to the satisfaction of the City, payment for subject deficiency shall be withheld during the current billing period and shall continue to be withheld until deficiency is corrected, without right to retroactive payments.

**SECTION 20. ADMINISTRATIVE REMEDIES; TERMINATION**

Notwithstanding any other provision of this Agreement to the contrary, this Agreement may be terminated at anytime by either party upon thirty (30) days notice. In such case, Contractor agrees to continue maintenance activities until City has found a replacement contractor.

City can terminate this contract if Contractor refuses or fails to perform work on any separate part of the Scope of Work with such diligence as will ensure its completion within the time specified herein or any authorized extension thereof, or fails to complete such work within the time specified by the City, or if Contractor should be adjudged a bankrupt, or if it should make a general assignment for the benefit of its creditors or if a receiver should be appointed on account of its insolvency, or if it or any of its subcontractors should violate any of the provisions of this contract,.

In the event of any such termination, City shall immediately serve written notice thereof upon Surety and the Contractor, and the Surety shall have the right to take over and perform the contract, providing, however, that if the Surety within 15 days after the serving upon it of a notice of termination does not give the City written notice of its intention to take over and perform the contract, or does not commence performance thereof within 30 days from the date of serving said notice, the City may take over the work and perform the same to completion by contract or by any other method it may deem advisable, at the expense of the Contractor, and his Surety shall be liable to the City for any excess cost or other damage occasioned the City thereby, and in such event, the City may without liability for so doing take possession of and utilize in completing the work such materials, appliances, plants, and other property belonging to the Contractor that may be on the site of the work and be necessary therefore.

## SECTION 21. CITY'S ADDITIONAL REMEDIES

In addition to the remedies set forth above, City shall have the following rights:

- A. The right to contract with others to perform the services otherwise to be performed by Contractor; and
- B. The right to obtain damages and/or injunctive relief. Both parties recognize and agree that in the event of a breach under the terms of this Agreement by Contractor, City may suffer irreparable injury and incalculable damages sufficient to support injunctive relief to enforce the provisions of this Agreement and to enjoin the breach thereof.

## SECTION 22. GENERAL PROVISIONS

- A. **Force Majeure.** Contractor shall not be in default under this Agreement in the event that the landscape maintenance services of Contractor are temporarily interrupted for any of the following reasons: riots; war or national emergency declared by the President or Congress and affecting the City of Laguna Woods; sabotage; civil disturbance; insurrection; explosion; natural disasters such as floods, earthquakes, landslides and fires; strikes, lockouts and other labor disturbances; or other catastrophic events which are beyond the reasonable control of Contractor. "Other catastrophic events" does not include the financial inability of Contractor to perform or failure of Contractor to obtain any necessary permits or licenses from other governmental agencies or the right to use the facilities of any public entity where such failure occurs where Contractor has failed to exercise reasonable diligence. In the event a labor disturbance interrupts collection and transportation of residential solid waste, and/or disposal of residential solid waste by Contractor as required under this Agreement, City may elect to exercise its rights under SECTION 21 of this Agreement.
- B. **Labor Strike.** Contractor shall be responsible to provide continuous maintenance services, without any interruption, of all facilities included in Service Pricing Form. In case of any labor strikes, Contractor shall provide other means, at his own cost and expense, to provide comparable continuous service as if no strike existed. Failing to do so will cause City to take whatever action is deemed

necessary to provide such service; and the cost, therefore, will be borne by Contractor.

- C. Computer Hardware and Software.** Contractor will be required to obtain all necessary computer software, hardware, supplies, personnel and training at Contractor's expense to comply with the City's reporting requirements. Contractor will incur all costs of moving computers, including phone lines in the event they need to relocate. Contractor will maintain a computerized data base, with the capacity to maintain an account history of at least eighteen months. Any older account information will be maintained on diskettes, compact disc, or a USB 2.0 jump drive for the full term of the contract and period of thereafter to be identified in draft agreement. City will have access to these records during regular business hours.
- D. Property Damage.** Any physical damage caused by the negligent or willful acts or omissions of employees of Contractor to public or private property shall be repaired or replaced by Contractor at Contractor's sole expense. Except as provided in SECTIONS 16 and 24.D, above, this Agreement does not purport to affect, in any way, Contractor's civil liability to any third parties.
- E. Law to Govern; Venue.** The law of the State of California shall govern this Agreement without regard to any otherwise governing principles of conflicts of laws. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Orange. In the event of litigation in a U.S. District Court, exclusive venue shall lie in the District of California in which the City of Laguna Woods is located.
- F. Amendments.** All amendments to this Agreement shall be in writing, duly executed by the parties. Purported oral amendments shall be void and of no force or effect. The City may, at any time and by written order, direct that changes or extras be made in the scope, specifications, or service schedule in relation to this Contract. If any such changes cause an increase or decrease in the cost of, or the time required for, performance of this Contract, an equitable adjustment shall be made in Contractor's compensation or service schedule, and this Contract shall be modified in writing accordingly and approved by the City. Any claim by Contractor for any adjustment, made under the provisions of this clause, must be asserted within thirty (30) days after the date of receipt by Contractor of the notification of such changes. However, nothing in this clause shall excuse Contractor from proceeding with the performance of its obligations hereunder as so changed.

- G. Notices.** All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered or sent by telecopier or United States certified mail, postage prepaid, return receipt requested, addressed as follows:

To City: City Manager  
 City of Laguna Woods  
 24264 El Toro Road  
 Laguna Woods, California 92637  
 FAX Number 949-639-0591  
 Email: [lkeane@lagunawoodscity.org](mailto:lkeane@lagunawoodscity.org)  
[dreilly@lagunawoodscity.org](mailto:dreilly@lagunawoodscity.org)

To: Greg Nieves  
 President  
 Nieves Landscape, Inc.  
 1629 E. Edinger Avenue  
 Santa Ana, CA 92705  
 FAX Number 714-641-8475  
 Email: [Nieveslandscape@aol.com](mailto:Nieveslandscape@aol.com)

or to such other address as either party may from time to time designate by notice to the other given in accordance with this SECTION. Notice shall be deemed effective on the date personally served or sent by telecopier or, if mailed, three (3) business days from the date such notice is deposited in the United States mail.

- H. Savings Clause and Entirety.** If any nonmaterial provision of this Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect the validity and enforceability of any of the remaining provisions of this Agreement.
- I. Contract Execution.** This Contract may be executed in multiple counterparts, each of which so fully executed counterpart shall be deemed an original. No counterpart shall be deemed an original or deemed or presumed delivered unless and until the counterpart executed by the other party to this Contract is in the physical possession of the party seeking enforcement thereof.
- J. Final Contract.** This Contract contains the complete, final, entire, and exclusive agreement between the parties with respect to the subject matter hereof, and no waiver, alteration, or modification of any of the modification, amendment, or alteration in violation hereof shall be void.
- K. Joint Drafting.** This Agreement was drafted jointly by the parties to this Agreement.
- L. Inclusion of Additional Documents.** This Agreement incorporates by reference the following specific documents: the RFP distributed by the City (EXHIBIT A), the proposal by the Contractor (EXHIBIT B), and Insurance (EXHIBIT C) and any amendments or provisions by either party that affects the terms of the Agreement limited in that the invalidity or unenforceability of such amendment or provision

shall not affect the validity and enforceability of any of the remaining provisions of this Agreement.

Contractor affirms that the signatures, titles and seals set forth hereinafter in execution of this Contract Agreement represent all individuals, firm members, partners, joint venturers, and/or corporate officers having principal interest herein.

IN WITNESS WHEREOF the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this Contract Agreement to be executed in duplicate by setting hereunto their names, titles, hands, and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**WITNESS the execution of this Agreement on the day and year written above.**

City of Laguna Woods

Contractor

By: \_\_\_\_\_  
Leslie A. Keane  
City Manager

By: \_\_\_\_\_  
Greg Nieves  
President

ATTEST:

\_\_\_\_\_  
Yolie Trippy  
Deputy City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephen A. McEwen  
City Attorney


Attachments are available in the Office of the City Clerk:

- A – Scope of Services
- B – Rate Sheet/Contract Proposal
- C - Insurance

**7.1**  
**CITYWIDE ZONING CODE MODIFICATIONS**  
**AND GENERAL PLAN AMENDMENT**

# City of Laguna Woods

## Agenda Report

**DATE:** December 15, 2010 City Council Meeting  
**TO:** Honorable Mayor and Council Members  
**FROM:** Leslie Keane, City Manager   
**SUBJECT:** Citywide Zoning Code Modification Project

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### **Recommendation (Staff and Land Use and Design Review Committee)**

- A. Receive Staff Report.
- B. Open Public Hearing.
- C. Receive Public Input.
- D. Close Public Hearing.
- E. Take the following actions implementing the recommendations of the Zoning Code Modification Project:
  - 1. Adopt a resolution approving a negative declaration for the proposed zoning code and general plan modifications, entitled:

A RESOLUTION OF THE CITY COUNCIL OF LAGUNA WOODS,  
CALIFORNIA, ADOPTING NEGATIVE DECLARATION 10-02 FOR  
THE COMPREHENSIVE UPDATE OF THE CITY'S GENERAL PLAN  
LAND USE ELEMENT, ZONING CODE AND ZONING MAP

AND

- 2. Adopt a resolution approving modifications to the City's general plan, entitled:

A RESOLUTION OF THE CITY COUNCIL OF LAGUNA WOODS,  
CALIFORNIA, APPROVING AN AMENDMENT TO THE LAND USE  
ELEMENT AND LAND USE MAP OF THE LAGUNA WOODS  
GENERAL PLAN

AND

3. Introduce and approve first reading of an ordinance modifying certain chapters of the zoning code, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,  
CALIFORNIA, AMENDING CHAPTERS 13.04, 13.06, 13.08, 13.10,  
13.12, 13.13, 13.14, AND 13.18 OF THE CITY'S MUNICIPAL CODE TO  
REMOVE OUTDATED AND EXTRANEIOUS LANGUAGE,  
APPROVING THE ZONE CHANGE FOR TEN SITES AND DIVIDING  
THE URBAN ACTIVITY CENTER SPECIFIC PLAN AREA INTO TWO  
SEPARATE PLANNING AREAS

AND

4. Introduce and approve first reading of an ordinance establishing regulations for emergency and transitional housing shelters, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
LAGUNA WOODS, CALIFORNIA, ADDING CHAPTER 13.23 TO THE  
LAGUNA WOODS MUNICIPAL CODE, ESTABLISHING  
EMERGENCY AND TRANSITIONAL HOUSING SHELTER  
REGULATIONS

### **Background**

The general plan and zoning code are two of the City of Laguna Wood's most fundamental planning documents. The general plan is a comprehensive policy document guiding long-term land use decisions within the City. It addresses all facets associated with development including housing, noise, circulation, open space, land use, conservation and safety. The general plan utilizes a series of policy statements in the form of goals, objectives, policies and implementation measures to achieve the desired development outcomes of the community.

The zoning code is a more specific document; it assigns every property within the City a zoning district to ensure that certain uses are located appropriately throughout the

community. For example, the zoning code ensures that factories or other industrial uses are not located within the same neighborhoods as residences. Furthermore, each zoning district has prescribed standards regarding building setbacks, parking, and overall design. The purpose of these standards is to ensure that the look and feel of a structure is appropriate with surrounding properties.

The current zoning districts were adopted in 2003 and, with the exception of the specific plan district (Urban Activity Center Zone), generally reflect a transfer of regulations in place with the County of Orange before the City's incorporation. State law requires that the zoning code be consistent with the City's general plan. The City's current zoning designations, while legally consistent with the current general plan, are not identical.

The City of Laguna Woods periodically updates the general plan and zoning code in order to remain current with the changing development patterns and needs of the community. Per the direction of the Laguna Woods City Council, staff began a comprehensive update of the City's zoning code in January 2010. While the primary focus of the project is to simplify the existing zoning code, staff is required to make associated changes to the City's general plan in order to conform to state laws that require consistency between the two documents. The Zoning Code Modification Project involves a comprehensive review of existing planning documents, development patterns and the policies and practices of other municipalities.

In addition to the research above, staff undertook a review of each property's zoning district, general plan designation and land use. Furthermore, a survey request was sent to all property owners and their representatives to solicit input for this project, as well as letters informing all property owners of staff's recommendation for changes. One property owner objected to the proposed change and that property was removed from the project. In addition, the Golden Rain Foundation requested that the City consider a division of the urban activities specific plan area into two planning areas.

## **Discussion**

### **Issue 1: Residential General Plan Designations**

The existing residential general plan land use designations for the City of Laguna Woods are Low Density Residential (LDR), Medium Density Residential (MDR), and High Density Residential (HDR). Low Density Residential and Medium Density Residential encompass nearly all uses found behind the gates of Laguna Woods Village

as well as five religious institutions located throughout the city. High density residential encompasses all other residential properties in the City of Laguna Woods as well as garden center # 1. Table 1 outlines the properties that can be found in each of the residential general plan land use designations and zoning districts.

**Table 1.  
Residential Land Uses and Classifications**

| Zoning District               | General Plan Land Use Designation | Land Use(s)                       |
|-------------------------------|-----------------------------------|-----------------------------------|
| Residential Community (RC)    | Low Density Residential           | Third Laguna Hills Mutual         |
|                               |                                   | Clubhouse 5 & 6                   |
|                               |                                   | Grace Hills Community Church      |
|                               | Medium Density Residential        | Third Laguna Hills Mutual         |
|                               |                                   | United Laguna Hills Mutual        |
|                               |                                   | Clubhouse 1, 3 & 4                |
|                               |                                   | St Nicholas Catholic Church       |
|                               |                                   | Lutheran Church of the Cross      |
|                               |                                   | United Methodist Church           |
|                               |                                   | Temple Judea                      |
| Residential Multifamily (RMF) | High Density Residential          | Whispering Fountains Laguna Woods |
|                               |                                   | Avalon the Regency                |
|                               |                                   | San Sebastian                     |
|                               |                                   | Garden Center # 1                 |
| Residential Towers (RT)       | High Density Residential          | Rossmoor Towers                   |

As part of the Zoning Code Modification project, staff evaluated the existing residential classification system to determine if the existing land use designation of LDR, MDR and HDR are sufficient. As a result of this review, staff determined that the community of Laguna Woods Village, with the exception of the towers, might benefit from a simplification of its general plan land use designation.

The Laguna Woods Village residential community consists of a mixture of different residential structures ranging from single family detached units to relatively dense multifamily residential developments. Additionally, Laguna Woods Village has accompanying clubhouses, golf courses, a post office and a library. The mix of residential and supportive noncommercial uses were all developed as a planned community with development intensity restrictions and other design standards.

In addition to residential land use designations, the gated portion of Laguna Woods Village contains property designated as open space and commercial. No changes are

proposed to current open space designations; a reclassification of existing commercial is recommended to make it consistent with the surrounding residential area.

***Recommendation:***

***a) With the exception of Rossmoor Towers, reclassify the residential portions of the gated community of Laguna Woods Village from existing General Plan Land Use Designations of Low Density Residential and Medium Density Residential to a new designation titled Residential Community.***

Staff is recommending the creation of a new land use designation titled “Residential Community (RC).” The new designation is defined as:

“The “Residential Community” designation encompasses nearly all of the Laguna Woods Village planned residential community with the exception of the Rossmoor Towers, the 27-Hole Golf Course, Garden Center # 1 and Aliso Creek. The Residential Community designation integrates a mix of single-family detached, single-family attached, two family, and multi-family residential, with supporting country clubs, parks, community services, local-serving noncommercial services, and open spaces. Common areas within this district are managed by private nonprofit community associations.”

This proposed land use designation will more accurately encompass the “planned community” nature of Laguna Woods Village. It is designed specifically to include the varying residential densities found within the community as well as the area’s numerous recreation and supportive noncommercial services. In addition, it mirrors the current zoning code district of “residential community”. With the exception of eliminating police and fire stations as a permit use, no changes to the existing land use restrictions or zoning standards will result from the recommended change. Police and fire stations would be allowed in this land use designation with a conditional use permit.

***b) Reclassify the Laguna Woods Village Library property as Residential Community in both the general plan and the zoning code.***

The Laguna Woods Village library is located adjacent to Village Clubhouse 1 and is surrounded by residential uses. The proposed reclassification would better integrate this parcel with the balance of the development in the area. Libraries and related uses are allowed as accessory or planned uses in the Residential Community zoning district.

## Issue 2: Commercial Zoning Districts

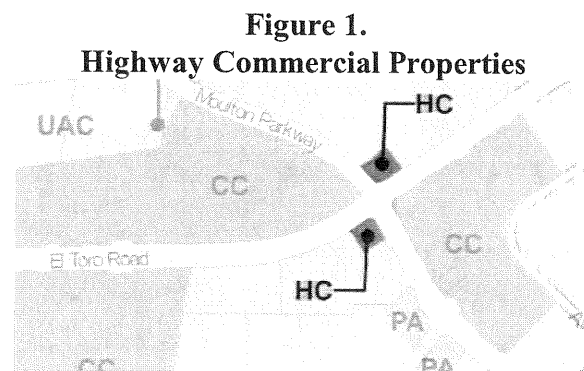
The existing zoning code for the City of Laguna Woods has four classifications that it identifies as commercial zoning districts. These are Neighborhood Commercial (NC), Community Commercial (CC), Highway Commercial (HC), and Professional and Administrative Offices (PA). Each of these districts has associated permitted uses, building standards, and other regulations that require development to be consistent with its surroundings.

Each of the commercial zoning districts has specific purposes that dictate the intensity and types of uses. Neighborhood Commercial (NC), for example, states that its purpose is “To provide for the development and preservation of low intensity commercial uses which serve the immediate needs of the surrounding neighborhood.” Community Commercial (CC) and Highway Commercial (HC), on the other hand, allow for the development and preservation of higher intensity development and uses that serve the immediate and surrounding community. Professional and Administrative Office (PA) is more specific in that it only allows moderate intensity office uses.

### ***Recommendation:***

#### ***a) Eliminate Highway Commercial (HC) as a zoning district***

After reviewing the standards, definitions, and permitted uses of commercial zoning districts, staff is recommending the elimination of the zoning district titled Highway Commercial. Staff believes this is an appropriate correction based on the fact that there are no commercial properties within Laguna Woods abutting freeways or major highways. Further, staff believes that the two properties located within Highway Commercial (HC) zoning districts do not have unique characteristics that warrant a different zoning district than surrounding properties. The purpose of this change is to assign properties a zoning district that better reflects its location and its existing and surrounding uses.



***b) Rezone affected properties to Community Commercial***

With the elimination of Highway Commercial as a zoning district, staff recommends that the two Highway Commercial (HC) designated properties be reclassified to the City’s Community Commercial (CC) zoning district. Reclassifying these properties to CC will increase the maximum building height allowed on HC properties from 35 feet to 65 feet. The two properties to be rezoned, however, are small lots governed by other building standards that would prohibit the construction of building at the full 65 feet height. Building setbacks would either remain unchanged or become less restrictive, with the exception of the minimum setback from alleys and residential uses. Due to the fact that no alleyways or residential zoning districts abut either HC property, the increases in minimum setbacks are not applicable.

The existing uses of both sites are also allowed in the Community Commercial districts and the proposed change is consistent with the existing general plan Commercial designation.

**Table 2.  
Highway Commercial: Impacted Properties**

| Impacted Property | Address               | From               | To                   |
|-------------------|-----------------------|--------------------|----------------------|
|                   |                       | Zoning District    | Zoning District      |
| EZ Lube           | 24281 Moulton Parkway | Highway Commercial | Community Commercial |
| Moulton Auto Spa  | 24202 Moulton Parkway | Highway Commercial | Community Commercial |

***c) Rezone the Rossmoor Electric property from Professional and Administrative Offices (PA) to Community Commercial (CC)***

In addition to the elimination of Highway Commercial, the owner of the Rossmoor Electric building has requested that this property be rezoned from Professional Administrative Office to Community Commercial. Staff is recommending this change due to the fact that the Community Commercial Zone better reflects the current proposed use of this site and the new designation is consistent with the existing surrounding land uses.

**Issue 3: Community Facilities**

The third issue identified by staff is the fact that all of the City’s public, institutional, and private community facilities are located within residential and commercial zoning districts. While nearly all of these uses are allowed within their respective zoning

districts, staff believes that existing zoning district may not encompass the unique characteristics of community facilities.

In terms of private community uses, the City has five places of worship that are all located within the Residential Community (RC) zoning district. The Residential Community (RC) zone is defined as “to provide for the development and preservation of planned unit developments with a mixture of single-family attached and detached homes, multiple-family homes.” The intent of this zone is to allow for large planned unit residential development. While churches and other community facilities are permitted within this zone with an approved conditional use permit, the characterization of this zone is tailored more to represent residential development.

In regard to public/institutional, the City has one property, the Orange County Fire Authority Station #22, which is considered public/institutional. Orange County Fire Authority Station # 22 is located in the Neighborhood Commercial (NC) zoning district. The standards set forth in the existing Neighborhood Commercial zoning district prohibit police and fire station as an approved use. Thus, from a planning perspective, Fire Station #22 is a legal nonconforming use.

Due to the unique characteristics found in community uses and their existence in somewhat unsuitable zoning districts, staff is recommending that properties that have historically been used as community facilities be reclassified to a new specialized zoning district.

***Recommendation:***

- a) Create a new general plan land use designation and two new zoning districts related to Community Facilities (CF)***

In order to place the abovementioned properties and other community facilities into zoning districts that better represent their existing and historical use, staff is recommending the creation of two new zoning districts titled Community Facilities – Public/Institutional (CF – P/I) and Community Facilities – Private (CF – P). Staff conducted a comparative analysis of the zoning laws and practices of other cities. While nearly all of the cities examined allowed churches to locate in residential zones (i.e. subject to a conditional use permit), many also had public/institutional or community facilities districts. These specialized districts exclusively allow for the provision of public, quasi-public, and private community uses that serve residents, visitors, property owners, and workers in the City. Typical uses found within these

districts include fire stations, police stations, public and private schools, places of worship and utility buildings.

By assigning churches and other community facilities throughout Laguna Woods to these new zoning districts, these facilities would have development standards that are tailored to their unique features. Similarly, many uses on these properties would no longer require a conditional use permit for their particular use, so long as they conform to the development standards of the new CF – P/I or CF – P zoning district. Since all of the sites proposed for rezoning sit adjacent to residential uses, height of buildings has been raised as a community concern. Under current regulations, the height of existing churches and temples was limited to 40 ft. Proposed community facilities zoning would also limit the height of buildings to 40 ft.

Lastly, the creation of this new district will require associated changes to the General Plan Land Use Element. Specifically, a new land use designation titled Community Facilities would need to be created, and references to the subject properties would need to be modified.

***b) Reclassify properties that have been historically used as public, institutional or private community uses to new general plan and zoning district land use designations***

The below mentioned properties are those that have been used as community facilities for a significant amount of time. As such, staff is recommending their inclusion in the proposed CF – P/I and CF – P zoning districts.

**Table 3.  
Community Facilities: Impacted Properties**

| Impacted Property            | Address                 | From                    | To  |
|------------------------------|-------------------------|-------------------------|---|
|                              |                         | Zoning District         | Zoning District                               |
| Lutheran Church of The Cross | 24231 El Toro Road      | Residential Community   | Community Facilities – Private                |
| St. Nicholas Catholic Church | 24252 El Toro Road      | Residential Community   | Community Facilities – Private                |
| Geneva Presbyterian Church   | 24301 El Toro Road      | Residential Community   | Community Facilities – Private                |
| United Methodist Church      | 24442 Moulton Parkway   | Residential Community   | Community Facilities – Private                |
| Temple Judea                 | 24512 Moulton Parkway   | Residential Community   | Community Facilities – Private                |
| Fire Station # 22            | 24001 Paseo de Valencia | Neighborhood Commercial | Community Facilities – Public / Institutional |

Calvary Chapel Pacific Hills Community Church is located both in Aliso Viejo (church building) and the City of Laguna Woods (parking lot). The parking lot for the Calvary Chapel Pacific Hills Community Church is currently zoned PA (Professional and Administrative Offices). Although staff considered rezoning this property to Community Facilities-Private, the property owner was concerned that the rezoning would limit the future use of their property and saw no advantages to participate in the property reclassification.

#### **Issue 4: Emergency and Transitional Housing Shelters**

California Government code section 65583 identifies the need for cities and counties to develop fair land use and development standards pertaining to emergency and transitional housing shelters. This section of the Government Code requires local governments to allow emergency and transitional housing shelters as a by-right use. This means that cities and counties must identify areas where these uses can locate without discretionary approval. Further, this section of the Government Code identifies only specific areas where local governments can regulate the location and other features of emergency shelters and transitional housing.

In order to conform to these fairly recent provisions, the City included Implementation Program 2.B.2 and Implementation Program 2.B.3 in its recent General Plan Housing Element update. These implementation measures call for the development of zoning code regulations which would identify properties and develop standards that would promote the orderly development of emergency and transitional housing shelters.

#### ***Recommendation:***

##### ***Approve an ordinance pertaining to Emergency and Transitional Housing Shelters***

The proposed ordinance would provide clear guidelines for the location, size, and other features of emergency and transitional housing shelter facilities. It would fulfill the state requirements outlined in the City's Housing Element. The ordinance will ensure that construction of these facilities will be consistent with surrounding uses, building massing, and amenities for the subject population.

The proposed ordinance would allow emergency and transitional housing shelters in the Community Commercial (CC) zone by right and in the Community Facility Public/Institutional (CF-P/I) and Community Facility Private (CF-P) zones subject to a

Conditional Use Permit. Additional provisions are included in the proposed ordinance that ensure that this type of use will be at least 1,000 feet away from any public park, childcare center, or any other public or private use designed to primarily serve children.

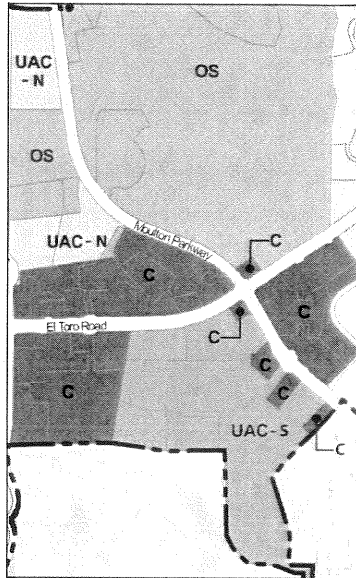
### **Issue 5: Urban Activities Center**

During staff's research and visioning stage of the Zoning Code Modification project, the Laguna Woods Village Golden Rain Foundation (GRF) requested that the City consider allowing for the development of more than one specific plan area for land designated as Urban Activities Center (UAC). Currently all properties in the UAC must be planned prior to any new use and GRF wishes to develop plans for the two areas separately.

#### ***Recommendation:***

***Modify the General Plan and Zoning Code to split the Urban Activities Center into two separate specific plan areas.***

As a result of this discussion and further research, staff is recommending that the UAC zone be divided into two specific plan areas. As identified in the zoning map shown below, the existing zoning district and general plan designation of Urban Activities Center would be divided into two new specific plan districts known as Urban Activities Center – North (UAC – N) and Urban Activities Center – South (UAC – S). This proposal will allow for a more locally focused visioning process and environmental review by grouping contiguous and nearby properties into two separate districts.



## **Issue 6: Other Issues/Modifications**

In order to accommodate the changes discussed in the previous section, staff included several new definitions in the proposed zoning code revisions. Additionally, staff has reviewed the City's zoning code and general plan to correct inconsistencies, remove repetitive or irrelevant language and fix minor errors and misspellings.

### **Fiscal Impact**

In fiscal year 2009-10, the City budgeted \$85,000 to undertake a comprehensive review of its zoning code and general plan. Work to date has been accomplished within this budget. Although modification to land use may result in a change to municipal services and the cost to provide such services, staff does not believe that proposed changes will result in a significant fiscal impact. The City recovers staff's cost associated with processing the planning entitlements and building permits through the collection of standard processing fees paid by the applicant.

### **Environmental Review**

The City of Laguna Woods, as lead agency, prepared a draft Negative Declaration in accordance with the procedural and substantive requirements of the California Environmental Quality Act (CEQA) and the City's environmental quality guidelines. The availability of this document was noticed in the Laguna Woods Globe and 450 letters were mailed to interested parties, including neighboring cities. The comment period was open from November 18 – December 8, 2010. One written comment from a Laguna Woods Village resident was received and staff provided a response. If the draft negative declaration is approved by the City Council, the comment letter and staff

response will be included as a part of that document.

### **Land Use and Design Review Committee**

At the December 9, 2010 meeting of the Land Use and Design Review Committee, Staff presented the recommendation associated with the Zoning Code Modification Project, including the comprehensive update of the City's General Plan Land Use Element, Zoning Code and Zoning Map. Members of the audience raised concerns about the City's ability to rezone property, ownership of property within the Village, and the impact of proposed changes to commercial and public facilities properties that could affect the residential community.

Committee members expressed concern about the potential height of buildings in the new Public facilities districts, initially identified as 50 ft. Upon a motion and second, the Committee voted 7-1 to approve the proposed modifications, with the reduction in building height in the communities facilities districts to 40 ft. This modification has been incorporated in the proposed recommendations.

### **Conclusion**

The Zoning Code Modification Project is a comprehensive update of the City's zoning code and general plan. As a part of this project, staff evaluated current practices and laws that govern land use and development in Laguna Woods and developed a series of recommendations to improve consistency between the general plan and zoning code, remove outdated provisions and address property owner requests for modification.

Staff believes that the recommended modifications will promote a simplified classification system that more accurately depicts areas of the community. The division of the Urban Activities Center land use designation and zoning district will better reflect best practice planning and promote more localized project visioning and development review. Lastly, the inclusion of an Emergency and Transitional Housing Shelter ordinance will bring the City of Laguna Woods into conformance with state laws pertaining to this subject.

Report prepared by Deborah Drasler 

#### Attachments:

1. Resolution No. 10-XX adopting Negative Declaration ND 10-02
2. Resolution No. 10-XX approving an amendment to the Land Use Element and

- Land Use Map
3. Ordinance No. 10-XX amending the Municipal Code and zoning map
  4. Ordinance No. 10-XX establishing Emergency and Transitional Housing Shelter Regulations.
  5. Zoning Map

**RESOLUTION NO. 10-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING NEGATIVE DECLARATION 10-02 FOR THE COMPREHENSIVE UPDATE OF THE CITY'S GENERAL PLAN LAND USE ELEMENT, ZONING CODE AND ZONING MAP

**WHEREAS**, the City of Laguna Woods, as lead agency, prepared Negative Declaration 10-02 dated October 2010 for the adoption of the comprehensive update of the City's zoning standards and map, the inclusion of chapter 13.23 to the Municipal Code establishing Emergency and Transitional Housing Shelter Regulations, and the amendment to the Land Use Element and Land Use Map of the Laguna Woods General Plan; and

**WHEREAS**, the proposed Negative Declaration was prepared in full accordance with the procedural and substantive requirements of the California Environmental Quality Act (CEQA) and CEQA Guidelines; and

**WHEREAS**, the proposed Negative Declaration was noticed available for public review from November 18, 2010 to December 8, 2010 at the City of Laguna Woods City Hall; and

**WHEREAS**, the City Council has reviewed Negative Declaration 10-02 and has considered the information and public testimony presented in the public hearings, and in the proposed documents and staff reports, all of which are included in the public record and incorporated herein by reference; and

**WHEREAS**, the City Council finds that the comprehensive update of the City's General Plan Land Use Element, the comprehensive update of the Zoning Code and Zoning Map and the proposed Emergency and Transitional Housing Shelter Regulation Ordinance will not have a significant impact on the environment; and

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

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** Based upon the findings and the information presented at the public hearing and in the staff report, the City Council adopts Negative Declaration 10-02 for the City of Laguna Woods comprehensive update of the City’s General Plan Land Use Element, the comprehensive update of the Zoning Code and Zoning Map and the proposed Emergency and Transitional Housing Shelter Regulation Ordinance.

**SECTION 3.** The Deputy City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED ON THE \_\_\_ DAY OF DECEMBER 2010.

\_\_\_\_\_  
MILTON ROBBINS, Mayor

ATTEST:

\_\_\_\_\_  
YOLIE TRIPPY, Deputy City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) ss.  
CITY OF LAGUNA WOODS   )

|  
*Note:* The Draft Initial Study is available for review in City Hall with the City Clerk and on the City’s web site.  
|

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Resolution No. 10-XX** was duly adopted by the City Council of the City of Laguna Woods at a regular meeting thereof, held on the \_\_\_ day of December 2010, by the following vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:

---

YOLIE TRIPPY, Deputy City Clerk

**RESOLUTION NO. 10-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING AN AMENDMENT TO THE LAND USE ELEMENT AND LAND USE MAP OF THE LAGUNA WOODS GENERAL PLAN.

**WHEREAS**, the City of Laguna Woods was incorporated on March 24, 1999; and

**WHEREAS**, the City of Laguna Woods General Plan was adopted on October 16, 2002; and

**WHEREAS**, the City of Laguna Woods Land Use Element was last amended August 29, 2007; and

**WHEREAS**, the City of Laguna Woods initiated the Zoning Code Modification Project, a comprehensive update of the City's zoning standards, planning practices and the Laguna Woods General Plan Land Use Element; and

**WHEREAS**, the amendment to the General Plan Land Use Element is reasonable and beneficial to the City of Laguna Woods because it involves the removal of outdated and extraneous provisions; and

**WHEREAS**, eight sites were identified as areas that would be better served by a different General Plan land use designation; and

**WHEREAS**, the Urban Activity Center specific plan area would be better served by dividing the Urban Activity Center into two specific plan areas; and

**WHEREAS**, the City of Laguna Woods, as lead agency, has prepared a Negative Declaration in full accordance with the procedural and substantive requirements of the California Environmental Quality Act (CEQA) and CEQA guidelines; and

**WHEREAS**, the City Council held a duly noticed public hearing on December 15, 2010, to consider the amendment to the Land Use Element of the General Plan; and

**WHEREAS**, the City Council has considered the information and public testimony presented in the public hearings, and in the proposed documents and staff reports, all of which are included in the public record and incorporated herein by reference,

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

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** Based upon the Negative Declaration prepared for the Project, the City Council exercises its independent judgment and finds that no substantial evidence exists that the approval of the General Plan Amendment will have a significant effect on the environment as determined pursuant to the California Environmental Quality Act (CEQA) and the City Council hereby approves the issuance of the Negative Declaration prepared with respect to the General Plan Amendment.

**SECTION 3.** The City Council hereby approves an amendment to the Laguna Woods General Plan Land Use Element and Land Use Map, included herein by reference as Exhibit 1, and summarized as follows:

- a. Amending Section I and Section II of the Land Use Element to describe and account for the new “Residential Community” and “Community Facilities” land use designations and the change from the Urban Activities Center designation to the “Urban Activities Center-North” and “Urban Activities Center-South” designations , and
- b. Amending Section II and Section III of the Land Use Element to reflect the name change from Leisure World to Laguna Woods Village (Formerly known as Leisure World), and
- c. Adding Table LU-4, Estimated Trip Generation Budget Allocation, of the Land Use Element to illustrate an estimated distribution of trip generation among the potential development sites in the city; and
- d. Amending all tables of the Land Use Element to account for the new land use designations and changes to the Urban Activities Center designation

as described in “a” above and the renumbering of tables subsequent to the addition of Table LU-4 as described in “c” above, and

- e. Amending Exhibit B within Attachment 1, Potential Development, of the Land Use Element to account for the changes to the Urban Activities Center designation as described in “a” above; and
- f. Amending Exhibit A within Attachment 1, Land Use Map, of the Land Use Element to account for the new land use designations and changes to the Urban Activities Center designation as described in “a” above and the changes to the land use designations of eight sites throughout the city.

**SECTION 4.** The proposed amendment is consistent with established land use patterns in the City and is compatible with surrounding and adjacent properties.

**SECTION 5.** The Deputy City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED ON THE \_\_\_ DAY OF DECEMBER 2010.

\_\_\_\_\_  
MILTON ROBBINS, Mayor

ATTEST:

\_\_\_\_\_  
YOLIE TRIPPY, Deputy City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) ss.  
CITY OF LAGUNA WOODS   )

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do  
HEREBY CERTIFY that the foregoing **Resolution No. 10-XX** was duly adopted  
by the City Council of the City of Laguna Woods at a regular meeting thereof, held  
on the \_\_\_\_ day of December 2010, by the following vote:

AYES:        COUNCILMEMBERS:  
NOES:        COUNCILMEMBERS:  
ABSENT:     COUNCILMEMBERS:

---

YOLIE TRIPPY, Deputy City Clerk

ATTACHMENTS

Exhibit 1, Amended General Plan Land Use Element

# LAND USE ELEMENT

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# LAND USE ELEMENT

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## I. INTRODUCTION

California law requires that a land use element be prepared as part of a city's General Plan, as follows:

*Government Code Section 65302(a): A land use element which designates the proposed general distribution and general location and extent of uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid waste disposal facilities, and other categories of public and private uses of land. The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify areas covered by the plan, which are subject to flooding and shall be reviewed annually with respect to those areas.*

The Land Use Element serves as a guide to community leaders for deciding upon future development of the City. The Land Use Element is central to development of the other Elements of the General Plan. The subject matter of each of the General Plan Elements e.g. Housing, Circulation, Open Space, etc. is inextricably linked to the Land Use Element.

The Land Use Element is organized into two sections:

### **Policy Document**

The Policy Document defines the Land Use Plan for future development in the City of Laguna Woods. The Plan includes general locations and approximate land areas for ~~six~~-nine types of land uses: Low Density Residential, Medium Density Residential, High Density Residential, Residential Community, Commercial, Open Space, Community Facilities, Urban Activities Center – North, and Urban Activities Center – South (see Exhibit A<sub>7</sub>: Land Use Map).

The Policy Document is based on a series of qualitative statements reflecting community values. These statements, or Objectives, are the starting point and guide to formulating the Land Use Plan. The Objectives reflect input from those who live and work in the City of Laguna Woods about the kinds of development that will be accepted as positive change.

# LAND USE ELEMENT

Policies in the General Plan direct future courses of action for achieving Objectives. Policies are sufficiently flexible to allow for alternate courses of action. This is particularly important as circumstances may change during the estimated fifteen-year lifespan of the General Plan.

Implementation Measures are specific actions to be taken toward achieving the Land Use Plan. Implementation Measures establish the work program for meeting Objectives of the General Plan.

Zoning, subdivision, public works, and public service decisions will be the principal means available to the City as Implementation Measures for the Land Use Plan.

## **Background Report**

The Background Report provides information about the City of Laguna Woods at the time the General Plan was prepared. It describes conditions prior to the City's incorporation. Changes have been made since incorporation, as reflected in the General Plan. ~~Quantitative data about existing land uses and development reflect research by professional planners responsible for preparing the General Plan.~~

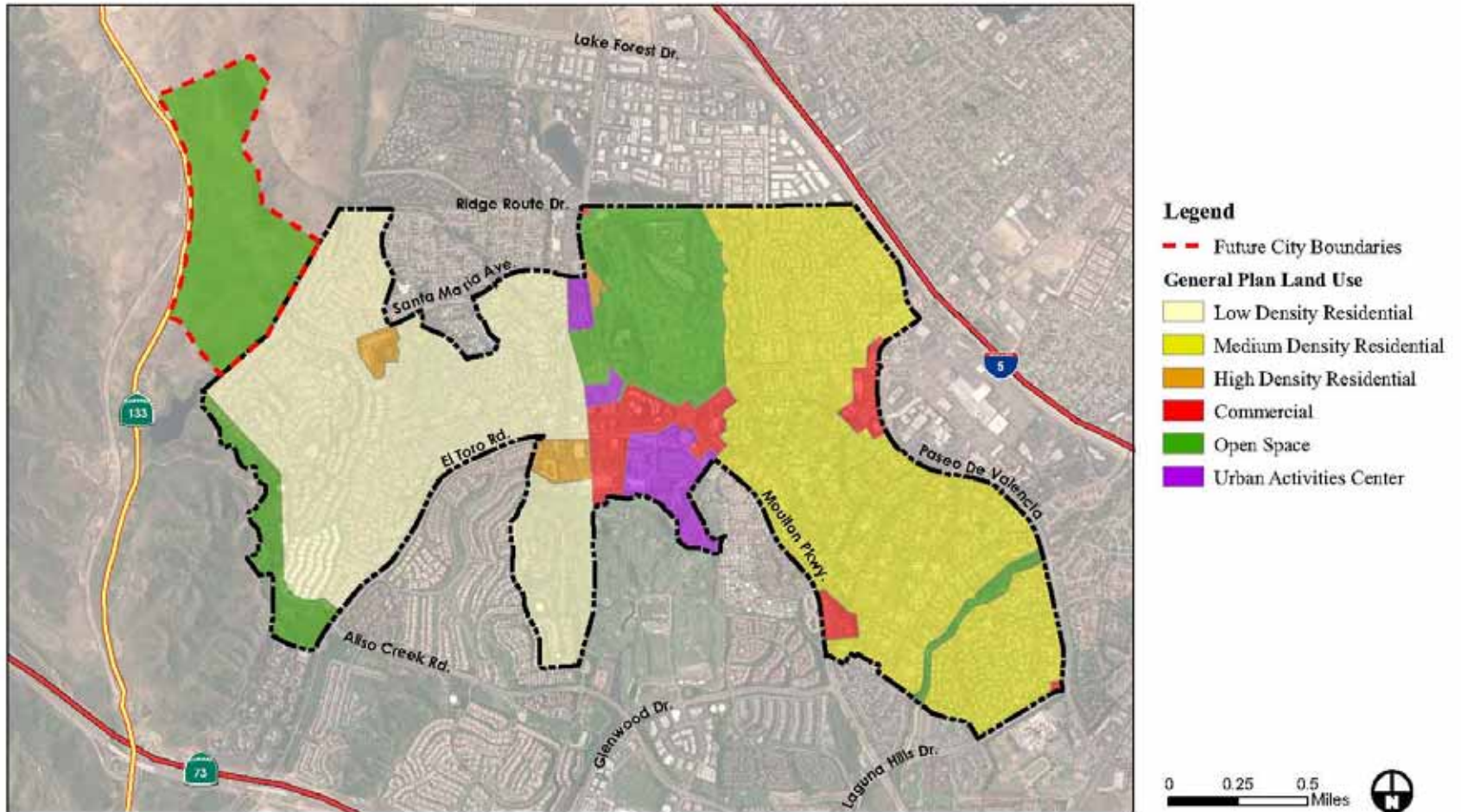
Planners conducted public workshops using results of their research to inform and elicit responses from community members about the future of the City of Laguna Woods and the General Plan. The Background Report is the product of analysis and interpretation of public input by the planners and provides the foundation for the Land Use Element.

The *Community Profile* provides a brief narrative description of demographic and land use characteristics of the City of Laguna Woods. *Existing Conditions* describes locations, acreages, uses, intensity, and types of development in the City of Laguna Woods at the inception of the General Plan.

*Issues, Opportunities, and Constraints* reflect professional planners' synthesis of factors most likely to influence future development in the City of Laguna Woods. *Flood Zones* identifies, consistent with State requirements for the General Plan, those areas subject to flooding.

# LAND USE ELEMENT

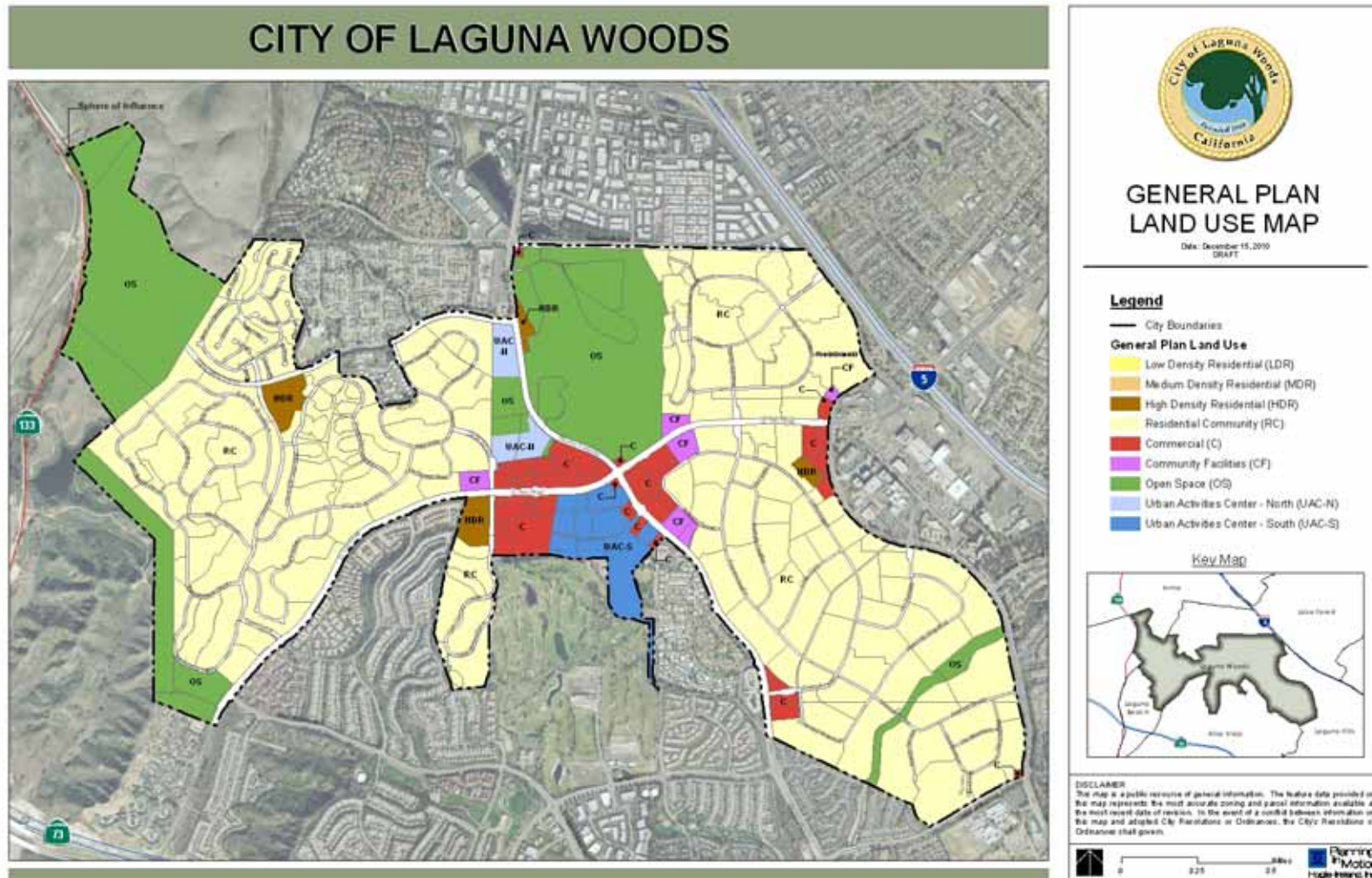
## Exhibit A: Land Use Map



[\[Map to be removed and replaced with the map on the following page\]](#)

# LAND USE ELEMENT

## Exhibit A: Land Use Map



# LAND USE ELEMENT

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## II. POLICY DOCUMENT

### A. Land Use Designations

The Land Use Element identifies general locations and land areas for each of ~~six~~ [nine](#) land use categories:

1. Low Density Residential
2. Medium Density Residential
3. High Density Residential
4. [Residential Community](#)
5. Commercial
6. Urban Activities Center – [North](#)
7. [Urban Activities Center – South](#)
8. Open Space
9. [Community Facilities](#)

The category “Residential” in the Land Use Element includes all dwelling units equipped for independent living i.e. kitchen, bathroom, and sleeping quarters. Facilities intended for transient living, such as hotels and motels and hospitals and skilled nursing units, are not typically included within the Residential use designation. Low, Medium, and High Density Residential categories describe the intensity of development by the number of units per acre of land (*Table LU - 1*).

[The category “Residential Community” encompasses nearly all of the Laguna Woods Village \(formerly known as Leisure World\) planned residential community with the exception of Rossmoor Towers. “Residential Community” integrates a mix of single-family detached, single-family attached, two family, and multi-family residential, with supporting country clubs, parks, community services, local-serving noncommercial services, and open spaces. Common areas within this district are managed by private nonprofit community associations.](#)

The ~~category~~—“Commercial” [designation](#) covers a broad range of non-residential, non-industrial uses. Typical commercial uses include retail stores, restaurants, administrative offices, retail services such as dry cleaners and barbershops, automobile sales and services, and may include institutional uses such as hospitals and churches.

# LAND USE ELEMENT

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In addition to the abovementioned categories, the Land Use Element identifies two Specific Plan areas titled ~~The~~ “Urban Activities Center – North” and “Urban Activities Center – South.” These two designations are distinctive in that they allows for mixed-use development that may include both commercial and residential uses. Each of these ~~This~~ land use designations requires the preparation of a Specific Plan at the Zoning Ordinance level incorporating performance standards as a means to ensuring that new development is compatible with existing uses, that new uses are compatible with one another, and that development is consistent with traffic and fiscal impact guidelines established for this land use category.

The “Open Space” designation in the Land Use Element is generally used for passive and active recreation such as parkland, tennis courts, and golf courses. These uses may be either publicly or privately owned. Facilities of governmental and quasi-governmental agencies such as cities, water districts, and electric utilities may be included within this category.

The “Community Facilities” designation is unique in that it is designed specifically to accommodate public and private community uses that serve residents, visitors, property owners, and workers in the City. Civic, government, utilities, schools, hospitals, cultural venues, churches, temples and places of worship may all be located within this designation.

## **B. Land Use Intensity**

State law requires that standards for intensity of development be included for each land use category. For residential uses, the number of dwelling units constructed on each acre indicates intensity of development. Population density is estimated by applying data for average number of persons per household to the number of dwellings per acre.

Residential Community is a unique type of residential designation. Properties located within Residential Community were developed through a comprehensive plan titled the Rossmoor Leisure World Planned Community District Regulations. This document provides standards for maximum numbers of dwelling units and residential acreage. Future development within this designation shall conform to originally intended maximum residential densities found within the area’s planned community guidelines, as amended, and the Laguna Woods Land Use and Development (Zoning) Code. Further, any development occurring within this designation shall

# LAND USE ELEMENT

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[continue the practice of tying together individual uses into a cohesive neighborhood with consistent massing of buildings, architecture, landscaping, and circulation.](#)

Intensity of development in [Commercial and Community Facilities](#) areas is expressed as Floor Area Ratio (FAR). Floor Area Ratio is the maximum permissible building floor area divided by lot area ( $FAR = \text{Floor Area of Building} \div \text{Lot Area}$ ). For example, a FAR of “0.5” allows 5,000 square feet of building area on each ten thousand square feet of lot area ( $0.5 = 5,000 \div 10,000$ ). FAR allows the building area to be distributed on one, two, or more floors and is not in and of itself a standard for building height.

Allowable development intensity for Open Space uses may be set forth as a function of both maximum building area and building height. A clubhouse, for example, may be limited to a maximum building “footprint” (total area of all building roofs) and a fixed height measured in feet.

The appropriate building intensity is established in the General Plan. *Table LU - 1* shows maximum building intensity for future development in each of the ~~four~~ [three](#) Residential categories of the Land Use Element, expressed as dwelling unit density. *Table LU - 2* represents maximum building intensity for future development for properties designated as Commercial [or Community Facilities](#). *Table LU - 3* shows maximum building intensity for properties designated as Open Space. Maximum building intensity within the Urban Activities [Center – North and the Urban Activities Center - South](#) designations will be that of the “Commercial” and “Medium Density Residential” designations, as appropriate.

# LAND USE ELEMENT

*Table LU - 1:  
Maximum Permissible Residential Densities*

| Land Use Category  | Dwelling Density                                   | Assumed Population Density          |
|--|--|-------------------------------------|
| Low-Density Residential  | Fewer than 10 Units per Acre                       | 12 persons per Acre                 |
| Medium-Density Residential   | 10 to fewer than 13 Units per Acre                 | 15 persons per Acre                 |
| High-Density Residential   | 13 to 35 Units per Acre                            | 42 persons per Acre                 |
| <a href="#">Residential Community Planning Units 1-A, 4-A, &amp; 1-D</a> | <a href="#">Fewer than 10 Units per Acre</a>       | <a href="#">12 persons per Acre</a> |
| <a href="#">Residential Community Planning Units 7-A &amp; 3-A</a>       | <a href="#">10 to fewer than 13 Units per Acre</a> | <a href="#">15 persons per Acre</a> |

[In addition to the maximum dwelling unit intensity standards outlined in the table above, the total number of dwelling units located within the Residential Community designation shall not exceed that allowed in area's planned community guidelines, as amended. See \*Exhibit D: Planned Community Land Use Map\* for a visual representation of planning units.](#)

*Table LU - 2:  
Maximum Permissible Commercial and Community Facilities Building Intensity*

| Land Use Category                    | Floor Area Ratio     |
|--------------------------------------|----------------------|
| Commercial                           | 0.30                 |
| <a href="#">Community Facilities</a> | <a href="#">0.30</a> |

*Table LU - 3:  
Maximum Permissible Open Space Building Intensity*

| Land Use Category | Building Footprint | Building Height |
|-------------------|--------------------|-----------------|
| Open Space        | 25,000 Sq. Ft.     | 35 feet         |

# LAND USE ELEMENT

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## C. Land Use Plan

The Land Use Plan broadly defines the types and locations of future development. Formulation of the Land Use Plan was guided by the Objectives included at the end of this Policy Document.

The Land Use Plan includes an “Urban Activities Center – North” and an “Urban Activities Center – South” land use designation for all but one of the parcels indicated for future development. ~~These Urban Activities Center designations~~ allows for flexibility in the types and intensities of future uses to the extent that municipal fiscal balance and traffic generation criteria can be met. Each of these designations requires the preparation of a Specific Plan that outlines permitted uses and other development criteria such as infrastructure and building design (See C.2. *Specific Plan Concept*). Further, all Site Development Plans submitted for these properties must be consistent with each approved Specific Plan prior to construction or improvement of these properties. ~~Uses and intensities will not be definitively determined until a Specific Plan is prepared for the properties designated Urban Activities Center, and development plans consistent with the Specific Plan are submitted.~~

Since the actual land uses of eight of the nine parcels identified for future development are unknown, a hypothetical development scenario is used to determine ~~For purposes of projecting of final~~ build-out populations, average daily trip generation rates and building intensity. This ~~One possible~~ scenario suggests assigns land uses that would accommodate ~~209~~ 115 new housing units and approximately ~~208,000~~ 151,000 square feet of commercial building space ~~can be accommodated~~. Population at build-out consistent with this scenario is projected to increase by approximately ~~299~~ 161 to ~~16,706~~ 16,667<sup>1</sup>. ~~, one of a range of likely scenarios for future development consistent with Specific Plan formulated for the Urban Activities Center was assumed.~~ In addition, this particular development scenario provides a basis by which the estimated future trip generation budget of 6,200 can be allocated between potential development site # 1 – currently used as Laguna Woods Village garden center # 1 - and the two Specific Plan areas. *Table LU - 4* illustrates the distribution of the available trip generation budget among

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<sup>1</sup> Current population data is from U.S. Census 2000 and does not reflect results of a successful appeal of the City of ~~City of~~ Laguna Woods to the Bureau of the Census challenging total population and age cohort data that will establish year 2000 population as 18,208.

# LAND USE ELEMENT

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~~the potential development sites<sup>2</sup>. Existing sales tax generation rates for commercial uses and an estimated total future trip generation budget of 7,426 were used to impute a possible mix and intensity of land uses.~~

Table LU - 4:  
Estimated Trip Generation Budget Allocation

| <u>Future Development Area</u>        | <u>Trips Allotted</u> |
|---------------------------------------|-----------------------|
| <u>Potential Development Site # 1</u> | <u>823</u>            |
| <u>Urban Activity Center – North</u>  | <u>2,643</u>          |
| <u>Urban Activity Center – South</u>  | <u>2,734</u>          |

Sufficient “Residential” land area for construction of new dwelling units consistent with Housing Element Goals is included in the Land Use Plan. Properties designated for commercial use afford opportunities for new retail space and expanding the range of consumer goods and services available in the community. Increases in the number of businesses that generate sales tax, and consequently, increased revenues to the City are expected with this plan. Properties ~~designated as Urban Activities Center~~ found within Urban Activity Center – North and Urban Activity Center – South land use designations may accommodate goals consistent with both residential and commercial uses.

The Land Use Plan reflects changed land use designations for some parcels as necessary to achieve consistency among the General Plan land use designations, existing uses, and zoning designations.

## 1. Potential Development Sites

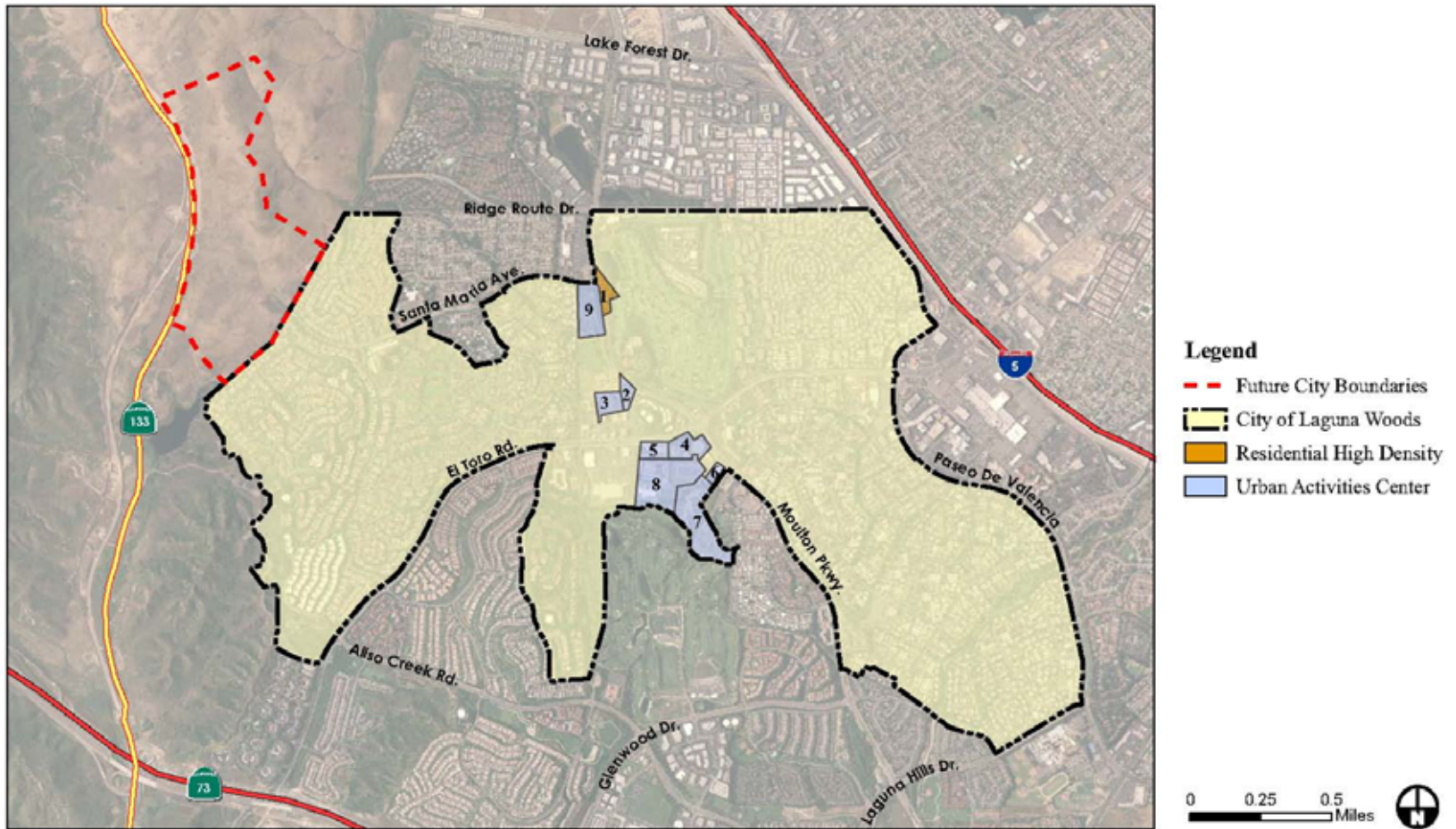
Potential development site locations are shown in *Exhibit B*; Potential Development Sites. A listing of ~~properties~~ potential development sites with land use designation changes ~~effected in the Land Use Element to accommodate new development~~ is provided in *Table LU - 4*<sup>5</sup>. A narrative description of substantive changes ~~is included below~~ follows.

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<sup>2</sup> Allocation of the estimated future trip generation budget is based on a single hypothetical development scenario for the nine potential development sites. Daily trip generation figures were obtained from Development Alternative # 2 found in the 2003 Environmental Impact Report for the Laguna Woods General Plan.

# LAND USE ELEMENT

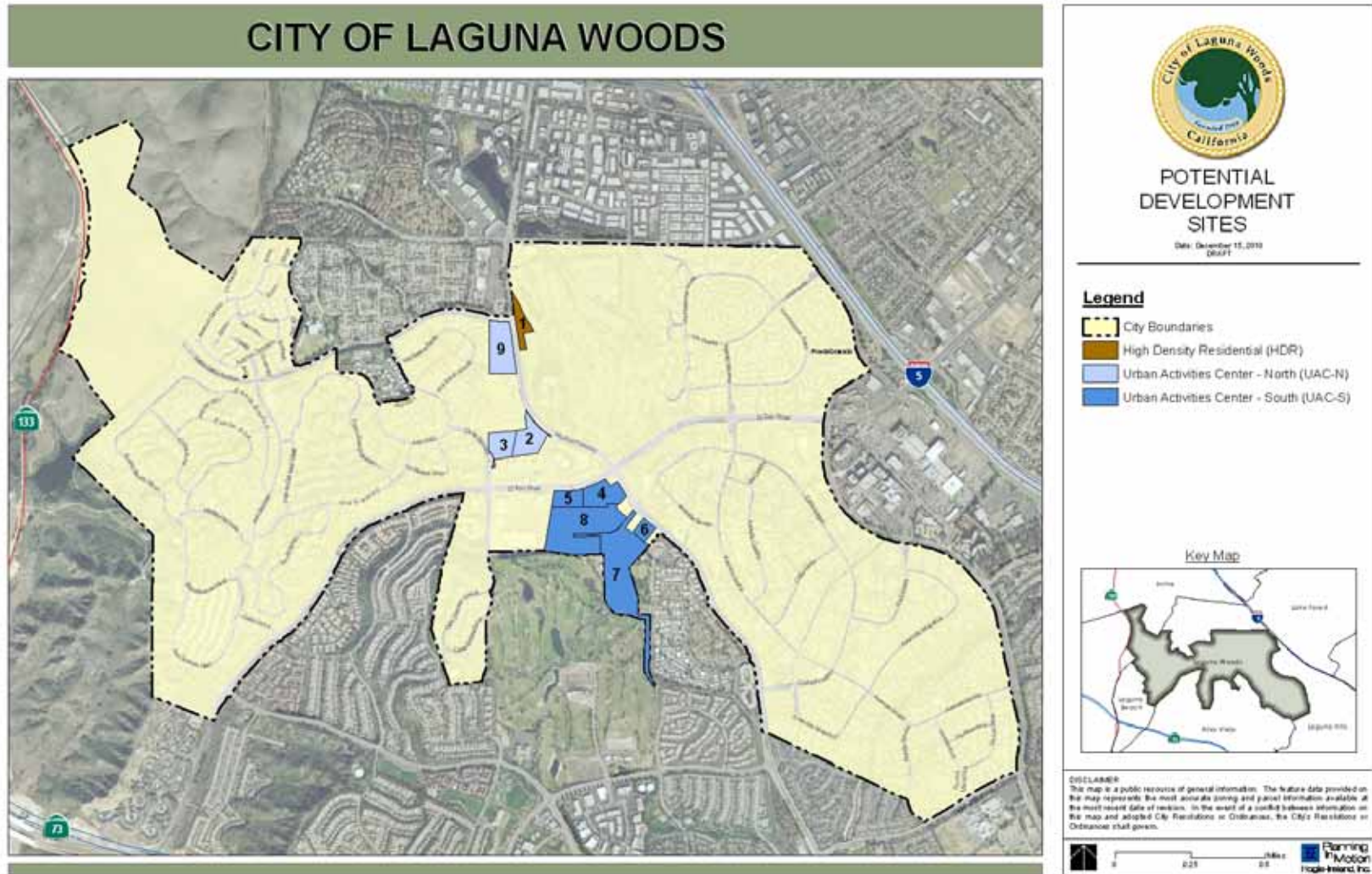
## Exhibit B: Potential Development Sites



**[Map to be removed and replaced with the map on the following page]**

# LAND USE ELEMENT

## Exhibit B: Potential Development Sites



# LAND USE ELEMENT

*Table LU - 45:*

*Land Use Designation Changes for Potential Development Sites*

| <b>PARCEL</b> | <b>ACRES</b> | <b>EXISTING CONDITIONS</b>   | <b>Current / PROPOSED DESIGNATION<br/>(POTENTIAL INTENSITY/DENSITY)</b>                 |
|---------------|--------------|--|---|
| 1             | 3.3          | Located east side of Moulton Parkway @ Santa Maria; currently used as a Leisure World garden plot.                                       | Open Space/HIGH DENSITY RESIDENTIAL<br>(115 dwellings @ 35 per acre)                    |
| 2             | 2            | Vacant parcel opposite Gate 12 of Leisure World on the west side of Moulton Parkway.   | Open Space/URBAN ACTIVITIES CENTER<br>(10,000 sq. ft. retail/10,000 sq. ft. restaurant) |
| 3             | 4            | Located adjacent to and north of Town Centre (Ayers Hotel) currently vacant.   | Open Space/URBAN ACTIVITIES CENTER<br>(26,000 sq. ft. retail/26,000 sq. ft. office)     |
| 4             | 5.6          | Leisure World Equestrian Center at the intersection of El Toro Road and Moulton Parkway.   | Open Space/URBAN ACTIVITIES CENTER<br>(73,000 sq. ft. retail)                           |
| 5             | 2.4          | Vacant parcel west of Moulton Parkway on El Toro Road (adjacent to Home Depot center).   | Open Space/URBAN ACTIVITIES CENTER<br>(31,000 sq. ft. retail)                           |
| 6             | 2            | Vacant parcel with frontage on Moulton Parkway south of Campo Verde.   | Employment/URBAN ACTIVITIES CENTER<br>(26,000 sq. ft. office)                           |
| 7             | 23           | Located south of Campo Verde west of Moulton Parkway; undeveloped and used for Leisure World compost production.                         | Open Space/URBAN ACTIVITIES CENTER<br>(299 dwellings @ 13 per acre)                     |
| 8             | 20.7         | Leisure World maintenance garages and offices, Garden Plot 2, R.V. Storage Lot "B", and PCM employee parking lot located at Campo Verde. | Open Space/URBAN ACTIVITIES CENTER<br>(174,000 square feet retail)                      |
| 9             | 9            | Golden Rain Foundation plant nursery site.   | Open Space/URBAN ACTIVITIES CENTER  |
| <b>Total</b>  | <b>72</b>    |  |   |

# LAND USE ELEMENT

| <u>Parcel</u>       | <u>Acres</u>     | <u>Existing Conditions</u>   | <u>Existing General Plan</u>    | <u>Proposed General Plan</u>           |
|---------------------|------------------|--|---------------------------------|--|
| <u>1</u>            | <u>3.3</u>       | <u>Located on the east side of Moulton Parkway @ Santa Maria; currently used as a Laguna Woods Village (Formerly known as Leisure World) garden plot.</u>  | <u>High Density Residential</u> | <u>No Change</u>                       |
| <u>2</u>            | <u>2</u>         | <u>Vacant parcel opposite Gate 12 of Laguna Woods Village on the west side of Moulton Parkway.</u>   | <u>Urban Activities Center</u>  | <u>Urban Activities Center – North</u> |
| <u>3</u>            | <u>4</u>         | <u>Located adjacent to and north of Town Centre (Ayers Hotel); currently vacant.</u>   | <u>Urban Activities Center</u>  | <u>Urban Activities Center – North</u> |
| <u>4</u>            | <u>5.6</u>       | <u>Laguna Woods Village Equestrian Center at the intersection of El Toro Road and Moulton Parkway.</u>   | <u>Urban Activities Center</u>  | <u>Urban Activities Center – South</u> |
| <u>5</u>            | <u>2.4</u>       | <u>Vacant parcel west of Moulton Parkway on El Toro Road (adjacent to the Home Depot center).</u>  | <u>Urban Activities Center</u>  | <u>Urban Activities Center – South</u> |
| <u>6</u>            | <u>2</u>         | <u>Vacant parcel with frontage on Moulton Parkway south of Via Campo Verde.</u>  | <u>Urban Activities Center</u>  | <u>Urban Activities Center – South</u> |
| <u>7</u>            | <u>23</u>        | <u>Located south of Via Campo Verde west of Moulton Parkway; undeveloped and used for Laguna Woods Village compost production.</u>                         | <u>Urban Activities Center</u>  | <u>Urban Activities Center – South</u> |
| <u>8</u>            | <u>20.7</u>      | <u>Laguna Woods Village maintenance garages and offices, Garden Plot 2, R.V. Storage Lot “B”, and PCM employee parking lot located at Via Campo Verde.</u> | <u>Urban Activities Center</u>  | <u>Urban Activities Center – South</u> |
| <u>9</u>            | <u>9</u>         | <u>Golden Rain Foundation plant nursery site.</u>  | <u>Urban Activities Center</u>  | <u>Urban Activities Center – North</u> |
| <u><b>Total</b></u> | <u><b>72</b></u> |  |                                 |  |

# LAND USE ELEMENT

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## *Parcel 1*

This is a 3.3-acre parcel on Moulton Parkway opposite the terminus of Santa Maria Avenue. This property, used as a garden plot by [Laguna Woods Village \(formerly known as Leisure World\)](#) residents, is designated “High Density Residential” on the General Plan Land Use map. **Rezoning consistent with** ~~T~~his ~~L~~and ~~U~~se designation ~~would~~allows for construction of approximately 115 dwelling units.

## *Parcel 2 (Also see II.C.2, Specific Plan Concept)*

A land use designation of “Urban Activities Center – North” is indicated for a two-acre site opposite Gate 12 on Moulton Parkway. Consistent with residents’ desires for additional dining opportunities, a 10,000 square-foot, freestanding restaurant and up to 10,000 square feet of retail building area could be accommodated at this location.

## *Parcel 3 (Also see II.C.2, Specific Plan Concept)*

This undeveloped parcel is 4.0 acres and is adjacent to the north side of Town Centre and accessible from Moulton Parkway. Designated as “Urban Activities Center – North”, this site may accommodate up to 52,000 square feet of retail space and/or office space.

## *Parcel 4 (Also see II.C.2, Specific Plan Concept)*

The 5.6-acre [Laguna Woods Village \(formerly known as Leisure World\)](#) Equestrian Center on El Toro Road at Moulton Parkway is indicated as “Urban Activities Center – South”. This designation of Parcel 4 assumes relocation of the Equestrian Center by the Golden Rain Foundation. Up to 73,000 square feet of commercial building area is possible.

## *Parcel 5 (Also see II.C.2, Specific Plan Concept)*

The “Urban Activities Center – South” designation is applied to a vacant 2.4-acre lot on El Toro Road. This property is situated between the existing commercial center on El Toro Road at Home Depot Drive and Parcel 4. Development potential of up to 31,000 square feet of commercial space is projected.

## *Parcel 6 (Also see II.C.2, Specific Plan Concept)*

The Land Use Plan includes the “Urban Activities Center – South” designation for a two-acre parcel on Moulton Parkway south of Via Campo Verde. Previously indicated for office development, a maximum of 26,000 square feet of office or retail space could be constructed.

# LAND USE ELEMENT

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## *Parcel 7* (See also II.C.2, *Specific Plan Concept*)

Parcel 7 is the largest potential development site in the City, comprises 23 acres, and is designated “Urban Activities Center [– South](#)”. The property includes a drainage course from the adjoining golf course, which is also a riparian habitat. Historically, the Golden Rain Foundation has used the property for temporary storage and for garden mulching and composting operations. Up to 299 attached dwelling units could be accommodated on this site.

## *Parcel 8* (See also II.C.2, *Specific Plan Concept*)

Designated as “Urban Activities Center [– South](#)”, Parcel 8 includes five parcels encompassing the [Laguna Woods Village \(Formerly known as Leisure World\)](#) maintenance facility offices, ~~and~~ employee parking lot, ~~Leisure World~~ bus and general maintenance garages, ~~Leisure World~~ recreational vehicle storage lot “B”, and ~~Leisure World~~ Garden ~~P~~lot 2. The properties are accessible from and adjoin Via Campo Verde and comprise approximately 21 acres. The Urban Activities Center [– South](#) designation allows development of up to 174,000 square feet of additional office and retail space.

## *Parcel 9* (See also II.C.2, *Specific Plan Concept*)

Parcel Nine is 9 acres and is currently used by the Golden Rain Foundation as a plant nursery. It is located on the southwest corner of Moulton Parkway and Santa Maria Avenue and designated as “Urban Activities Center [– North](#)”.

## **2. Specific Plan Concept**

The City of Laguna Woods was developed as a “planned community” and the importance of continuing in this tradition of master planning is recognized. Integration of uses, designs, and infrastructure ~~on contiguous properties~~ promotes development of greater aesthetic and economic value, maximizes municipal revenues, enhances the overall balance of land uses in the City, enhances existing development, and minimizes adverse impacts on the environment.

[The Specific Plan Concept requires that the concept of master planning be used for the remaining potential development sites in the City of Laguna Woods. This is achieved through the use of two Specific Plan designations that identify uses that are permissible within each area, building design](#)

# LAND USE ELEMENT

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~~requirements, as well as other development standards for The Specific Plan concept requires that proposed development of~~ Parcels 2 through 9 (~~See Exhibit B: Potential Development Sites, above~~). ~~be addressed in a single comprehensive manner in order to.~~ One Specific Plan designation titled Urban Activity Center – North will include parcels 2, 3 and 9 and a second Specific Plan designation titled Urban Activity Center – South will include the remaining parcels 4 through 8. Requiring Specific Plans for these areas will promote a more localized planning approach that will ensure that the cumulative traffic and fiscal impacts are consistent with the applicable provisions of the General Plan. In furtherance of the objectives of the General Plan, ~~the~~ each Specific Plan will establish policies regarding additional development criteria such as infrastructure, building design, or other site-specific concerns that must be addressed for specific parcels or subareas of ~~the~~ each Specific Plan at the time of application for Site Development Permit as described below.

~~The~~ Specific Plans will demonstrate that development of component parcels will be consistent with the General Plan and its objectives. ~~The~~ Each Specific Plan will establish the extent of development permitted on component parcels; however, approval for any development project consistent with ~~a~~ the Specific Plan will require subsequent approval of a Site Development Permit that will address project details including building materials, height, ~~and~~ massing, landscape treatments, on-site parking and on-site circulation. Subsequent to approval of ~~the~~ each Specific Plan, each subsequent application for a Site Development Permit must be substantially consistent with the provisions of the Specific Plan.

~~The~~ Each Specific Plan submitted for review shall include the following information:

- Rights of way to be granted as consideration pursuant to subsequent Site Development Permit approval;
- The distribution, location, and extent of the uses of land, including open space for all properties within each Urban Activity Center Specific Plan ~~designated on the Land Use Plan as “Urban Activities Center”~~;
- Land use designations for parcels that are to remain undeveloped;

# LAND USE ELEMENT

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- Proposed vehicular access points;
- Conceptual on-site vehicular circulation and parking;
- Trip generation and traffic analysis for the proposed land uses demonstrating consistency with the Level of Service standards for arterial roadways in the City and including identification of mitigation measures necessary to ensure consistency;
- Fiscal analysis indicating projected sales tax and/or transient occupancy tax revenues, or their equivalents, to be generated by proposed land uses and in sufficient detail to allow definitive determination by the City as to positive, negative, or neutral impact on the City's ability to provide municipal services; City Council, however, shall retain the ability to approve a project regardless of the findings of the fiscal analysis;
- A Development Phasing plan consistent with the fiscal analysis;
- Conceptual development standards including measures consistent with the Mitigation Monitoring Program adopted in conjunction with the General Plan;
- Procedures for submittal and review of subsequent applications for Site Development Permits.

The ~~All~~ Specific Plans ~~may~~ shall be adopted by Resolution of the City Council and may be amended in similar manner.

### 3. Land Use Designation Changes for Developed Sites

Table LU - ~~56~~ Identifies changes to the Land Use Plan map of the General Plan that are described in Section II.C.7, Land Use Designation for the Laguna Woods Village Community; Section II.C.8, Land Use Designation for Urban Activities Center – North and Urban Activities Center – South; and Section II.C.9, Land Use Designation for Community Facilities. ~~merely correct inconsistencies between the Land Use Plan and zoning designations for the respective properties.~~ Previous changes were adopted in 2007 to correct inconsistencies between the Land Use Plan and zoning designations for respective properties.

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~~Land use designations for all other properties in the City of Laguna Woods are consistent with their uses at the time of adoption of the General Plan. Table LU - 6Z contrasts the distribution of land uses in the Interim General Plan, 2002 Land Use Plan, and 2007 General Plan Amendment that preceded this document~~ with the distribution in the Land Use Plan included in this document.

## **4. Land Use Designation for 2002 Annexation Parcel**

In 2002, the City of Laguna Woods annexed into the City an approximately 10-acre parcel with frontage on El Toro Road opposite the terminus of Aliso Creek Road. This ~~ten-acre~~ parcel is adjoined to the south and southwest and to the west by the Southern California Edison right-of-way. The property is designated as Open Space in the Land Use Plan of this Land Use Element.

## **5. Land Use Designation for Laguna Laurel Annexation**

In 2007, the City of Laguna Woods designated three parcels totaling approximately 171 acres that lie east of the future alignment of Laguna Canyon Road (State Highway 133) and west of the terminus of Santa Maria Avenue as Open Space in this Land Use Element and zoned the parcels as Open Space – Passive. A Grant Deed of Conservation Easement was recorded on the three parcels in December 2001 by the then-current landowner (the Irvine Company) to protect the natural, ecological, scenic, recreational, and educational value of the property. Consistent with the provisions set forth in the Grant Deed of Conservation Easement, fences and gates; informational kiosks; interpretive, regulatory, and informational signs; and all other uses listed in Schedule 4 of the Grant Deed of Conservation Easement shall be permitted.

## **6. Land Use Designation for Laguna Road Parcels**

In 2007, the City of Laguna Woods designated seven parcels totaling approximately 7 acres as Open Space and zoned the parcels as Open Space - Passive. The parcels lie east of the future alignment of Laguna Canyon Road (State Highway 133) and west of the Laguna Laurel Annexation. These seven parcels were initially intended to be included as part of the Laguna Laurel Annexation; however, since these parcels may be affected by the Laguna Canyon Road widening and realignment project, they were removed from the Laguna Laurel Annexation and incorporated into the City's sphere

# LAND USE ELEMENT

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of influence so they may be annexed into the City once re-construction of Laguna Canyon Road is complete (See Exhibit C-: Sphere of Influence Map).

## **7. Land Use Designation for the Laguna Woods Village Community**

In 2010, the City of Laguna Woods designated 1,416 acres of the existing Laguna Woods Village (formerly known as Leisure World) planned community as a new land use designation titled Residential Community. It was determined that the previous land use designations of Low Density Residential and Medium Density Residential did not adequately encompass the unique characteristics found within a large planned community. Therefore, the proposed reclassification will assign the large master planned community of Laguna Woods Village a land use designation that more closely represents the various types of residential and community uses found within this development.

## **8. Land Use Designation for Urban Activities Center – North and Urban Activities Center – South**

In 2010, the City of Laguna Woods underwent a comprehensive update of the City's Zoning Code and General Plan. During this project, it was determined that potential development sites 2 through 9 (as identified in Exhibit B: Potential Development Sites) would be best addressed as two Specific Plan designations instead on one. The new designations are titled Urban Activities Center – North (including potential development sites 2, 3 and 9) and Urban Activity Center – South (including potential development sites 4 through 8). The purpose of this change is to allow for a more locally focused visioning process and environmental review by grouping contiguous and nearby properties into two separate Specific Plan Designations.

## **9. Land Use Designation for Community Facilities**

In 2010, the City of Laguna Woods created a new General Plan land use designation titled Community Facilities. The purpose of this new land use category is to provide a suitable designation for public and private community uses that serve, residents, visitors, businesses, property owners and workers in the City. Eight properties were reclassified from residential and commercial uses to the new community facilities designation. The new

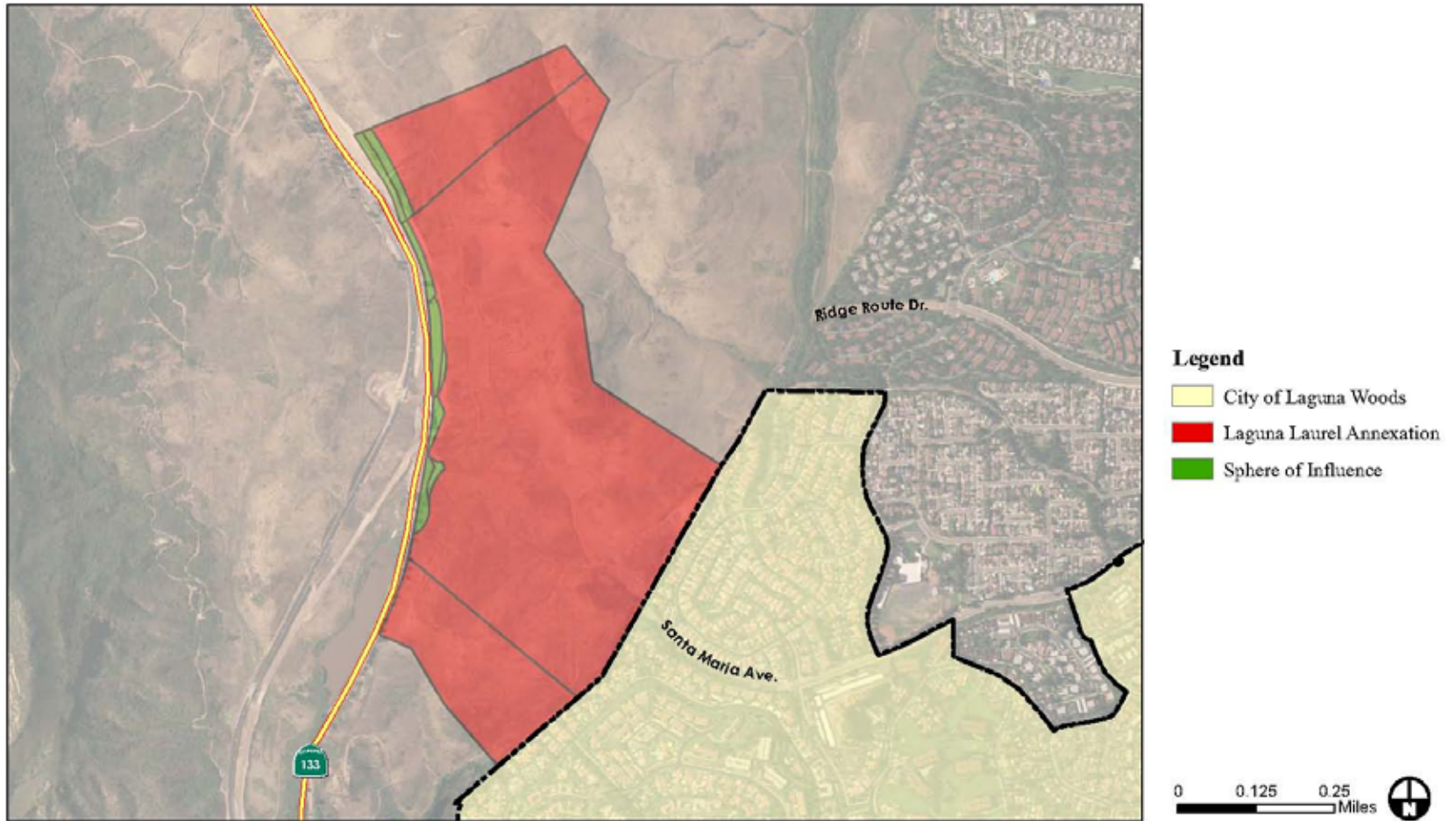
# LAND USE ELEMENT

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category includes Orange County Fire Authority Station #22, Laguna Woods City Hall, and six religious institutions.

# LAND USE ELEMENT

## Exhibit C: Sphere of Influence Map



# LAND USE ELEMENT

*Table LU - 6:  
Land Use Designation Changes for Developed Sites*

| <b>Parcel</b>                            | <b>Interim General Plan</b>       | <b>General Plan</b>        |
|--|-----------------------------------|----------------------------|
| Temple and Methodist Church              | Community Commercial              | Residential Medium Density |
| Catholic Church                          | Community Commercial              | Residential Medium Density |
| Renaissance at the Regency               | Employment                        | Residential High Density   |
| Residential @ Gate 1                     | Commercial                        | Residential Medium Density |
| Fountains                                | Employment                        | Residential High Density   |
| Leisure World Towers                     | Urban Residential                 | Residential High Density   |
| Alterra Wynwood                          | Suburban Residential              | Commercial                 |
| Mortuary                                 | Employment                        | Commercial                 |
| Offices on P.D.V. @ Laguna Hills Drive   | Employment                        | Commercial                 |
| Commercial on Moulton @ Ridge Route      | Employment                        | Commercial                 |
| Water Tanks                              | Open Space                        | Commercial                 |
| El Toro frontage at water tanks          | Community Commercial              | Commercial                 |
| Self Storage Facility near Gate 12       | Community Commercial              | Commercial                 |
| Mini mart/Gas station—El Toro @ Moulton  | Community Commercial              | Commercial                 |
| Fire Station and Bank—El Toro @ P.D.V.   | Suburban Residential              | Commercial                 |
| Edison RAW @ City's southwesterly border | Open Space & Suburban Residential | Open Space                 |
| Car wash—El Toro @ Moulton               | Community Commercial              | Commercial                 |
| EZ Lube—El Toro @ Moulton                | Community Commercial              | Commercial                 |
| Bank on P.D.V. @ La Plata                | Suburban Residential              | Commercial                 |
| R.V. Storage Lot "A"                     | Employment                        | Open Space                 |
| El Toro Water Treatment Plant            | Public Facilities                 | Open Space                 |
| Clubhouse 1                              | Community Commercial              | Residential Medium Density |

# LAND USE ELEMENT

|             |            |                               |
|-------------|------------|-------------------------------|
| Clubhouse-4 | Open Space | Residential<br>Medium Density |
|-------------|------------|-------------------------------|

| <u>Land Use</u>   | <u>Existing<br/>General Plan</u>          | <u>Proposed<br/>General Plan</u> |
|---|---|----------------------------------|
| <u>Lutheran Church of the Cross</u>                             | <u>Medium Density<br/>Residential</u>     | <u>Community Facilities</u>      |
| <u>United Methodist Church</u>                                  | <u>Medium Density<br/>Residential</u>     | <u>Community Facilities</u>      |
| <u>Temple Judea</u>   | <u>Medium Density<br/>Residential</u>     | <u>Community Facilities</u>      |
| <u>Orange County Fire<br/>Authority Station #22</u>             | <u>Commercial</u>                         | <u>Community Facilities</u>      |
| <u>St. Nicholas Catholic Church</u>                             | <u>Medium Density<br/>Residential</u>     | <u>Community Facilities</u>      |
| <u>Geneva Presbyterian Church</u>                               | <u>Low Density<br/>Residential</u>        | <u>Community Facilities</u>      |
| <u>Laguna Woods Village<br/>(excluding Rossmoor<br/>Towers)</u> | <u>Low/Medium Density<br/>Residential</u> | <u>Residential Community</u>     |
| <u>Laguna Woods Village<br/>Library</u>                         | <u>Commercial</u>                         | <u>Residential Community</u>     |

*Table LU - 7:  
Net Changes in Acres by Land Use Designation*

# LAND USE ELEMENT

| <b>Land Use Category</b>          | <b>Interim General Plan</b> | <b>2002 Land Use Plan</b> | <b>2007 General Plan Amendment</b> |
|-----------------------------------|-----------------------------|---------------------------|------------------------------------|
| <i>Low-Density Residential</i>    | 687                         | 630                       | 630                                |
| <i>Medium-Density Residential</i> | 798                         | 786                       | 786                                |
| <i>High-Density Residential</i>   | 27                          | 30                        | 30                                 |
| <i>Commercial</i>                 | 88                          | 130                       | 130                                |
| <i>Open Space</i>                 | 324                         | 289                       | 467 <sup>2</sup>                   |
| <i>Urban Activities Center</i>    | <i>Not Applicable</i>       | 69                        | 69                                 |
| <i>Public Rights-of-Way</i>       | 170                         | 170                       | 170                                |
| <b>Total</b>                      | <b>2,094</b>                | <b>2,104<sup>1</sup></b>  | <b>2,282<sup>2</sup></b>           |

| <b>Land Use Category</b>     | <b>Interim General Plan</b> | <b>2002 Land Use Plan</b> | <b>2007 General Plan Amendment</b> | <b><u>2010 General Plan Amendment</u></b> |
|------------------------------|-----------------------------|---------------------------|------------------------------------|---|
| Low-Density Residential      | 687                         | 630                       | 630                                | <u>0<sup>3</sup></u>                      |
| Medium-Density Residential   | 798                         | 786                       | 786                                | <u>0<sup>3</sup></u>                      |
| High-Density Residential     | 27                          | 30                        | 30                                 | <u>30</u>                                 |
| <u>Residential Community</u> | ==                          | ==                        | ==                                 | <u>1,399<sup>3,5</sup></u>                |
| Commercial                   | 88                          | 130                       | 130                                | <u>127<sup>5</sup></u>                    |
| Open Space                   | 324                         | 289                       | 467 <sup>2</sup>                   | <u>467</u>                                |
| <u>Community Facilities</u>  | ==                          | ==                        | ==                                 | <u>20<sup>5</sup></u>                     |
| Urban Activities Center      | <i>Not Applicable</i> ==    | 69                        | 69                                 | <u>0</u>                                  |

# LAND USE ELEMENT

|   |              |                          |                          |                                |
|---|--------------|--------------------------|--------------------------|--------------------------------|
| <a href="#">Urban Activities Center – North</a> | ==           | ==                       | ==                       | <a href="#">15<sup>4</sup></a> |
| <a href="#">Urban Activities Center – South</a> | ==           | ==                       | ==                       | <a href="#">54<sup>4</sup></a> |
| Public Rights-of-Way                            | 170          | 170                      | 170                      | <a href="#">170</a>            |
| <b>Total</b>                                    | <b>2,094</b> | <b>2,104<sup>1</sup></b> | <b>2,282<sup>2</sup></b> | <b><a href="#">2,282</a></b>   |

<sup>1</sup>Reflects annexation in 2002 of a 10-acre property adjoining El Toro at the terminus of Aliso Creek Road.

<sup>2</sup>Reflects the Laguna Laurel Annexation and sphere of influence amendment in 2007 consisting of approximately 178 acres that lie to the east of Laguna Canyon Road (State Highway 133) and west of the terminus of Santa Maria Avenue.

<sup>3</sup>[Reflects the 2010 reclassification of nearly all properties \(with the exception of Rossmoor Towers\) located within the gated community of Laguna Woods Village \(Formerly known as Leisure World\) to the land use designation titled Residential Community.](#)

<sup>4</sup>[Reflects the 2010 division of the Urban Activities Center land use designation into two Specific Plan designations titled Urban Activities Center – North and Urban Activities Center - South.](#)

<sup>5</sup>[Reflects the 2010 reclassification of approximately 20 acres of residential and commercial properties to the land use designation titled Community Facilities.](#)

## D. Objectives, Policies, and Implementation Measures

The future direction for the City is broadly defined by the Objectives included in each Element of the General Plan. Objectives reflect community values about the types and character of development accepted as positive change for the City.

Policies are directives for development decisions. These directives suggest courses of action that will shape the City consistent with the Objectives and the Land Use Plan they define.

Implementation Measures are specific actions that may be taken toward achieving the Land Use Plan following adoption of the General Plan. Many implementation measures relate to adopting and revising the City’s zoning and subdivision ordinances, and to the capital improvement and public services programs.

# LAND USE ELEMENT

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**Objective I:** Promote land uses that accommodate the diverse needs of City of Laguna Woods residents.

**Policy I.A:** Facilitate development of a variety of housing types that appeal to a broad spectrum of prospective new residents.

## **Implementation Measure:**

I.A.1 Accommodate rezoning of properties consistent with Residential designations shown on the General Plan Land Use Map and with Housing Element goals for new dwelling unit construction.

I.A.2 Approve rezoning of Open Space land to non-residential use consistent with the General Plan Land Use Map only after sufficient land is zoned for Residential use consistent with Housing Element goals for new dwelling unit construction.

I.A.3 Adopt a Zoning Ordinance provision requiring that replacement, redevelopment, and/or relocation of any [Laguna Woods Village \(formerly known as Leisure World\)](#) Clubhouse facility not result in a net loss of land area reserved and maintained for recreational uses.

**Policy I.B:** Actively participate with property owners and their representatives to expand the range of retail goods and services.

## **Implementation Measure:**

I.B.1 Prepare a City marketing brochure to supplement broker and property owner offerings to prospective commercial tenants and prospective residents.

I.B.2 Adopt zoning ordinance procedures for site-specific parking studies reflecting demand based on existing or proposed commercial tenant mix.

# LAND USE ELEMENT

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I.B.3 Accommodate requests of property owners for zone changes consistent with land use designations on the General Plan Land Use Map.

**Objective II:** Enhance the value and desirability of properties.

**Policy II.A:** Develop a strategy for promoting excellence in property maintenance and building design.

## **Implementation Measure:**

II.A.1 Adopt Zoning Ordinance standards for design review that include architectural guidelines for new and renovated commercial projects.

II.A.2 Include noise, view, light and glare, and traffic generation considerations in developing buffer zone requirements in the Zoning Ordinance to ensure compatibility of non-residential development with nearby residential uses.

II.A.3 Continue to implement the scenic highway provisions of the Zoning Ordinance.

II.A.4 Continue to include maintenance and periodic upgrading of landscaped medians in the City's annual budget.

II.A.5 Continue the current Code Enforcement program including inspection and compliance provisions associated with the City's Stormwater Program.

II.A.6 Adopt a Zoning Ordinance provision requiring preparation of [a Specific Plan](#) for the "Urban Activities Center – [North](#)" and "[Urban Activities Center – South](#)" designated on the Land Use Plan prior to approval of development on any of the subject parcels and including performance and development standards consistent with Section II.C.2, *Specific Plan Concept*.

# LAND USE ELEMENT

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II.A.7 Incorporate stormwater design considerations or Standard Urban Stormwater Mitigation Plans (SUSMP's) and the implementation of Best Management Practices (BMP's), to the maximum extent practicable, in new development and significant redevelopment projects to improve water quality and ensure compliance with the City Local Implementation Plan (LIP).

**Policy II.B:** Monitor land use decisions and legislation of other units of government that may affect the quality and value of properties in the City of Laguna Woods.

**Implementation Measure:**

II.B.1 Actively participate as a City in area-wide and regional forums in opposing a commercial airport at the former Marine Corps Air Station at El Toro.

II.B.2 Monitor legislative updates provided by the California League of Cities.

II.B.3 Work with nearby cities and special districts on issues of mutual benefit or interest.

**Objective III:** Promote innovation in design and development of properties that reflects the unique needs of the City of Laguna Woods market.

**Policy III.A:** Identify opportunities in new construction and re-use projects for optimizing accessibility for people with special needs.

**Implementation Measure:**

III.A.1 Consider adopting zoning and subdivision requirements for connecting sidewalks and multi-purpose trails between new and existing commercial, institutional, and residential destinations.

# LAND USE ELEMENT

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III.A.2 Consider adopting zoning ordinance standards for alternative modes of transportation in commercial, institutional, and multiple family residential development.

**Objective IV:** Maintain and enhance revenues to the City.

**Policy IV.A:** Consider the fiscal impacts of land use decisions.

## **Implementation Measure:**

IV.A.1 Require applicants for new uses, to be defined by project size or type, to submit fiscal impact analyses including projected revenues to the City and costs of municipal services.

# LAND USE ELEMENT

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## III. BACKGROUND REPORT

*This Section describes conditions prior to the City's incorporation. Changes have been made since incorporation, as reflected in the General Plan.*

### A. Community Profile

The City of Laguna Woods encompasses a land area of approximately 3.3 square miles with a population of 16,507<sup>3</sup>. The bulk of commercial and institutional uses are situated along El Toro Road and Moulton Parkway within four-tenths of a mile of their intersection. Two smaller retail nodes are located at the El Toro Road and Paseo de Valencia intersection and at the Moulton Parkway and Ridge Route Drive intersection.

The City of Laguna Woods is unique in that nearly all existing residential uses are age-restricted for adults aged 55 years and older. Of the 13,252 dwelling units in the City of Laguna Woods, 12,736 are located in the gated community of Leisure World, which represents 80% of the City's total land area. Three other residential communities provide an additional 516 dwelling units in the City of Laguna Woods.

The Renaissance at the Regency adult residential care community includes 192 rental apartments. Another 140 apartments are located at The Fountains adult residential development adjacent to The Renaissance. The Alterra Wynwood at Palm Terrace includes 184 assisted living apartment units. A 99-bed residential care facility at Alterra is not included in the dwelling unit count. The Renaissance and the Fountains are located in planning unit 4-B, and Alterra Wynwood is located in planning unit 7-E. The location of each planning unit is shown on *Exhibit CD, Planned Community Land Use Map*.

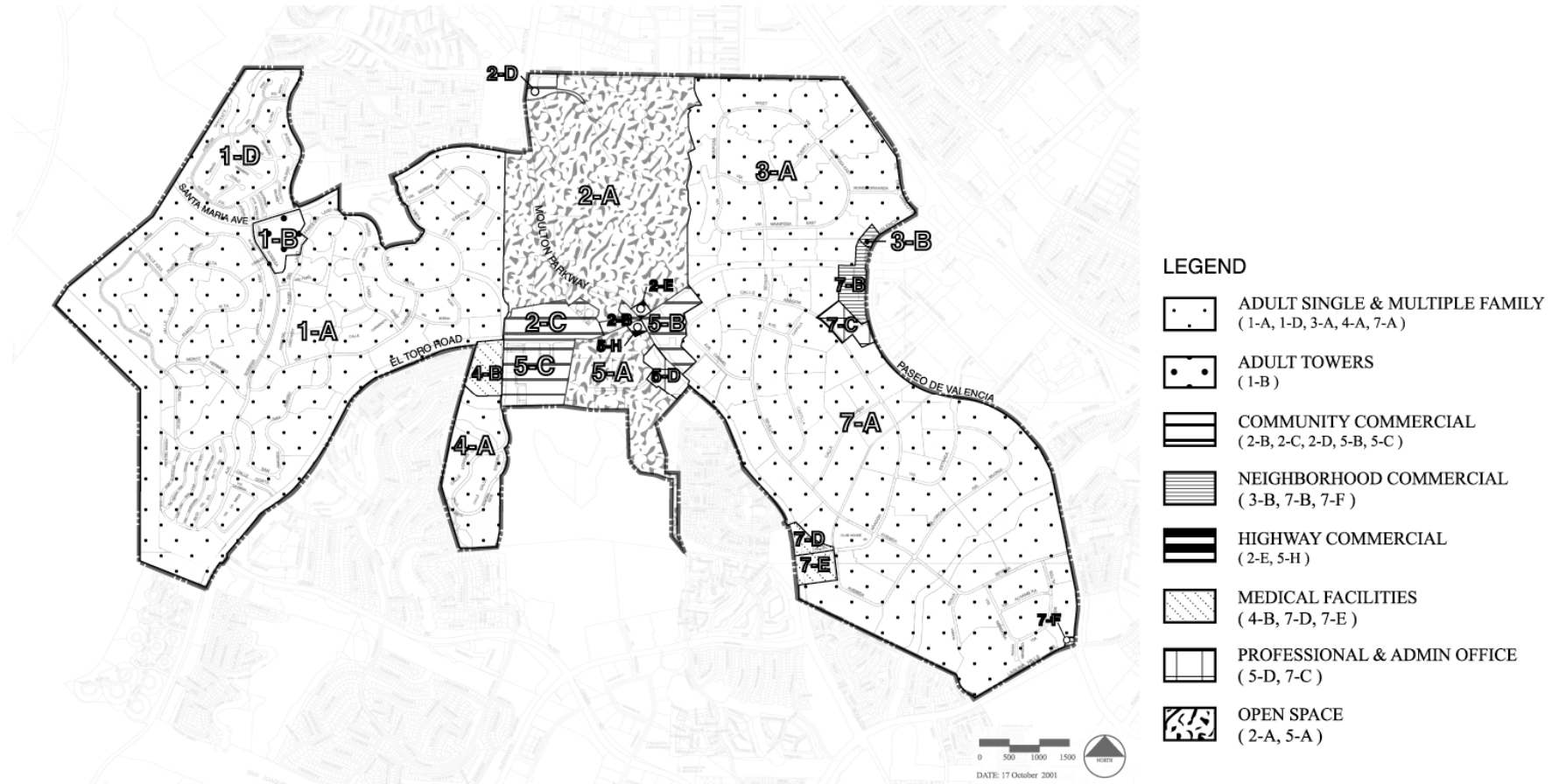
The Golden Rain Foundation, on behalf of itself, the Golden Rain Trust, and each of three "mutual benefit corporations" (mutuals) representing the homeowners and shareholders of Leisure World, owns and operates all clubhouse facilities, entrance gates, swimming pools, golf courses, riding stables, and various other recreational facilities within Leisure World. These facilities as well as the bus system owned by the Trust are for the exclusive use of Leisure World residents. Cul-de-sacs within each of the mutuals in Leisure World are owned by the respective mutual. Streets, sidewalks, and storm drains within Leisure World are owned and maintained by the Trust.

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<sup>3</sup> Data is from U.S. Census 2000 and does not reflect results of a successful appeal of the City of City of Laguna Woods to the Bureau of the Census challenging total population and age cohort data that will establish year 2000 population as 18,208.

# LAND USE ELEMENT

## Exhibit D: Planned Community Land Use Map



# LAND USE ELEMENT

## B. Existing Conditions

Locations, sizes, and intensities of development existing at the time of preparation of this document are described in this section. *Table LU - 78* uses land use designations defined in this document to represent distribution of land uses prior to the adoption of this General Plan.

*Table LU - 78:*

*Existing Land Use\**

\*Exclusive of streets and rights-of-way

| Land Use       | Number of Acres |
|----------------|-----------------|
| Residential    |                 |
| Low-Density    | 687             |
| Medium-Density | 798             |
| High-Density   | 27              |
| Commercial     | 88              |
| Open Space     | 324             |
| <b>Total</b>   | 1,924           |

### 1. Residential Land Uses

Dwelling unit and population densities existing at the time of adoption of this document ~~and organized by current General Plan categories~~ are indicated in the following table.

*Table LU - 89:*

*Existing Residential Densities*

| General Plan               | Housing Density                 | Population Density |
|----------------------------|---------------------------------|--------------------|
| Low Density Residential    | < 10 Dwelling Units per acre    | 11.88 per acre     |
| Medium Density Residential | 10 < 13 Dwelling Units per acre | 13.19 per acre     |
| High Density               | 13 – 35 Dwelling Units          | 42 per acre        |

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|             |          |  |
|-------------|----------|--|
| Residential | per acre |  |
|-------------|----------|--|

Residential neighborhoods in the City of Laguna Woods are described below and identified by Planning Unit number consistent with *Exhibit CD, Planned Community Land Use Map*. The Planning Units originated in the Rossmoor Leisure World Planned Community District Regulations of the County of Orange prior to the City’s incorporation. A summary of this information is provided in *Table LU - 910: Residential Population and Dwelling Unit Densities*.

*Table LU - 910:  
Residential Population and Dwelling Unit Densities*

| Interim General Plan       | Planning Unit | Housing Density | Population per acre | Dwelling Units | Acres        |
|----------------------------|---------------|-----------------|---------------------|----------------|--------------|
| Low Density Residential    | 1-A, 4-A, 1-D | 0 - 9.9         | 9.5                 | 4,115          | 687          |
| Medium Density Residential | 7-A, 3-A      | 10 - 13         | 12.49               | 8,310          | 798          |
| High Density Residential   | 1-B, 4-B, 7-E | 13.1 – 33.2     | 26.0                | 827            | 27           |
| <b>Total</b>               |               |                 |                     | <b>13,252</b>  | <b>1,512</b> |

### ***Planning Unit 1-A – 553 acres***

Planning Unit 1-A makes up the better part of the City’s western half. This area consists of single and multiple family dwelling units and is bordered by El Toro Road to the south, unincorporated Orange County open space to the west, low density residential to the north, Moulton Parkway to the east, and the commercial Town Centre at its southeast tip. All the dwelling units within this planning unit are included in the Third Laguna Hills Mutual housing corporation. There are 3,384 dwelling units.

### ***Planning Unit 1-B – 11 acres***

Located south of Santa Maria Avenue at Avenida Sosiega, this planning unit consists of a high-density development known as the Towers. The Towers

# LAND USE ELEMENT

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consists of two fourteen-story high-rise buildings with 311 residential units that belong to the Laguna Hills Mutual No. 50 housing corporation. Residential units in Planning Unit 1-A surround the Towers.

## ***Planning Unit 1-D – 84 acres***

Located in the City's northwest corner, bordered by Ridge Route Drive to the north and Santa Maria Avenue to the south, Planning Unit 1-D consists of 317 detached units as part of the Third Laguna Hills Mutual housing corporation. This planning unit is surrounded by residential uses, except to the west, which is undeveloped open space.

## ***Planning Unit 3-A – 229 acres***

Planning Unit 3-A makes up the City's northeast corner and is bordered by Ridge Route Drive to the north, El Toro Road to the South, Avenida de Carlota to the east and a golf course to the west. This unit includes 1,918 condominiums in Third Laguna Hills Mutual and 842 cooperative units in United Laguna Hills Mutual.

## ***Planning Unit 4-A – 50 acres***

This planning unit is located just south of planning unit 4-B and El Toro Rd. at Calle Sonora. There are 414 condominium units that are part of Third Laguna Hills Mutual.

## ***Planning Unit 4-B – 11 acres***

This is one of two residential planning units located outside the Leisure World gates. Located at the southwest corner of El Toro Road and Calle Sonora, two adult residential care facilities occupy this planning unit. The Renaissance at the Regency has 192 one and two bedroom units. The Fountains has 140 one and two bedroom units.

## ***Planning Unit 7-A – 569 acres***

Occupying the majority of the City's southeast section, Planning Unit 7-A is bordered by El Toro Road to the north, Paseo De Valencia to the east, Laguna Hills Road to the south and Moulton Parkway on the west. This Planning Unit includes 5,481 cooperatives in the United Laguna Hills Mutual housing corporation and 69 condominium units in the Third Laguna Hills Mutual.

## ***Planning Unit 7-E – 5 acres***

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Also outside the Leisure World gates, this planning unit is occupied by the Alterra Wynwood manor care and Palm Terrace assisted living facilities. With a zoning designation as Medical Facility, this is a residential care facility with 99 beds and 184 living units.

## 2. Commercial Land Uses

The locations, land areas, and intensity of commercial development existing at the time of preparation of this General Plan are included in this section. Planning Unit designations are those of the *Rossmoor Leisure World Planned Community District Regulations* of the County of Orange that were in effect prior to the City's incorporation. Locations of each Planning Unit are shown in *Exhibit [CD](#), Planned Community Land Use Map*.

***Planning Unit 3-B – 3 acres*** located at the northwest corner of El Toro Road and Paseo De Valencia. Current land uses include Fire Station No. 22, operated by the Orange County Fire Authority.

***Planning Unit 7-B – 7 acres*** located at the southwest corner of El Toro Road and Paseo De Valencia. The 64,265 square foot Valencia Shopping Center occupies the site.

***Planning Unit 7-F – 0.5 acres*** located at the northwest corner of Laguna Hills Drive and Paseo De Valencia. The existing use is a 6,000 square foot office building.

***Planning Unit 2-B – 7.8 acres*** centrally located in the City at the northwest corner of El Toro Road and Moulton Parkway. Existing uses include a self-storage facility, a pet hospital, and a gas station/convenience store.

***Planning Unit 2-C – 14.4 acres*** is situated north of El Toro Road and east of Calle Sonora. The site is developed as Town Centre, a 253,270 square foot mixed-use commercial center.

***Planning Unit 2-D – 4.4 acres*** located at the southeasterly corner of Moulton Parkway and Ridge Route Drive is developed with a small retail center that includes a self-storage facility.

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**Planning Unit 5-B – 14 acres** occupying the southeasterly corner of El Toro Road and Moulton Parkway. Known as Willow Tree Center, development consists of 170,077 square feet of retail commercial space.

**Planning Unit 5-C – 24 acres** developed as the Home Depot commercial center. It is located at the southeast corner of El Toro Road and Calle Sonora.

**Planning Unit 2-E – 0.5 acres** located at the northeasterly corner of Moulton Parkway and El Toro Road and occupied by an auto wash.

**Planning Unit 5-H – 0.4 acres** at the southwesterly corner of Moulton Parkway and El Toro Road. The site is developed as an automobile oil change facility.

Table LU - ~~10~~11:

Commercial Development Intensities

\*Estimated

| General Plan | Zoning                               | Planning Unit             | Building Area in Sq. Ft. | Land Area in Acres | Floor Area Ratio |
|--------------|--------------------------------------|---------------------------|--------------------------|--------------------|------------------|
| Commercial   | Neighborhood Commercial              | 3-B, 7-B & 7-F            | 89,000                   | 10.6               | .20              |
| Commercial   | Community Commercial                 | 2-B, 2-C, 2-D, 5-B, & 5-C | 708,486                  | 65                 | .25              |
| Commercial   | Highway Commercial                   | 2-E & 5-H                 | 3,440*                   | 0.9                | .10              |
| Employment   | Professional & Administrative Office | 5-D & 7-C                 | 27,219*                  | 10                 | .25              |
| Commercial   | Medical Facility                     | 7-D                       | 16,636                   | 1.5                | .18              |
| <b>Total</b> |                                      |                           | <b>844,781</b>           | <b>88</b>          |                  |

**Planning Unit 5-D – 3.5 acres** located on the west side of Moulton Parkway south of El Toro Road is developed with two warehouse/office buildings.

**Planning Unit 7-C – 7 acres** located west of Paseo De Valencia, south of El Toro Road. Existing land uses include the former Leisure World administration building and a bank.

# LAND USE ELEMENT

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**Planning Unit 7-D – 1.5 acres** located in the southeast part of the City east of Moulton Parkway and is developed with a mortuary.

### 3. Open Space Land Uses

Approximately 324 acres were designated as Recreation/Open Space at the time of the City’s incorporation. Both active and passive recreational uses such as Clubhouse 4, equestrian facilities, garden centers, and the 18-hole golf course were included in this designation.

This section includes a description of each of the facilities previously designated as Recreation/Open Space. The Planning Unit designations are those of the Rossmoor Leisure World Planned Community District Regulations of the County of Orange that were in effect prior to the City’s incorporation. Planning Units are identified on the map in *Exhibit CD, Planned Community Land Use Map*.

**Planning Unit 2-A – 270 acres** centrally located and north of El Toro Road, this planning units is occupied by an eighteen-hole golf course, RV storage, one of the Leisure World clubhouses, the El Toro Water District’s water recycling plant, and a small water body used by the El Toro Water District for recycled water storage. A 12,000 square-foot City dog park is located on the south one-half of the right-of-way of Ridge Route Drive, east of Moulton Parkway. The dog park is not designated Open Space, however, as future widening of Ridge Route will require removal of the dog park.

**Planning Unit 5-A – 54 acres** located south of El Toro Road, west of Moulton Parkway. Existing uses include equestrian facilities, recreation vehicle storage lot, garden plot, maintenance building and yard, maintenance office and parking lot, and 23 acres of mostly vacant land with garden mulching operations, and a riparian corridor/ drainage easement.

Table LU - ~~H~~12:  
Leisure World Open Space Recreation Facilities

| Facility/Resource             | Quantity |
|-------------------------------|----------|
| Clubhouses                    | 6        |
| Pools                         | 5        |
| Fully equipped Fitness center | 2        |
| Shuffleboard Courts           | 12       |

# LAND USE ELEMENT

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|                     |    |
|---------------------|----|
| Bocce Courts        | 3  |
| Tennis Courts       | 12 |
| Auditorium/Theater  | 1  |
| Craft workshops     | 10 |
| Library             | 1  |
| Equestrian Facility | 1  |
| Golf Courses        | 2  |
| Garden Centers      | 2  |
| RV Storage          | 2  |

## 4. Flood Zones

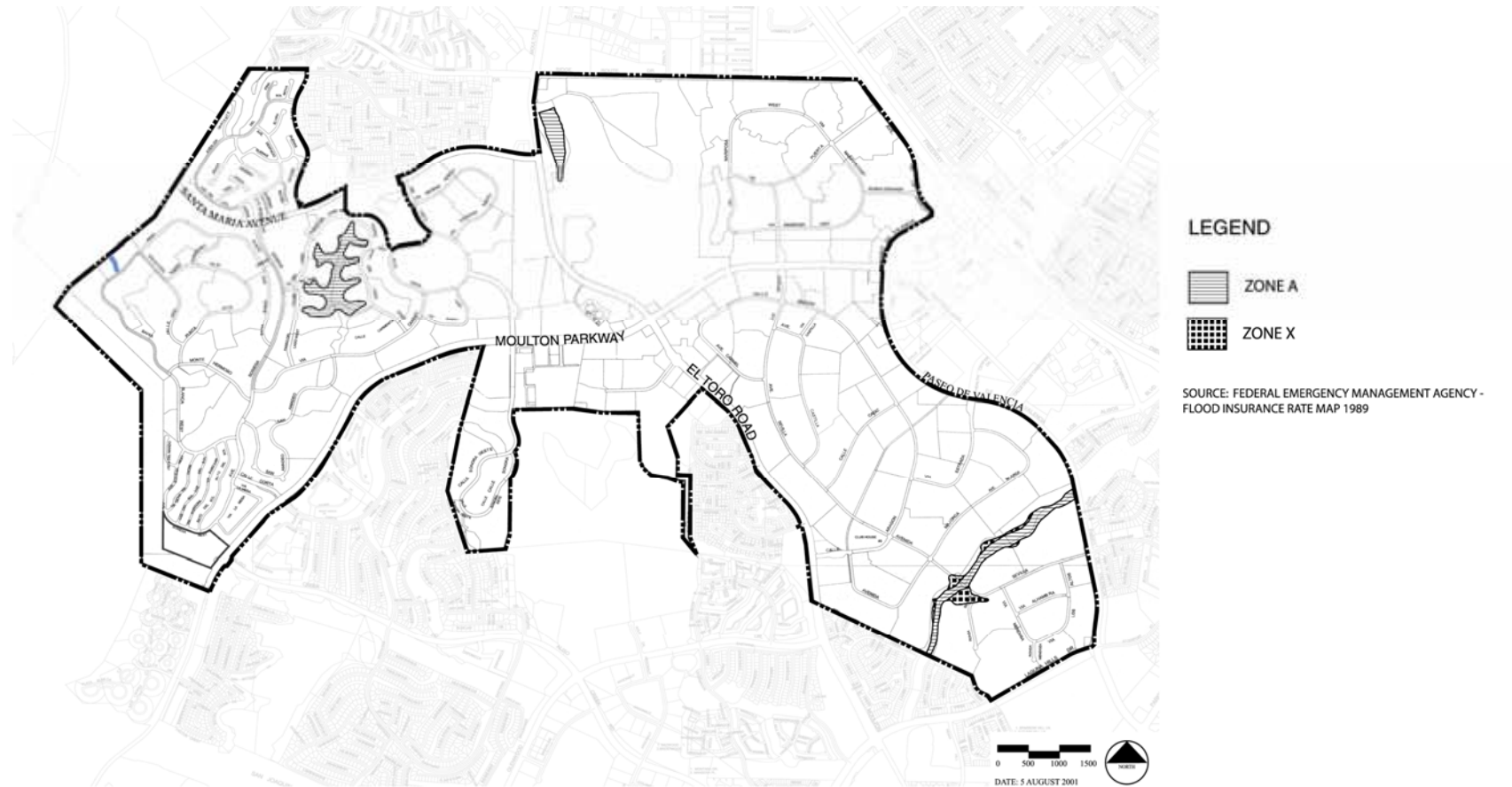
Consistent with requirements of state law, the *Flood Hazards Map, Exhibit D*, includes four flood hazard areas within the City of Laguna Woods as identified by the Federal Emergency Management Agency (FEMA).

Aliso Creek passes through the southeast portion of the city, through planning unit 7-A between Majorca Ave and Avenida Sevilla. Areas along the creek and shown on the map as Zone A are likely to be inundated by a 100-year flood, but base flood elevations have not been identified. An area along the creek near Avenida Sevilla and Ronda Sevilla falls within Zone X, which represents areas subject to 100-year floods with an average depth of less than one foot. Two residential units are partially located within Zone X.

Additional flood hazard areas include the Leisure World Executive Golf Course, the El Toro Water District recycled water storage basin east of Moulton Parkway at the intersection of Santa Maria Avenue, and a small area at the west boundary line between the Cities of Laguna Beach and Laguna Woods near Bahia Blanca West.

# LAND USE ELEMENT

## Exhibit E: Flood Hazards Map



# LAND USE ELEMENT

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## C. Issues, Opportunities, and Constraints

A series of community workshops and meetings of the General Plan Coordinating Committee produced a broad range of comments about the present and the future of the City of Laguna Woods. This information has been restated within the context of the General Plan as Issues, Opportunities, and Constraints. General Plan alternatives for future development of the City evolved within this framework of Issues, Opportunities, and Constraints.

### 1. Issues

#### a. *Disposition of Former Marine Corps Air Station – El Toro*

No other issue represents a threat to the quality of life in the City of Laguna Woods as does potential development of a commercial airport at the former Marine Corps Air Station – El Toro. Residents express overwhelming opposition to the airport. Accordingly, the City of Laguna Woods will continue to work with the El Toro Reuse Planning Authority to achieve a non-aviation use of the facility.

#### b. *Personal Safety*

Residents expressed heightened concerns about personal safety, independence, and mobility. Some spoke of these in general terms while others related them as the need for more security in parking lots and the lack of accommodations for alternative modes of transportation such as golf carts. The role of building and site design in promoting safety, independence, and mobility needs to be recognized.

#### c. *Community Identity*

In general, residents expressed satisfaction with the services and facilities at Leisure World, the Renaissance at the Regency, Alterra Wynwood, and The Fountains. Some, however, suggested the need for greater variety in community amenities and housing opportunities as a means of attracting younger retirees to the City. None indicated an interest in changing the active retirement orientation of the community. Others see the City of Laguna Woods as more than four age-restricted facilities and believe an effort should be made to change the stereotyped image of the City.

# LAND USE ELEMENT

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## *d. Community Appearance*

The overall appearance of the City of Laguna Woods continues to play an important role in attracting new residents. The lack of graffiti and the abundance of trees is a fundamental attraction of the City of Laguna Woods. The importance of the appearance of the community is expressed as disappointment with the appearance of newly-constructed retail centers on El Toro Road, the need for improved landscaping in El Toro Road and Moulton Parkway medians, and concern that buildings and grounds of commercial centers be properly maintained.

## *e. Availability of Goods and Services*

Shopping, dining, and entertainment opportunities within the City are limited. With the exception of grocery shopping, residents travel to destinations outside the City of Laguna Woods for consumer goods and services. A broader range of goods and services in the City including additional restaurants, a movie theatre, and a nightclub is desired.

## *f. Future Land Development*

Future land use decisions will be influenced by current preferences for more greenbelts, new buildings conforming with the character of existing buildings, and greater attention to building design. Sentiment that the City is already overbuilt and no additional land should be developed may run counter to a perception that additional affordable housing is needed. A desire for small scale, compact development was expressed.

The Regional Housing Needs Assessment adopted by the Southern California Association of Governments indicates a need for construction of an additional 113 dwelling units in the City of Laguna Woods over the next five years.

## **2. Opportunities**

The City of Laguna Woods is nearly built-out. Of the total City of Laguna Woods land area of 2,104 acres, only 72 acres may be available for development. Of these, 70 were previously designated for Open Space use and 2 were designated for Commercial use. The Golden Rain Foundation owns all 72 acres.

# LAND USE ELEMENT

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Until 2001, the Golden Rain Foundation properties were subject to military aircraft overflight (avigation) easements. The easements restricted development of the properties and precluded residential uses. Marine Corps Air Station (MCAS) – El Toro closed in 1999 and the Foundation maintained that the easements were no longer in effect. The Golden Rain Foundation ultimately prevailed in legal action against the Department of Defense and the easements were extinguished, allowing consideration of alternative uses for the properties.

Some or all of the 113 new dwellings needed within the City pursuant to the Regional Housing Needs Assessment could be accommodated on some portion of the Golden Rain Foundation properties. Some potential sites may be developed for commercial uses, which could partially satisfy an identified need for additional retail goods and services, as well as provide additional sales tax revenue to the City.

Commercial buildings in the City of Laguna Woods generally appear to be in relatively good repair. A significant number built in the mid to late 1960's, however, may be ready for substantial repair or replacement within the next ten years. With responsibility for land use and building and safety code administration vested in the City, greater attention may be paid to the maintenance of commercial areas. Proactive measures can be implemented before aging structures detract from the appearance of commercial areas.

### **3. Constraints**

Market forces will largely determine which vacant parcels are developed and when they are developed. The grade separation between undeveloped building pads opposite Gate 12 and the adjacent Town Centre property could be a detriment for some potential retail tenants. Limited size, access, and drainage issues on the 2.4-acre parcel on the south side of El Toro Road between Calle Sonora and Moulton Parkway may limit development potential. The 23-acre Golden Rain Foundation property includes riparian habitat whose preservation will limit development to less than the entire site.

### **D. Data Sources**

Information pertaining to existing land uses and designations was obtained from sources including: field investigations, business license records, aerial maps, California Department of Finance Demographic Unit, U.S. Census

# LAND USE ELEMENT

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2000 data and maps, Orange County Assessor and Recorder's offices, records of the County of Orange Planning and Development Services Department, records of Professional Community Management (PCM) Inc., Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, special studies commissioned by the City of Laguna Woods, files maintained by the City of Laguna Woods, and the City's interim General Plan and Zoning Ordinance.

**ORDINANCE NO. 10 - XX**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTERS 13.04, 13.06, 13.08, 13.10, 13.12, 13.13, 13.14, AND 13.18 OF THE CITY'S MUNICIPAL CODE TO REMOVE OUTDATED AND EXTRANEIOUS LANGUAGE, APPROVING THE ZONE CHANGE FOR TEN SITES AND DIVIDING THE URBAN ACTIVITY CENTER SPECIFIC PLAN AREA INTO TWO SEPARATE PLANNING AREAS.

**WHEREAS**, the City of Laguna Woods was incorporated on March 24, 1999; and

**WHEREAS**, the current zoning districts were adopted in 2003 and, with the exception of the specific plan district (Urban Activity Center Zone), reflect a transfer of regulations in place before the City's incorporation; and

**WHEREAS**, the City Council of the City of Laguna Woods is authorized by Government Code Section 65850 to adopt ordinances amending the City's zoning laws; and

**WHEREAS**, the City of Laguna Woods initiated the Zoning Code Modification Project, a comprehensive update of the City's zoning standards, planning practices and the Laguna Woods General Plan Land Use Element; and

**WHEREAS**, ten sites were identified as areas that would be better served by a different zoning designation; and

**WHEREAS**, the Urban Activity Center specific plan area would be better served by dividing the Urban Activity Center into two specific plan areas; and

**WHEREAS**, the City of Laguna Woods, as lead agency, has prepared a Negative Declaration in full accordance with the procedural and substantive requirements of the California Environmental Quality Act (CEQA) and CEQA guidelines; and

**WHEREAS**, the City's Land Use and Design Review Committee discussed the proposed amendments of the Zoning Code Modification Project at their December 9, 2010 meeting; and

**WHEREAS**, the City Council held a duly noticed public hearing on December 15, 2010, to consider the proposed amendments of the Zoning Code Modification Project; and

**WHEREAS**, the City Council finds and determines that the Zoning Code Modification Project is in conformity with good land use practices and will enhance the public convenience, health, safety, and general welfare; and

**WHEREAS**, the City Council finds and determines that the Zoning Code Modification Project is consistent with the objectives, policies, general land uses, and programs specified in the Laguna Woods General Plan; and

**WHEREAS**, the City Council has considered the information and public testimony presented in the public hearings, and in the proposed documents and staff reports, all of which are included in the public record and incorporated herein by reference,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** Based upon the Negative Declaration prepared for the Project, the City Council exercises its independent judgment and finds that no substantial evidence exists that approval of the proposed amendments of the Zoning Code Modification Project will have a significant effect on the environment as determined pursuant to the California Environmental Quality Act (CEQA) and the City Council hereby approves the issuance of the Negative Declaration prepared.

**SECTION 3.** The City Council hereby approves amendments to Chapters 13.04, 13.06, 13.08, 13.10, 13.12, 13.13, 13.14, and 13.18 of the City's Municipal Code, included herein by reference as Exhibits 1, 2, 3, 4, 5, 6, 7, and 8 respectively. These Chapters are hereby amended to read as they are written on the included Exhibits (1-8), with ~~striketrough~~ representing text to be removed, and underline representing text to be added.

**SECTION 4.** The City Council hereby approves an amendment to the Zoning Map of the City of Laguna Woods dated December 15, 2010, included herein by reference as Exhibit 9, approving the Zone Change for ten sites located throughout the city and the revised zoning of the Specific Plan Districts.

**SECTION 5.** This Ordinance shall take effect and be in full force and operation thirty (30) days after its final passage and adoption.

**SECTION 6.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid by a 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 sections, subsections, subdivisions, sentences, clauses, phrases, or portions 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 (15) days after passage and adoption as required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and 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 DECEMBER, 2010

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MILTON ROBBINS, Mayor

ATTEST:

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YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
STEPHEN A. MCEWEN, City Attorney

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) ss.  
CITY OF LAGUNA WOODS )

I, YOLIE TRIPPY, City Clerk of the City of Laguna Woods, California, do HEREBY CERTIFY that the foregoing Ordinance No. 10-XX was duly introduced and placed upon its first reading at a regular meeting of the City Council on the \_\_\_ day of December, 2010, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the \_\_\_ day of \_\_\_\_\_, 2011, by the following vote, to wit:

AYES:           COUNCILMEMBERS:  
NOES:           COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:

\_\_\_\_\_  
YOLIE TRIPPY, Deputy City Clerk

ATTACHMENTS

- Exhibit 1, Amended Chapter 13.04 – Establishment of Zoning Districts
- Exhibit 2, Amended Chapter 13.06 – Definitions
- Exhibit 3, Amended Chapter 13.08 – Residential Districts
- Exhibit 4, Amended Chapter 13.10 – Commercial Districts
- Exhibit 5, Amended Chapter 13.12 – Open Space Districts
- Exhibit 6, Amended Chapter 13.13 – Community Facilities Districts
- Exhibit 7, Amended Chapter 13.14 – Specific Plan Districts
- Exhibit 8, Amended Chapter 13.18 – Off-Street Parking Regulations
- Exhibit 9, Amended Zoning Map dated December 15, 2010

**CHAPTER 13.04. - ESTABLISHMENT OF ZONING DISTRICTS**

**Sec. 13.04.010. - Scope of the Zoning Code and adoption of Zoning District Map.**

This chapter includes Zoning Maps, general provisions, special regulations and a set of general district regulations limiting and controlling the uses of land, the density of population, the uses and locations of structures, the height and bulk of structure, the areas and dimensions of sites; the size, height and location of signs; the installation and maintenance of screening and landscaping; and the control of vehicular access and the requirement of off-street parking and loading facilities. In addition, this chapter includes specific plan maps and texts adopted by ordinance.

*(Ord. No. 03-03, § 5(18.10.205), 4-16-2003)*

**Sec. 13.04.020. - Establishment of districts.**

The incorporated territory of the City of Laguna Woods is hereby divided into zones or districts, as set forth in this title, as determined and defined by officially adopted zoning map. The zoning district map showing the classifications and boundaries of the districts shall, upon adoption in the manner required by the Planning and Zoning Law, be a part of this chapter. The following districts are established:

|                     |  |
|---------------------|--|
| RC                  | Residential Community District                           |
| RMF                 | Residential Multifamily District                         |
| RT                  | Residential Towers District                              |
| NC                  | Neighborhood Commercial District                         |
| <del>HC</del>       | <del>Highway Commercial District</del>                   |
| CC                  | Community Commercial District                            |
| PA                  | Professional and Administrative Office District          |
| <del>CF – P</del>   | <del>Community Facilities – Private District</del>       |
| <del>CF – P/I</del> | <del>Community Facilities – Public / Institutional</del> |
| OS-P                | Open Space - Passive District                            |
| OS-R                | Open Space - Recreation District                         |
| <del>UAC – N</del>  | <del>Urban Activities Center – North District</del>      |
| <del>UAC – S</del>  | <del>Urban Activities Center – South District</del>      |

**State law reference—Zones authorized, Government Code § 65851.**

**Sec. 13.04.030. - Interpretation of boundaries.**

Where uncertainty exists as to the boundaries of districts shown on an official Zoning District Map, the following rules shall apply:

- (1) Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines;
- (2) Boundaries indicated as approximately following the right-of-way lines of streets, highways, or alleys, shall be construed to follow such right-of-way lines, and in event of change in the right-of-way line shall be construed as moving with the right-of-way line;
- (3) Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water, of flood control channels shall be construed to follow such centerlines;
- (4) Boundaries indicated as approximately following plotted lot lines shall be construed to follow such lot lines;
- (5) Boundaries indicated as parallel to or extensions of features indicated in the above subsections shall be so

construed. Distances not specifically indicated on the official Zoning District Map shall be determined by the scale of the map;

(6)

Where a street or alley is vacated or abandoned the regulations applicable to the property to which it is reverted shall apply to such vacated or abandoned street or alley;

(7)

In case any further uncertainty exists, the Planning Commission shall determine the location of boundaries.

*(Ord. No. 03-03, § 5(18.10.215), 4-16-2003)*

**CHAPTER 13.06. - DEFINITIONS****Sec. 13.06.010. - Definitions.**

(a)

*Purpose and applicability.* The purpose of these provisions is to promote consistency and precision in the interpretation of the Zoning Code. The meaning and construction of words and phrases as set forth shall apply throughout this Code, except where the context of such words or phrases clearly indicates a different meaning or construction.

(b)

*General rules for construction of language.* The following general rules of construction shall apply to the textual provisions of Title 13, Zoning:

(05)

The specific shall supersede the general.

(10)

In the case of any difference of meaning or implication between the text of the provision and any caption or illustration, the text shall control.

(15)

"Shall" is mandatory. "May" is discretionary.

(20)

Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.

(25)

Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:

a.

"And" indicates that all connected items or provisions shall apply.

b.

"Or" indicates that the connected items or provisions may apply singly or in any combination.

c.

"Either ... or" indicates that the connected items or provisions shall apply but not in combination.

(30)

All public officials, bodies, and agencies to which reference is made are those of the City of Laguna Woods, unless otherwise indicated.

(c)

*General terms.* The following are general terms used throughout the Code:

(05)

*City* means the City of Laguna Woods including any special district or agency that may be governed by the City Council.

(10)

*Days* included within a specific time period do not include the day action was taken but include all subsequent days unless the last day falls upon a Saturday, Sunday, or upon a legal City holiday, in which case the next business day shall be the last day of the time period. Days are generally in calendar time, unless otherwise specified.

(15)

*Director or Community Development Director* means the City Manager or designee.

(20)

*Planning Commission* means the members of the City Council, or that body as established in accordance with State law regulating Local Planning, acting in a capacity to carry out the purposes of this title in accordance with State Planning and Zoning Law.

(25)

*General Plan* means the City of Laguna Woods General Plan.

(30)

*State* means the State of California.

(35)

*County* means the County of Orange.

(40)

*Zoning code or code* means this title, including Zoning District maps and specific plans development maps and texts adopted pursuant to or as an amendment to sections governing such.

(d)

*Specific terms.* The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

(05)

*Abandoned sign:* A sign whose use has ceased or has been discontinued for a period of at least 90 consecutive days, or a sign identifying a business that has not occupied the premises for at least 90 consecutive days.

(10)

*Abutting:* Having a common boundary except that parcels having no common boundary other than a common corner shall not be considered abutting.

(15)

*Accessory building:* A subordinate building located on a building site, the use of which is customarily ancillary to that of a main building or to the use of the land.

(20)

*Accessory use:* A use ancillary to the principal use of the land or building site, or to a building or other structure located on the same building site as the accessory use.

(25)

*Administrative/professional offices:* A place of business for the rendering of service or general administration including medical and dental offices, but excluding retail sales.

(30)

*Adult entertainment business:* See Section 13.26.020.

(35)

*Advertising device/display:* Any contrivance, statue, or structure, other than a sign, used to attract attention or make anything known for the purpose of promoting (either directly or indirectly) the use of products or services of any person or business, including but not limited to a balloon, flag, pennant, propeller, or an oscillating, rotating, or pulsating light.

(40)

*Alley:* A public or private way not more than 20 feet wide permanently reserved as a secondary means of access to abutting property.

(45)

*Alternative transportation mode:* Any mode of travel that serves as an alternative to the single occupant vehicle. This can include all forms of ridesharing, public transit, bicycling or walking.

(47)

*Alternative vehicle:* An electrical or gasoline powered vehicle, such as a golf cart, golf car, motorcycle or motor scooter, which does not exceed 55 inches in width and does not contain doors.

(50)

*Animal clinic:* A place where animals no larger than the largest breed of dogs are given medical and surgical treatment. A facility primarily for treatment of outpatients and where only critical patients are kept longer than 24 hours. No boarding of animals shall be permitted.

(55)

*Antenna structure:* An antenna, any structure designed specifically to support an antenna, and/or any appurtenances mounted on such structure or antenna.

(60)

*Apartment:* See "Dwelling, multiple-family."

(65)

*Apiary:* A facility and/or area dedicated to the maintenance of bees.

(70)

*Archaeological/paleontological/historical site:* Locations dedicated to the protection, rehabilitation, and restoration of districts, sites, buildings, structures, and artifacts significant in history, architecture, archaeology, or culture.

(6575)

*Area per unit:* The area of a building site, in square feet, divided by the number of dwelling units on the building site.

(7080)

*Attached buildings and structures:* Two or more buildings or structures which are physically connected with a wall, roof, deck, floor, bearing or support structures, trellises, architectural features, or any other structure, fixture or device that exceeds 30 inches in height above the finished grade.

(7585)

*Automobile repair specialty shops:* A retail and service place of business engaged primarily in light repair, and sale of goods and services for automotive vehicles including brake, muffler and tire shops and their accessory uses. Heavier automobile repair such as major body and paintwork, transmission and engine rebuilding are not included herein.

(8090)

*Automobile service station:* A retail place of business engaged primarily in the sale of motor fuels and supplying those incidental goods and services which are required in the day-to-day operation of automotive

vehicles and the fulfilling of motorists' needs.

~~(8595)~~

*Automobile/truck maintenance and repair:* A place of business engaged primarily in heavy repair of automobiles and trucks including, but not limited to, major body and paintwork and transmission and engine rebuilding.

~~(100)~~

*Automobile wrecking, junk/salvage yards:* The wrecking or taking apart of motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partly dismantled, or wrecked motor vehicles or their parts.

~~(99105)~~

*Banner signs:* Any sign hung either with or without frames, possessing written communication applied to nonrigid paper, plastic or fabric of any kind.

~~(95110)~~

*Basement:* A story partly underground and having more than one-half of its height above the ground level grade.

~~(409115)~~

*Bed and breakfast (B and B):* Any building or portion thereof with access provided through a common entrance to less than six guestrooms having no cooking facilities and which are rented on a weekly basis or less. Meals may or may not be provided.

~~(405120)~~

*Bedroom:* Any habitable room other than a kitchen, dining room or a living room.

~~(149125)~~

*Boardinghouse:* Any building or portion thereof with access provided through a common entrance to guestrooms having no cooking facilities and which are rented on a monthly basis or longer. Meals may or may not be provided.

~~(445130)~~

*Building:* A structure having a roof supported by columns or walls.

~~(429135)~~

*Building frontage:* A building elevation which fronts along a parking lot or main access drive for a shopping center.

~~(425140)~~

*Building height:* The apparent height of a building relative to the surrounding ground area.

~~(439145)~~

*Building line:* An imaginary line on a building site specifying the closest point from an ultimate right-of-way line or a property line where a main building may be located. It may be a line shown as such on a map entitled "Precise Plan of Highway Alignment" or any other officially adopted precise plan, and any amendments thereto. If no such precise plan has been adopted, the building line shall be a line as specified in the development standards as stated for each zoning district. The building line shall be at the required distance from, and measured at right angles to, the ultimate right-of-way or property line.

~~(435150)~~

*Building site:* A parcel or contiguous parcels of land that was established in compliance with the building site requirements of this Code.

~~(449155)~~

*Building site area, minimum:* The net development area calculated by measuring the building site horizontally as a level plane and excluding rights-of-way or easements that prohibit the surface use of the site, except easements for open space purposes on single-family lots. The minimum building site area shall be undivided and relatively compact although the entire building site may be larger with diffuse parts.

~~(445160)~~

*Building site coverage, maximum:* The relationship between the ground floor area of the building or buildings and the net area of the site. Said net area shall be computed by deducting from the gross site area any ultimate street rights-of-way together with all rights-of-way and all easements that prohibit the surface use of the site, except easements for open spaces purposes on single-family lots. Unenclosed post-supported roofs over patios and walkways and unenclosed post-supported eave overhangs shall not constitute buildings for the purpose of this definition.

~~(459165)~~

*Building site, panhandle or flag:* A building site wherein the only vehicular access to the site is by way of a corridor or vehicular accessway which serves no other property, is less than 40 feet wide and is more than 40 feet long.

~~(455170)~~

*Building site, through:* A building site having frontage on two parallel or approximately parallel streets.

~~(469175)~~

*Building size:* The total gross floor, measured in square feet of a building or group of buildings at a worksite. Includes the total floor area of new development and total expanded floor area of existing facilities.

(165180)

*Caretaker*: A person who lives on the premises for the necessary purposes of managing, operating, maintaining, or guarding the primary use or uses permitted on the premises.

(170185)

*Carpool*: Two to six persons traveling together in a single vehicle.

(175190)

*Carport*: A roofed structure, or a portion of a building which is open on two or more sides, for the parking of automobiles belonging to occupants of the property.

(180195)

*Cellar*: A portion of a building partly or wholly underground and having more than one-half of its height below the ground level grade. A cellar shall not be considered a building story.

(185200)

*Center identification monument sign*: Any freestanding sign that identifies the center name, address, and major tenant names.

(190205)

*Centerline*: A line described by the first situation that applies in the following instances:

a.

A section line, half section line or quarter section line whenever a mapped highway is plotted on the "Master Plan of Arterial Highways" along a section, half section or quarter section line.

b.

A line shown as a centerline on a map entitled "Precise Plan of Highway Alignment," and any amendments thereto.

c.

A line shown as a centerline on a recorded tract map, an approved record of survey map or a parcel map.

d.

A line in the center of the ultimate street right-of-way.

(200210)

*Clinics, medical or dental*: An organization of doctors providing physical, dental or mental health Service and medical or surgical care of the sick or injured but not including inpatient or overnight accommodations.

(240215)

*Club*: An association of persons for some common purpose but not including groups organized primarily to render service that is customarily carried on as a business.

(220)

*Collocation or collocated*: The location of multiple antennas which are either owned or operated by more than one Service provider at a single location and mounted to a common supporting structure, wall or building.

(230225)

*Commercial*: Operated or conducted on a frequent basis for the purpose of financial gain.

(230)

*Commercial coach*: A vehicle with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes.

(235)

*Commercial decorative banner sign*: A colorful, decorative or festive banner on a light standard within a commercial center.

(240)

*Commercial mobile service*: Any mobile service that:

a.

Is offered in return for monetary compensation,

b.

Is available to the public or a substantial portion of the public, and

c.

Provides subscribers with the ability to access or receive communication from the public switched telephone network.

(245)

*Commercial mobile service*: Includes, but is not limited to, paging service, wireless data transmission, cellular telephone service, specialized mobile radio service (SMR), and personal communications service (PCS).

(250)

*Commercial recreation*: Any use or activity where the primary intent is to provide amusement, pleasure or sport but which is operated for financial gain. It includes establishments where food and beverages are sold as a secondary or ancillary use, but does not include restaurants, nightclubs and cocktail lounges.

(255)

*Community apartment projects:* A project in which an undivided interest in the land is coupled with the right of exclusive occupancy of an apartment located thereon.

(260)

*Community care facility:* Any facility which may or may not require a State license to provide nonmedical residential care or day care for six or less children, adults, or both, including physically handicapped and mentally incompetent persons. This includes child day care facilities/day care nurseries and family day care homes.

(265)

*Condominium:* An estate consisting of an undivided interest in common in a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property, such as an office or store or multifamily dwelling. A condominium may include, in addition, a separate interest in other portions of such real property.

(270)

*Congregate care facility:* A facility providing care on a monthly basis or longer and which is the primary residence of the people it serves. It provides services to the residents such as the following: dining, housekeeping, security, medical, transportation and recreation. Any commercial services provided are for the exclusive use of the occupants of the facility. Such a facility may be located in more than one building and on contiguous parcels within the building site. It includes facilities offering occupancy on a monthly basis or longer such as hotels, resorts, etc. which have similar characteristics.

(275)

*Construction sign:* A sign stating the names of those individuals or firms directly connected with the construction or development project, which includes an address and a telephone number.

(280)

*Convalescent home:* A facility licensed by the State Department of Health Services which provides bed and ambulatory care for more than six patients with postoperative convalescent, chronically ill or dietary problems and persons unable to care for themselves; including persons undergoing psychiatric care and treatment both as inpatients and outpatients but not including persons with contagious diseases or afflictions. Also known as nursing home, convalescent hospital, rest home, or home for the aged.

(285)

*Conversion project:* An apartment house, multiple or group dwelling existing, under construction or for which building permits have been issued, which is proposed for conversion to a residential condominium, community apartment, residential stock cooperative or planned development; or an existing mobile home park which is proposed to be converted to a mobile home condominium project, a mobile home stock cooperative project, a mobile home planned development or a conventional mobile home subdivision.

(290)

*Coordinated antenna program (CAP):* A coordinated program to preapprove multiple locations for proposed and potential future facilities.

(295)

*Country club:* Premises and property that include facilities for outdoor sports, social activities, etc. that may include such activities associated with golf, equestrian riding, tennis, etc. whereby membership is usually private and use of the premises is limited to members and their guests.

(300)

*Day care nursery:* Any facility operated by a person, corporation or association used primarily for the provision of nonmedical daytime care, training, or education of more than six children under 18 years of age at any location other than their normal place of residence, excluding any children normally residing on the premises.

(305)

*Decorative flags:* Temporary flags of a distinctive color or design, placed within the ground, or mounted on landscape/garden wall and not attached to the building.

(310)

*Detached buildings and structures:* Two or more buildings or structures that are each structurally independent and freestanding and not connected by walls, roofs, floors, decks, supports, trellises, architectural features or any other structure, fixture or device that exceeds 30 inches in height above the finished grade.

(315)

*Drive-in:* Designed or operated so as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle.

(320)

*Driveway:* A vehicular passageway for the exclusive use of the occupants of a property and their guests. A driveway shall not be considered as a street.

(325)

*Driveway approach:* A designated area between the curb or traveled way of a street and the street right-of-way line that provides vehicular access to abutting properties. When vehicular access to a building site is provided by way of a common driveway, the driveway approach is the line of intersection where the individual driveway abuts the common driveway.

(330)

*Dry cleaning, dyeing and laundry plant:* A central processing facility for cleaning of clothing and fabrics collected from and returned to patrons and to dry cleaning and laundry agencies.

(335)

*Duplex:* A permanent building containing two dwelling units.

(340)

*Dwelling, multiple-family:* Two or more dwelling units on the same building site.

(345)

*Dwelling, single-family:* One dwelling unit per building site.

(350)

*Dwelling unit:* One or more rooms in a structure including a kitchen of any size, designed for occupancy by one family for living and sleeping purposes, and including a mobile home when such mobile home bears an insignia of approval issued by the California Department of Housing and Community Development or a housing seal number from the Federal Department of Housing and Urban Development (HUD).

(355)

*Easement:* A recorded right or interest in the land of another, which entitles the holder thereof to some use, privilege or benefit in, on, over or under said land.

(360)

*Educational institution:* Private or public elementary or secondary schools, colleges or universities qualified to give general academic instruction.

(365)

*Educational institution, adults:* Business, trade or technical school serving adults.

(370)

*Electronic message board sign:* A sign with a fixed or changing display composed of a series of lights.

(Does not include time and temperature displays.)

(375)

*Emergency shelter:* means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

(375380)

*Employee:* Any person employed by a firm, person(s), business, educational institution, nonprofit agency or corporation, government agency, or other entity. The term "employee" shall include persons employed on a full-time, part-time, or temporary basis.

(380385)

*Employee's quarters:* Quarters for the housing of agricultural or domestic employees when such quarters are located upon the same land occupied by their employer.

(385390)

*Enclosed:* Contained on all sides by walls that are pierced only by windows, vents, or customary entrances and exits.

(390395)

*Family:* One or more persons occupying one dwelling unit. The term "family" includes the occupants of community care facilities serving six or fewer persons that are permitted or licensed by the State. The term "family" does not include occupants of a fraternity, sorority, boardinghouse, lodginghouse, club, or motel.

(395400)

*Family day care home:* A home at which the resident of the home provides regular nonmedical care, protection, and supervision of one to 14 children for periods of less than 24 hours per day. The provider shall be licensed per the State Health and Safety Code unless specifically exempted therein.

(400405)

*Family day care home, large:* A family day care home which provides family day care to seven to 14 children, including children who reside at the home.

(410)

*Fast-food establishments:* means an establishment whose principal business is the sale of preprepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off the premises. Food is ordered by patrons at a counter.

(405415)

*Fixed wireless service:* Any service providing radio communication to or from antenna structures at fixed and specified locations which are not designed to be moved during operation and which offers the ability to access or receive communication from the public switched telephone network.

(410420)

*Floor area, gross:* The total horizontal floor area of all floors of a building, including the exterior walls thereof, measured in square feet; excepting that for commercial, professional and administrative office or industrial buildings or building complexes, areas used in common such as covered malls, walkways, patio areas and entries open to and directly connecting with outside areas, shall not be included when calculating off-street parking requirements.

(415425)

*Floor area ratio (FAR):* Numerical value obtained by dividing the gross floor area of all buildings located on a building site by the building site area.

(420430)

*Freestanding monument sign:* An independent sign permanently affixed in or upon the ground, and which is neither attached to nor a part of a building.

(425435)

*Garage:* A building, or a portion of a building, used primarily for the parking of four-wheeled motor vehicles.

(430440)

*Garage/yard/estate sale:* For the purpose of this title, the words "garage/yard/estate sale" shall refer to sale activities not associated with regular commercial or retail operations, and where the general public may purchase identifiable or tangible personal property. No purchased or consigned merchandise may be offered for sale. No goods may be placed in the public right-of-way or on private streets and sidewalks. Also included in the definition are patio sales, rummage sales, attic sales, moving sale, temporary bazaars, and any other similar activities for the purpose of selling, trading or otherwise disposing of personal goods.

(435445)

*Grade, ground level:* The average elevation, determined by averaging the elevations of four or more points as necessary, at the building site boundary line where it is less than five feet from the building or at five feet outside the perimeter of the bearing or foundation line of a building.

(450)

*Grazing:* The act of pasturing livestock on growing grass or other growing herbage, or on dead grass or other dead herbage existing in the place where grown, as the principal sustenance of the livestock.

(440455)

*Ground mounted:* A wireless communication facility that is mounted to a pole, lattice tower or other freestanding structure that is specifically constructed for the purpose of supporting an antenna.

(445460)

*Guesthouse:* A detached building having no kitchen facilities, which is used primarily for sleeping purposes for members of the family occupying the main dwelling and their nonpaying guests.

(450465)

*Habitable room:* Any room usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A room designed and used only for storage purposes is not a "habitable room."

(455470)

*Helistop:* A takeoff and landing area for helicopters often on the roof of the building.

(460475)

*Home occupation:* See Section 13.26.120.

(480)

*Homeless person:* An individual or family who lacks a fixed, regular, and adequate nighttime residence; or an individual or family who has a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.

(465485)

*Hospital:* A facility licensed by the State Department of Health Services providing clinical, temporary or emergency service of a medical, obstetrical, surgical, or mental health nature to human patients.

(470490)

*Hotel:* Any building or portion thereof with access provided through a common entrance, lobby or hallway to six or more guestrooms which are rented on a weekly basis or less and which have cooking facilities in less than 25 percent of the guest rooms.

(495)

*Information center:* A building or portion thereof used to provide information about events, public transit, or tourist attractions to the general public.

(475500)

*Kennel:* Any property where four or more dogs, or four or more cats, over the age of four months, are kept or maintained for any purpose, except veterinary clinics and hospitals, and except property for which an animal permit has been issued.

(480505)

*Lattice tower:* A tower-like structure used to support antennae and comprised of three or more steel support

legs.

(485510)

*Legal nonconforming sign:* A sign lawfully existing on the effective date of an ordinance, or amendment thereto, that renders such sign nonconforming because it does not conform to all standards and regulations of the ordinance.

(490515)

*Lot:* Any area identified as a lot or parcel on a recorded final map, parcel map, record of survey recorded pursuant to an approved division of land, certificate of compliance or lot line adjustment. A lot is not necessarily a building site.

(495520)

*Lot frontage:* The length of the front lot line measured at the street right-of-way line. For flag lots, that portion of a lot, not including the pole portion that is generally parallel to the access street.

(500525)

*Main building:* The building containing the main or principal use of the premises, or occupied for the purpose of operating or administering the main or principal use.

(505530)

*Major facility:* A wireless communication facility that is ground mounted and does not exceed the maximum height of the applicable zoning district in which the major facility is located.

(510535)

*Major tenant:* Any tenant in a multi-tenant commercial center which either occupies 30 percent or more of the leased square footage of the center or has five or more locations in the region, state, or nation.

(515540)

*Master Plan of Arterial Highways:* A component of the transportation element of the Orange County General Plan designating adopted and proposed routes for all commuter, secondary, primary and major highways within the County of Orange.

(520545)

*Microwave communication:* The transmission or reception of radio communication at frequencies of a microwave signal (generally, in the 3GHz to 300GHz frequency spectrum).

(525550)

*Ministorage facility:* A building or buildings containing various size storage compartments not exceeding 500 square feet each, and wherein each compartment is offered for rent or lease to the general public for the private storage of materials excluding materials sold at the facility or delivered directly to customers. The facility may have an on-site caretaker dwelling unit as an accessory use.

(530555)

*Minor facility:* A wireless communication facility that is either wall mounted, utility mounted, or roof mounted in such a manner that the entire facility is screened by solid material on four sides, is architecturally compatible with surrounding land uses and does not exceed the maximum height of the applicable zoning district in which the minor facility is located.

(535560)

*Mixed-use development:* Appropriate land uses include, but are not limited to, residential, commercial, office, industrial park, civic, cultural, educational facilities, and child care facilities.

(540565)

*Mobile home:* A structure transportable in one or more sections, designed to be used with or without a permanent foundation system. Mobile home does not include recreational vehicle, commercial coach, noncommercial coach or factory-built housing. A mobile home is also a trailer coach designed to be used without a permanent foundation and which is in excess of 40 feet in length.

(545570)

*Mobile home development:* Any area or tract of land used to accommodate mobile homes for human habitation, and includes mobile home accommodation structures. Includes mobile home parks and mobile home subdivisions.

(550575)

*Mobile service:* Any service providing radio communication to or from at least one antenna that is designed to be moved during operation or used during halts at unspecified locations; or as otherwise defined in 47 USC 153 and interpreted by the Code of Federal Regulations and the Federal Register.

(555580)

*Motel:* A building or group of buildings containing six or more guest rooms rented on a weekly basis or less and which have cooking facilities in less than 25 percent of the guestrooms.

(560585)

*Mounted:* Any manner of attachment, support, or connection, whether on ground or on a structure.

(565590)

*Multipoint distribution service:* A microwave communication service that delivers video programming directly to subscribers, including multichannel, multipoint distribution services, instructional television fixed service,

and local multi-point distribution services, or as otherwise defined by Section 207 of the Telecommunications Act of 1996, Section 1.4000 of Title 47 of the Code of Federal Regulations and any interpretive decisions thereof issued by the Federal Communications Commission.

(579595)

*Noncommercial coach:* A vehicle, with or without motive power, designed and equipped for human occupancy for classrooms and other nonresidential and noncommercial uses.

(575600)

*Nonconforming use/structure/site, legal:* A use/structure/site that was lawfully established in compliance with the zoning regulations that were applicable to the property at the time the use/structure/site was established, but which does not presently comply with the existing regulations of the zoning district within which it is located.

(589605)

*Open space:* Any parcel or are of land or water, public or private, which is reserved for the purpose of preserving natural resource, for the protection of valuable environmental features, or for providing outdoor recreation or education. For purposes of measuring the amount of open space, it does not include public/private road right-of-way areas, driveway and parking areas not related to recreational uses, any buildings, building setback areas, or the required space between buildings, and the surface utility facilities. Open space may include structures and impervious surfaces as identified in "open space, usable."

(585610)

*Open space, usable:* Open space without any slopes in excess of 20 percent. Such open space may include structures and impervious surfaces such as tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, and greenbelts with walkways or bicycle trails.

(590615)

*Parking accessway:* A vehicular passageway that provides access and circulation from a street access point into and through a parking lot to parking aisles and between parking areas.

(595620)

*Parking structure:* An area or structure that is open or closed and is used for the hourly or day-to-day parking of motor vehicles.

(600625)

*Planned (unit) development:* A subdivision of separately owned lots, parcels or areas, other than a community apartment, a condominium, or a stock cooperative project, having either or both of the following features:

a.

Lots, parcels or areas owned in common by the owners of the separately owned lots, parcels or areas.

b.

Power to enforce any obligation in connection with membership in the owners association or any obligation pertaining to the beneficial use and enjoyment of any portion of, or any interest in, either the separately or commonly owned lots, parcels or areas.

(605630)

*Pole sign:* A freestanding sign directly supported by a pole or poles with air space between the grade level and the sign face.

(640635)

*Portable sign:* A sign not securely attached or fixed to the ground in a permanent fashion or to a permanent structure; or a sign upon a vehicle or trailer used as a stationary advertising display, the primary purpose of which is to serve as a base or platform for the sign.

(6456340)

*Precise plan of highway alignment:* A plan, supplementary to the Master Plan of Arterial Highways, which establishes the highway centerline, the ultimate right-of-way lines and may establish building setback lines.

(620645)

*Private special event:* A privately held "special event," sponsored by a community homeowners association on association property for association members.

(625650)

*Project net area:* All of the land area included within a plan for a development project excepting those areas designated for public and private road rights-of-way, schools, parks, and other uses or easements that preclude the use of the land therein as part of the development project.

(630655)

*Projecting sign:* A sign, other than a wall sign, perpendicular to the wall upon and is mounted and suspended from or supported by a building or structure and projecting outward there from.

(635660)

*Public safety area:* A strip of land 20 feet in width adjacent to and parallel with a street right-of-way.

(640665)

*Radio communication:* The transmission and/or reception of impulses, writing, signs, signals, pictures, and

sounds of all kinds through space by means of electromagnetic waves.

(645670)

*Real estate sign:* A sign advertising the sale, lease or rental of the property upon which it is located, and the identification of the person or firm handling the sale, lease, or rent.

(650675)

*Recreational vehicle:* A motor home, travel trailer, truck or van camper, tent trailer, camping trailer or trailer-borne recreation equipment with or without motive power, for recreational, travel or emergency purposes.

(655680)

*Recycling center:* A facility that accepts delivery or transfer of ownership of source-separated materials for the purpose of recycling or diversion from disposal. Included are "drop-off" recycling centers, where no fee is paid, such as churches or other charitable groups, or "buy-back" centers, like those at supermarkets, where a fee is usually paid to the generator for the materials. These facilities do not require a State permit.

(658685)

*Regulatory permit:* A special regulations permit required for a land use that may be appropriate within a particular zoning district, but not compatible with other permitted uses in the district, or where additional development or performance standards are required.

(690)

*Restaurant:* A retail establishment engaged in the preparation and sale of food and beverages. This use includes cafes, coffee shops, sandwich shops, and kitchens engaged in preparing food. The licensed on-site provision of alcoholic beverages for consumption on the premises is also included in this definition when accessory to the food service.

(660695)

*Retail:* The selling of goods, wares or merchandise directly to the ultimate consumer.

(665700)

*Riding and hiking trail:* A trail or way designed for and used by equestrians, pedestrians and cyclists using nonmotorized bicycles.

(670705)

*Right-of-way (row):* An area or strip of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles or pedestrians or both.

(675710)

*Roof mounted:* A facility that is mounted in any manner that does not satisfy either the definition of wall mounted or utility mounted and is typically mounted on the roof of a building.

(680715)

*Roof sign:* A sign erected wholly upon or above the roof of a building or above canopies, marquees, and similar overhangs. Signs on mansards shall be considered roof signs.

(685720)

*Sandwich board sign:* A temporary portable sign, generally of an "A-frame" construction, which is not permanently affixed on or upon the ground, and which is neither attached to nor part of a building.

(690725)

*Scenic highway:* Any highway designated a scenic highway by the City of Laguna Woods, County, State or Federal Government.

(695730)

*Senior citizen:* A person 55 years of age or older.

(700735)

*Senior citizen housing:* A residential development consisting of at least 35 dwelling units which is developed for, or substantially rehabilitated or renovated for, senior citizens.

(705740)

*Service:* An act, or any result of useful labor, which does not, in itself, produce a tangible commodity.

(740745)

*Setback area/distance:* The area/distance between the building line and the property line or, when abutting a street, the ultimate right-of-way line.

(745750)

*Shopping center:* A group of industrial, office, or commercial establishments planned, constructed, and managed as a total entity with customer and employee parking provided on-site. A center shall consist of two or more tenants on one development site.

(720755)

*Sign program:* A comprehensive sign plan that identifies location, size, design, and color of signs within a shopping center in order to achieve aesthetically appealing and compatible signage.

(725760)

*Single room occupancy (SRO):* A building with a common entrance containing a cluster of at least five rental units which provide sleeping and living facilities for one or two persons where kitchen and/or bathroom facilities may be shared. The units shall have a minimum of 100 net square feet of space for a

single occupancy and 120 square feet for two-person occupancy. The calculation for net floor space in the sleeping area includes built-in cabinets, sinks, and closets, but excludes toilet compartments. A unit larger than 225 square feet shall be deemed an efficiency dwelling unit and not a single room occupancy (SRO).  
(739765)

*Special event:* For the purpose of this chapter, the words "special event" shall refer to public or privately sponsored special gatherings (e.g., pageants, health fairs, carnivals, athletic events, religious events, outdoor entertainment) not exceeding five days unless specifically referenced in this chapter.  
(735770)

*Stealth facility:* Any wireless communication facility which is disguised to appear as another natural or artificial object that is prevalent in the surrounding environment or which is architecturally integrated into a building or other concealing structure.  
(749775)

*Stock cooperatives:* A corporation which is formed primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, if all or substantially all of the shareholders of such corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation, which right of occupancy is transferable only concurrently with the transfer of the share or shares of stock or membership certificate in the corporation held by the person having such right of occupancy.  
(745780)

*Street:* A public or private vehicular right-of-way, other than an alley or driveway, including both local streets and arterial highways.  
(759785)

*Street, multifamily:* A driveway, easement, accessway or other private vehicular right-of-way to serve a unified multi-lot/multifamily project for which a discretionary permit has been approved and where residential setback, other than provided for specifically in this Title, are not required.  
(755790)

*Structure:* That which is erected or constructed having a fixed location and is more than 30 inches above the finished grade. An edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. A mobile home, except when used as a Temporary Use with its weight resting at least partially upon its tires, is a structure for the purposes of this definition.  
(769795)

*Swimming pool:* An artificial body of water having a depth in excess of 18 inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women, or children.  
(765800)

*Temporary fencing:* A temporary fence is defined as a fence erected for a limited and defined period of time, not to exceed a maximum of two years with Temporary Use permit, except as approved by a Conditional Use permit.  
(779805)

*Temporary Use:* For the purpose of this Chapter, the words "Temporary Use" shall refer to short-term activities on private property or public property (with an approved encroachment permit) not to exceed two years when in conjunction with an active building or encroachment permit. (e.g., outdoor storage, construction trailers, etc.)  
(775810)

*Temporary promotional sign:* Any sign related to a date-specific event, including without limitation, public elections and community events.  
(789815)

*Transfer/materials recovery facility:* A permitted nondisposal solid waste facility that accepts solid wastes, temporarily stores, separates, converts, or otherwise processes more than five percent of the solid wastes received, and transfers the residual materials to a solid waste disposal, or transformation facility.  
(785820)

*Transfer station:* A permitted nondisposal solid waste facility that transfers solid waste directly from smaller to larger vehicles for transport to materials recovery facilities, landfills, or transformation facilities.  
(799825)

*Transformation facility:* A permitted facility that performs incineration, pyrolysis, distillation, gasification or biological conversion, other than composting, for recovery of energy from solid waste.  
(830)

*Transitional housing shelters:* housing with supportive services for up to 24 months that is exclusively designated and targeted for recently homeless persons. Transitional housing includes self-sufficiency development services, with the ultimate goal of moving recently homeless persons to permanent housing as quickly as possible, and limits rents and service fees to an ability-to-pay formula reasonably consistent with the United States Department of Housing and Urban Development's requirements for subsidized

housing for low income persons. Rents and service fees paid for transitional housing may be reserved, in whole or in part, to assist residents in moving to permanent housing.

(795835)

*Ultimate right-of-way:* The right-of-way shown as ultimate on an adopted precise plan of highway alignment, or the street rights-of-way shown within the boundary of a recorded tract map, a recorded parcel map or a recorded PC development plan. The latest adopted or recorded document in the above cases shall take precedence. If none of these exist, the ultimate right-of-way shall be considered the right-of-way required by the highway classification as shown on the Master Plan of Arterial Highways. In all other instances, the ultimate right-of-way shall be considered to be the existing right-of-way, in the case of a private street, and the existing right-of-way, but not less than 60 feet, in the case of a public street.

(809840)

*Use:* The purpose for which land or building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

(805845)

*Utility mounted:* A facility that is mounted to an aboveground structure that is specifically designed and installed to support electrical power lines, cable television lines, street lighting, traffic signal equipment, park lighting or a structure on public or private property deemed by the City to be similar in nature.

(849850)

*Vanpool:* Seven or more persons traveling together in a single vehicle.

(845855)

*Vehicular accessway:* A private, nonexclusive vehicular easement affording access to abutting properties.

(860)

*Vehicle/vessel sales/rentals:* An open area used for the display, sale, and/or rental of new or used automobiles and water vessels.

(829865)

*Wall mounted:* A facility that is mounted on any vertical surface of a building that is not specifically constructed for the purpose of supporting an antenna i.e., the exterior walls of a building, an existing parapet, the side of a water tank, the face of a church steeple, or the side of a freestanding sign such that the highest point of the "antenna structure" is at an elevation equal to or lower than the highest point of the surface on which it is mounted.

(825870)

*Wall sign:* A sign attached to, erected on, painted on or otherwise affixed to the exterior wall of a building or structure in such a manner that the face of the sign is approximately parallel to the exterior wall of the building and exposed to the exterior side of the building. signs and/or advertising displays in or on windows are not considered wall signs.

(839875)

*Window sign, permanent:* Any sign exposed to public view that is permanently affixed to the interior or exterior surface of a window and only identifies the name of the business, hours of operation, and address for which the sign is displayed.

(835880)

*Window sign, temporary:* Any sign exposed to public view that is temporarily attached, painted, posted, or displayed on the interior or exterior surface of the window and typically identifies type and price of merchandise sold, special events or activities for the business in which the temporary signage is displayed.

(849885)

*Wing wall:* An architectural feature in excess of six feet in height that is a continuation of a building wall projecting beyond the exterior walls of a building.

(845890)

*Wireless communications facility or facility:* An antenna structure and any appurtenant facilities or equipment located within City limits and that is used in connection with the provision of wireless service.

(859895)

*Wireless video service:* Any service providing radio communication that delivers video programming.

(855900)

*Worksite:* A building or group of buildings which are developed as a single project, and which serves as the place of employment, base of operation, or predominate location of an employee or group of employees.

(Ord. No. 03-03, § 5(18.10.300—370), 4-16-2003; Ord. No. 03-06, 10-15-2003; Ord. No. 08-01, § 4, 9-17-2008)

**CHAPTER 13.08. - RESIDENTIAL DISTRICTS**

**Sec. 13.08.010. - Intent and permitted uses.**

(a) *Residential multifamily (RMF)*. To provide for the development and preservation of high-density multifamily residential neighborhoods with a moderate amount of open spaces. Only those uses are permitted that are complementary to and are compatible with such a residential neighborhood.

(b) *Residential community (RC)*. To provide for the development and preservation of planned unit developments with a mixture of single-family attached and detached homes, multiple-family homes. Said neighborhoods will be characterized by controlled physical access and specialized recreation facilities. Setbacks and other development standards are to be tailored specifically to each project by means of a precise development plan that is approved with the project.

(c) *Residential towers (RT)*. To provide for the development and preservation of a special type of multiple-family structure, high-rise, designed to house and provide other special needs for residents only.

PERMITTED RESIDENTIAL USES LEGEND:

|      |   |   |
|------|---|---|
| P    | = | The use is permitted as the principal use within the district.            |
| A    | = | The use is permitted only as an accessory to a principal use on a site.   |
| U    | = | The use is permitted with an approved use permit.                         |
| T/SE | = | The use is permitted with an approved Temporary Use/Special Event permit. |
| X    | = | The use is prohibited in the district.                                    |

| Land Use Types                              | Districts |      |      | Code References |
|---|-----------|------|------|-----------------|
|   | RMF       | RC   | RT   |                 |
| Accessory Building/Use                      | A         | A    | A    | 13.16.2600      |
| Administrative Offices                      | A         | A    | A    |                 |
| Animals and Pets                            | A         | A    | A    | 13.260.150      |
| Apiary                                      | X         | X    | X    |                 |
| Block Parties                               | T/SE      | T/SE | T/SE | 13.260.180      |
| Churches, Temples, and Places of Worship    | X U       | U    | X U  | 13.260.060      |
| Condominiums/Stock Cooperatives             | U         | U    | U    | 13.260.080      |
| Community Apartment Projects                | U         | U    | U    | 13.260.160      |
| Community Care Facilities (<6 persons)      | P         | P    | P    | 183.260.0750    |
| Congregate Care facility                    | U         | U    | U    | 13.260.090      |
| Construction Trailer                        | T/SE      | T/SE | T/SE | 13.260.180      |
| Duplex                                      | P         | U    | X    |                 |
| Dwelling, Multiple-Family                   | P         | P    | P U  | 13.260.160      |
| Dwelling, Single-Family                     | P         | P    | X    |                 |
| Educational Institutions                    | A U       | A X  | A X  |                 |
| Emergency and Transitional Housing Shelters | X         | X    | X    | 13.23           |
| Family Day Care Home, 14 or less            | P         | P    | X    | 13.260.060      |
| Fences and Walls                            | A         | A    | A    | 13.160.2390     |
| Garage and Estate Sales                     | T/SE      | T/SE | T/SE | 13.260.180      |
| Garages and Carports                        | A         | A    | A    | 13.160.2170     |
| Gate Houses                                 | A         | A    | A    |                 |
| Guesthouse                                  | X         | A    | X    | 13.260.100      |
| Home Occupations                            | A         | A    | A    | 13.260.120      |
| Horticulture, Unenclosed, Noncommercial     | X         | P    | A    |                 |
| Libraries and Museums                       | A P       | A P  | A P  |                 |

EXHIBIT 3

|   |      |      |      |             |
|---|------|------|------|-------------|
| Maintenance Equipment Storage               | A    | A    | A    |             |
| Maintenance Office/Building                 | A    | A    | A    |             |
| Mobile Home                                 | P    | P    | X    | 13.260.140  |
| Mobile Home Development                     | U    | U    | X    | 13.260.130  |
| Mobile Home During Construction             | T/SE | T/SE | T/SE | 13.260.180  |
| Outdoor Storage                             | T/SE | T/SE | T/SE | 13.260.180  |
| Parks/Playgrounds, Public/Private           | P    | P    | P    |             |
| Patio Cover/Trellis                         | A    | A    | A    | 13.16.26110 |
| Planned Unit Development                    | U    | U    | U    |             |
| Police and Fire Stations                    | U P  | U P  | X    |             |
| Public/Private Utility Buildings/Structures | A P  | A U  | A    |             |
| Recreation Centers                          | A U  | A U  | A U  |             |
| Residential Tract Sales and Rentals         | T/SE | T/SE | T/SE | 13.260.180  |
| Retail/Commercial Uses                      | X    | X    | X    |             |
| Riding and Hiking Trails                    | A    | P    | X    |             |
| Swimming Pools                              | A    | A    | A    | 13.16.2280  |
| Wireless Communication Facilities           | U    | U    | U    | 13.260.120  |

**Sec. 13.08.020. - Development standards.**

The Residential Development Standards Table, which follows, specifies standards for the development of property within residential districts.

*Residential Development Standards*

| Development Standard                        | Districts                                       |                    |                    |
|---|---|--------------------|--------------------|
|   | RMF   | RC                 | RT                 |
| Maximum Building Height (ft.)               | 65  | 40                 | none               |
| Minimum Building Site Area (sq. ft.)        | 7,200   | none               | none               |
| Minimum Area Per Unit (sq. ft.)             | 1,000 <sup>1</sup>                              | none <sup>43</sup> | none <sup>43</sup> |
| Minimum Setback (ft.)                       |   |                    |                    |
| Front Yard From ROW                         | 20  | none <sup>54</sup> | none               |
| Side Yard From ROW                          | 5   | none <sup>54</sup> | none               |
| Rear Yard From ROW                          | 25  | none <sup>54</sup> | none               |
| Side Not Abutting ROW                       | 5   | none <sup>54</sup> | none               |
| Rear Not Abutting ROW                       | 25 <sup>32</sup>                                | none <sup>54</sup> | none               |
| Distance Between Principal Structures (ft.) | 10  | none <sup>54</sup> | none               |
| Maximum Building Site Coverage              | 50%   | 50% <sup>65</sup>  | none <sup>43</sup> |
| Parking                                     | See Code Chapter 13.18 & Supplemental Regs.     |                    |                    |
| Signs                                       | See Code Chapter 13.20                          |                    |                    |
| Landscaping                                 | See Code Section 13.16.190 & Supplemental Regs. |                    |                    |

Notes:

<sup>1</sup>Minimum per dwelling unit is based upon net land area.

~~<sup>2</sup>One side only, or an aggregate combination.~~

<sup>23</sup>In computing the depth of a rear setback from any building where such setback opens on an alley, private street, or public park, one-half of the width of such alley, street, or park may be deemed to be a portion of the rear setback, except that under this provision, no rear setback shall be less than 15 feet.

<sup>34</sup>There shall be no minimum lot size. The total number of residential units permitted within the planning unit shall not be exceeded as was shown on the statistical analysis for the original planned community, as

amended. The dwelling densities as categorized in the City's General Plan as low-density, medium-density and high-density shall not be exceeded. The limitations contained within the General Plan shall take precedence over any discrepancies that may exist as compared to the statistical analysis for the planning units.

<sup>45</sup>Required yards and distances between building structures are waived.

<sup>56</sup>The building site coverage shall not exceed 50 percent of the land area contained within each recorded tract, exclusive of dedicated right-of-way. Swimming pool coverage shall not be considered as building site coverage.

**Sec. 13.08.030. - Supplemental residential district regulations.**

**(a) *Type of development for RC District.*** Standard development shall be predominantly of multiunit, multistoried structures and single family, one-story structures in an arrangement of attached or detached dwellings and their accessory structures. Such structures will be on contiguous or related building sites where the yards and open spaces may be combined into desirable arrangements of common open space.

**(b) *Frontage for RC District.*** Building sites may not necessarily have street frontage, either public or private, provided:

**(1)** Adequate and permanent access from a street to each family dwelling unit is provided for pedestrians and emergency vehicles;

**(2)** Adequate and permanent provisions for one accessible, roofed automobile storage place is provided for each dwelling unit;

**(3)** At least one parking space for every four dwelling units within each recorded tract is provided for visitors and guests. Such parking spaces may be uncovered and shall be so located as to be accessible to such visitors and guests.

**(c) *Open space and landscaping for RC District.*** All open space shall be landscaped and may include noncommercial recreational facilities incidental to the residential development such as outdoor recreation areas, walkways, covered and uncovered patios, fences and necessary firefighting equipment and installations. Further, the required open space shall be arranged and provided in such a manner that it is accessible and usable for the purpose intended herein. Said open space shall not be devoted to commercial pursuits or any other activity in conflict with the purpose intended herein.

**(d) *Lighting.*** All lights shall be designed and located so that direct light rays shall be confined to the premises.

**(e) *Recreational facilities for RC and RT Districts.*** The replacement, redevelopment and/or relocation of any existing recreational facilities shall not result in a net lot of land area as originally developed and maintained for any type of recreational use, including clubhouse structures. Such change to existing recreational facilities requires the submittal of an analysis showing existing recreational facilities, service areas of such facilities, land area of such facilities and any other information as may be required by the director to demonstrate that no such loss of land area will result, subject to the City Council's review and approval.

**CHAPTER 13.10. - COMMERCIAL DISTRICTS**

**Sec. 13.10.010. - Purpose and intent of districts.**

(a) *Neighborhood Commercial (NC)*. To provide for the development and preservation of low intensity commercial uses which serve the immediate needs of the surrounding neighborhood. Such uses are to be grouped in small areas of three to eight acres and designed so that adverse impacts on residential properties are minimized.

~~(b) *Highway Commercial (HC)*. To provide for the development and preservation of medium intensity commercial uses that serve the needs of the motoring public in the local community and the regional area. It is intended to provide an environment that will take advantage of the superior access afforded by freeways and highways without undue detrimental effects on traffic flow or safety.~~

(be) *Community Commercial (CC)*. To provide for the development and preservation of high intensity commercial uses which serve the local community and regional area and are compatible with surrounding residential uses.

(cd) *Professional and Administrative Office (PA)*. To provide for the development and preservation of an optimal environment for moderate intensity professional and administrative office uses and related uses on sites with large landscaped open spaces and off-street parking facilities. This district is intended to be located on heavily traveled streets or adjacent to commercial or industrial districts, and may be used to buffer residential areas.

**Sec. 13.10.020. - Table of permitted uses.**

The Permitted Commercial Uses Table, which follows, specifies whether a use or structure is permitted within the respective district and denotes the type of application process required to establish said use or structure. See Section 13.24.020 for those principally permitted uses that may be exempt from the site development permit process.

PERMITTED COMMERCIAL USES LEGEND:

|      |   |   |
|------|---|---|
| P    | = | The use is permitted as the principal use within the district.            |
| A    | = | The use is permitted only as an accessory to a principal use on a site.   |
| U    | = | The use is permitted with an approved use permit.                         |
| T/SE | = | The use is permitted with an approved Temporary Use/Special Event permit. |
| RP   | = | The use is permitted with an approved regulatory use permit.              |
| X    | = | The use is prohibited in the district.                                    |

| Land Use Types                          | Districts |      |      |      | Code References |
|---|-----------|------|------|------|-----------------|
|   | NC        | HC   | CC   | PA   |                 |
| Accessory Building/Use                  | A         | A    | A    | A    | 13.16.200       |
| Administrative/Professional Offices     | P         | X    | P    | P    |                 |
| Adult Entertainment Business            | X         | X    | RP   | X    | 13.26.020       |
| Agricultural and Produce Stands         | T/SE      | T/SE | T/SE | T/SE | 13.26.180       |
| Alcoholic Beverage Sales                | U         | U    | U    | X    |                 |
| Animal Clinics                          | P         | P    | P    | X    | 13.26.050       |
| Automobile Parking Lots/Structures      | X         | P    | P    | P    |                 |
| Automobile Repair Specialty Shops       | X         | P    | P    | X    |                 |
| Automobile Service Station              | U         | U    | U    | X    |                 |
| Automobile/Truck Maintenance and Repair | X         | X    | X    | X    |                 |
| Automobile Wrecking, Junk/Salvage Yards | X         | X    | X    | X    |                 |
| Bottling Plants                         | X         | X    | X    | X    |                 |
| Bus, Railroad and Taxi Stations         | X         | P    | U    | X    |                 |

EXHIBIT 4

|   |      |      |      |      |           |
|---|------|------|------|------|-----------|
| Churches, Temples, and Places of Worship    | U    | X    | U    | U    |           |
| Civic and Government Uses                   | P    | X    | P    | P    |           |
| Clinics, Medical or Dental                  | P    | X    | P    | P    |           |
| Commercial Coaches                          | T/SE | T/SE | T/SE | T/SE | 13.26.180 |
| Commercial Recreation                       | X    | P    | P    | X    |           |
| Congregate Care Facilities                  | X    | U    | U    | X    | 13.26.090 |
| Construction Trailer                        | T/SE | T/SE | T/SE | T/SE | 13.26.180 |
| Contractor's Yards                          | X    | X    | T/SE | X    |           |
| Dance Hall                                  | X    | X    | U    | X    |           |
| Day Care Nursery                            | U    | X    | U    | U    |           |
| Dry Cleaning, Dyeing and Laundry Plants     | X    | X    | X    | X    |           |
| Educational Institutions, Adults            | X    | X    | X    | P    |           |
| Emergency and Transitional Housing Shelters | X    |      | P    | X    | 13.23.    |
| Fast-Food Establishment                     | X    | X    | P    | X    |           |
| Fences and Walls                            | A    | A    | A    | A    | 13.16.230 |
| Financial Institution                       | P    | P    | P    | P    |           |
| Grocery Store                               | U    | P    | P    | X    |           |
| Heavy Equipment Rental/Sales Yards          | X    | U    | X    | X    |           |
| Helistops                                   | X    | X    | U    | X    | 13.26.110 |
| Hospitals                                   | X    | X    | U    | X    |           |
| Hotels and Motels                           | X    | P    | U    | X    |           |
| Ice Cream Parlor                            | P    | X    | P    | U    |           |
| Impound/Storage Yards                       | X    | U    | X    | X    |           |
| Libraries and Museums                       | P    | X    | P    | P    |           |
| Medical Marijuana Dispensary                | X    | X    | RP   | X    | 13.26.025 |
| Ministorage Facilities                      | X    | X    | U    | X    |           |
| Mortuaries and Crematories                  | X    | X    | U    | X    |           |
| Outdoor Charitable Collection               | T/SE | T/SE | T/SE | T/SE | 13.26.180 |
| Outdoor Sales, Various                      | T/SE | T/SE | T/SE | T/SE | 13.26.180 |
| Outdoor Storage                             | T/SE | T/SE | T/SE | T/SE | 13.26.180 |
| Police and Fire Stations                    | X    | U    | P    | X    |           |
| Public/Private Utility Buildings/Structures | P    | P    | P    | P    |           |
| Recycling Collection Site                   | T/SE | T/SE | U    | T/SE | 13.26.180 |
| Residential Uses                            | X    | X    | X    | X    |           |
| Restaurants                                 | P    | X    | P    | U    |           |
| Retail/Service Businesses                   | P    | P    | P    | A    |           |
| Special Events                              | T/SE | T/SE | T/SE | T/SE | 13.26.180 |
| Stationary Food Cart                        | T/SE | T/SE | T/SE | T/SE | 13.26.180 |
| Temporary Parking Lot                       | T/SE | T/SE | T/SE | T/SE | 13.26.180 |
| Theatres                                    | X    | X    | U    | X    |           |
| Tobacco, Magazine/Periodical Sales          | X    | U    | U    | X    |           |
| Transfer/Materials Recovery facility        | X    | U    | X    | X    | 13.26.190 |
| Vehicle Washing Facilities                  | X    | U    | U    | X    |           |
| Vehicle/Vessel Sales/Rentals                | X    | X    | X    | X    |           |
| Welding and Metal Plating                   | X    | X    | X    | X    |           |
| Wireless Communication Facilities           | U    | U    | U    | U    | 13.26.120 |

(Ord. No. 03-03, § 5(18.20.210), 4-16-2003; Ord. No. 08-01, § 5, 9-17-2008)

**Sec. 13.10.030. - Development standards.**

The Commercial Development Standards Table, which follows, specifies standards for the development of property within commercial districts.

*Commercial Development Standards*

| Development Standard                 | Districts                                       |                            |      |                 |
|--------------------------------------|---|----------------------------|------|-----------------|
|                                      | NC  | HC                         | CC   | PA              |
| Maximum Building Height (ft.)        | 35  | <del>35</del>              | 65   | 35              |
| Minimum Building Site Area (sq. ft.) | none  | <del>none</del>            | none | 10,000          |
| Minimum Building Site Width (ft.)    | none  | <del>none</del>            | none | 75              |
| Minimum Perimeter Setback (ft.)      |   |                            |      |                 |
| From Street ROW                      | 20  | <del>10</del> <sup>†</sup> | 5    | 10              |
| From Alley                           | 20  | <del>0</del>               | 5    | 10              |
| From Residential Districts           | 20  | <del>10</del>              | 20   | 10              |
| From Nonresidential Districts        | 0   | <del>0</del>               | 0    | 10 <sup>2</sup> |
| Maximum FAR                          | 0.30  | <del>0.30</del>            | 0.30 | 0.30            |
| Maximum Building Site Coverage       | 35 percent                                      | <del>none</del>            | none | 35 percent      |
| Parking                              | See Code Section <del>13.16.300-400</del> 13.18 |                            |      |                 |
| Landscaping                          | See Code Section <del>13.16.250</del> 13.16.190 |                            |      |                 |
| Screening                            | See Code Section <del>13.16.240</del> 13.16.180 |                            |      |                 |
| Signs                                | See Code Section <del>13.16.410-530</del> 13.20 |                            |      |                 |
| Waste Management/Hazardous Materials | See Code Section <del>13.20.200</del> 13.26.200 |                            |      |                 |

Notes:

~~<sup>†</sup> A minimum 53-foot setback from the street right-of-way is required for a front property line.~~

<sup>12</sup> Required for one side of building site only.

(Ord. No. 03-03, § 5(18.20.215), 4-16-2003)

**Sec. 13.10.040. - Supplemental commercial district regulations.**

(a) *Lighting.* All lighting, exterior and interior, shall be designed and located so as to confine direct rays to the premises.

(b) *Loading.* All loading operations shall be performed on the site, and loading areas shall be screened by a landscape or architectural feature.

(c) *Trash and storage area.* All storage of cartons, containers and trash shall be enclosed by a roofed structure.

(d) *Enclosed uses.* All commercial uses and their related products shall be contained entirely within a completely enclosed structure, except for parking and loading areas, and except for outdoor uses expressly permitted by an approved site development plan or use permit.

(e) *Business hours in the Neighborhood Commercial District.* Business hours shall be limited to the hours between 6:00 a.m. and 10:30 p.m. unless otherwise provided for by an approved use permit.

(f) *Parking provided in the Professional and Administrative Office District.* Parking on the front half of the lot shall have no direct access to the street and shall be roofed unless adequate screening of open parking can be provided by berming, fencing, or landscaping as shown on an approved site development plan or use permit.

(g) *Sidewalks.* New development shall provide sidewalks along side vehicular entrance points with a grade not to exceed plus eight percent from the public right-of-way, and/or demonstrate to the satisfaction of the Director the site accessibility to persons with disabilities.

*(Ord. No. 03-03, § 5(18.20.220), 4-16-2003)*

**CHAPTER 13.12. - OPEN SPACE DISTRICTS**

**Sec. 13.12.010. - Purpose and intent of districts.**

(a) *Open space-passive (OS-P)*. To provide for the protection and preservation of open space areas for the purposes of passive recreation, visual enhancement, and resource conservation.

(b) *Open space-recreation (OS-R)*. To provide for the development and preservation of public and private parks and associated recreation facilities within open space areas.

(Ord. No. 03-03, § 5(18.20.305), 4-16-2003)

**State law reference—Open space zoning, Government Code § 65913 et seq.**

**Sec. 13.12.020. - Table of permitted uses.**

The Permitted Open Space Uses Table, which follows, specifies whether a use or structure is permitted within the respective district and denotes the type of application process required to establish said use or structure. See Section 13.18.020 for those principally permitted uses that may be exempt from the site development permit process.

PERMITTED OPEN SPACE USES LEGEND:

|      |   |   |
|------|---|---|
| P    | = | The use is permitted as the principal use within the district.            |
| A    | = | The use is permitted only as an accessory to a principal use on a site.   |
| U    | = | The use is permitted with an approved use permit.                         |
| T/SE | = | The use is permitted with an approved Temporary Use/Special Event permit. |
| X    | = | The use is prohibited in the district.                                    |

| Land Use Types                                     | Districts |          | Code References |
|--|-----------|----------|-----------------|
|  | OS-P      | OS-R     |                 |
| Accessory Building/Use                             | A         | A        | 13.16.200       |
| Agricultural Use and Produce Stands                | X         | T/SE     | 13.26.180       |
| Animal Clinics                                     | X         | U        | 13.26.050       |
| Animals and Pets                                   | A         | A        | 13.26.150       |
| Apiary   | P         | P        |                 |
| Archaeological/Paleontological/Historical Site     | P         | P        |                 |
| Cemeteries   | U         | U        |                 |
| Commercial Stables                                 | X         | U        |                 |
| Commercial Stockpiling/Manure Processing           | X         | X        |                 |
| Construction Trailer                               | X         | T/SE     | 13.26.180       |
| Country Clubs                                      | X         | U        |                 |
| <b>Emergency and Transitional Housing Shelters</b> | <b>X</b>  | <b>X</b> | <b>13.23</b>    |
| Fences and Walls                                   | A         | A        | 13.16.230       |
| Garages and Carports                               | A         | A        | 13.16.210       |
| Golf Course  | X         | U        |                 |
| Grazing  | P         | P        |                 |
| Greenbelts   | P         | P        |                 |
| Helistops  | X         | U        | 13.26.110       |
| Information Centers                                | A         | A        |                 |
| Kennels  | X         | U        |                 |
| Landscape Service Facilities/Offices               | X         | U        |                 |

|   |      |      |           |
|---|------|------|-----------|
| Libraries and Museums                       | X    | U    |           |
| Livestock Feeding Ranches                   | X    | X    |           |
| Maintenance Office/Building                 | U    | U    |           |
| Newspaper/Publications Distribution Center  | X    | U    |           |
| Outdoor Charitable Collection               | X    | T/SE | 13.26.180 |
| Outdoor Sales, Various                      | X    | T/SE | 13.26.180 |
| Outdoor Storage                             | X    | T/SE | 13.26.180 |
| Parks/Playgrounds, Public/Private           | X    | P    |           |
| Police and Fire Stations                    | X    | U    |           |
| Public/Private Utility Buildings/Structures | X    | P    |           |
| Ranger Station                              | A    | A    |           |
| Recreation Centers                          | X    | P    |           |
| Recreational Vehicle/Vessel Storage         | X    | U    |           |
| Recycling Collection Site                   | X    | T/SE | 13.26.180 |
| Restaurants                                 | X    | A    |           |
| Restrooms                                   | A    | A    |           |
| Retail/Service Businesses                   | X    | A    |           |
| Riding and Hiking Trails                    | P    | P    |           |
| Sewage Disposal Facilities                  | X    | U    |           |
| Special Events                              | T/SE | T/SE | 13.26.180 |
| Temporary Parking Lots                      | T/SE | T/SE | 13.26.180 |
| Transfer/Materials Recovery facility        | X    | U    | 13.26.190 |
| Water Recharge/Percolation/Watershed Areas  | P    | A    |           |
| Wildlife Preserves and Sanctuaries          | P    | A    |           |
| Wireless Communication Facilities           | U    | U    | 13.26.120 |

(Ord. No. 03-03, § 5(18.20.310), 4-16-2003)

**Sec. 13.12.030. - Development standards.**

The Open Space Development Standards Table, which follows, specifies standards for the development of property within open space districts.

*Open Space Development Standards*

| Development Standard                 | Districts                  |                 |
|--------------------------------------|----------------------------|-----------------|
|                                      | OS-P                       | OS-R            |
| Maximum Building Height (ft.)        | 18 <sup>1</sup>            | 35 <sup>1</sup> |
| Minimum Building Site Area (sq. ft.) | 43,560                     | 20,000          |
| Minimum Setback (ft.)                |                            |                 |
| From Street ROW                      | 50 <sup>2</sup>            | 50 <sup>2</sup> |
| From Residential Districts           | none                       | none            |
| From Nonresidential Districts        | none                       | none            |
| Maximum Building Site Coverage       | 5 percent                  | 20 percent      |
| Parking                              | See Code Chapter 13.18     |                 |
| Signs                                | See Code Chapter 13.20     |                 |
| Waste Management/Hazardous Materials | See Code Section 13.26.200 |                 |

Notes:

<sup>1</sup>Except as otherwise provided for by an approved use permit.

<sup>2</sup>Includes all buildings, structures, and off-street parking facilities.

(Ord. No. 03-03, § 5(18.20.315), 4-16-2003)

**Sec. 13.12.040. - Supplemental open space district regulations.**

**(a) Screening.** Walls and fences over 3" feet in height shall be installed in accordance with the following limitations

**(1)** Nonopaque fences shall be a minimum of zero feet from the ultimate right-of-way line of any street or highway.

**(2)** Masonry or solid wood fences shall be shielded from view from any street or highway by landscaping, berm, or other topographic feature, and they shall be set back a minimum distance of five feet from the ultimate right-of-way line of any street or highway.

**(3)** Exceptions to Subsections (a)(1) and (a)(2) above may be considered through the approval of a site development permit when it can be determined that such an exception will not result in or create a traffic hazard or conditions that may be considered objectionable, detrimental or incompatible with other uses in the vicinity.

**(b) Lighting.** All lights shall be designed and located so that direct light rays shall be confined to the premises.

(Ord. No. 03-03, § 5(18.20.320), 4-16-2003)

**Chapter 13.13. – COMMUNITY FACILITIES DISTRICTS**

**Sec. 13.13.010 – Purpose and intent of districts.**

- (a) Community Facilities - Private (CF - P). The purpose and intent of this district is to allow for the development of public and private community uses that serve residents, visitors, property owners, and workers in the City. Examples of permitted land uses include schools, hospitals, cultural venues, churches, temples and places of worship.
- (b) Community Facilities – Public/Institutional (CF - P/I). The purpose and intent of this district is to allow a wide range of public and institutional uses that will facilitate the provision a variety of government and social services to the community.

**Sec. 13.13.020 - Table of permitted uses.**

The Permitted Community Facility Uses Table, which follows, specifies whether a use or structure is permitted within the respective district and denotes the type of application process required to establish said use or structure.

PERMITTED COMMUNITY FACILITIES USES LEGEND

|      |   |   |
|------|---|---|
| P    | = | The use is permitted as the principal use within the district.            |
| A    | = | The use is permitted only as an accessory to a principal use on a site.   |
| U    | = | The use is permitted with an approved conditional use permit.             |
| T/SE | = | The use is permitted with an approved Temporary Use/Special Event permit. |
| X    | = | The use is prohibited in the district.                                    |

| Land Use Types                           | Community Facilities |         | Code References |
|--|----------------------|---------|-----------------|
|  | Public/Institutional | Private |                 |
| Accessory Building/Use                   | A                    | A       | 13.16.200       |
| Administrative/Professional Offices      | A                    | A       |                 |
| Adult Entertainment Business             | X                    | X       | 13.26.020       |
| Agricultural and Produce Stands          | T/SE                 | T/SE    | 13.26.180       |
| Alcoholic Beverage Sales                 | X                    | X       |                 |
| Animal Clinics                           | X                    | X       | 13.26.050       |
| Automobile Parking Lots/Structures       | P                    | P       |                 |
| Automobile Repair Specialty Shops        | X                    | X       |                 |
| Automobile Service Station               | X                    | X       |                 |
| Automobile/Truck Maintenance and Repair  | X                    | X       |                 |
| Automobile Wrecking, Junk/Salvage Yards  | X                    | X       |                 |
| Bottling Plants                          | X                    | X       |                 |
| Bus, Railroad and Taxi Stations          | X                    | X       |                 |
| Churches, Temples, and Places of Worship | X                    | P       |                 |
| Civic and Government Uses                | P                    | X       |                 |
| Clinics, Medical or Dental               | X                    | X       |                 |
| Commercial Coaches                       | T/SE                 | T/SE    | 13.26.180       |
| Commercial Recreation                    | U                    | U       |                 |
| Congregate Care Facilities               | X                    | X       | 13.26.090       |
| Construction Trailer                     | T/SE                 | T/SE    | 13.26.180       |
| Contractor's Yards                       | X                    | X       |                 |
| Dance Hall                               | U                    | U       |                 |
| Day Care Nursery                         | U                    | U       |                 |
| Dry Cleaning, Dyeing and Laundry Plants  | X                    | X       |                 |
| Educational Institutions, Adults         | P                    | P       |                 |

EXHIBIT 6

|   |      |      |                             |
|---|------|------|-----------------------------|
| Emergency and Transitional Housing Shelters | U    | U    | 13.23                       |
| Fast-Food Establishment                     | X    | X    |                             |
| Fences and Walls                            | A    | A    | 13.16.180<br>&<br>13.16.230 |
| Financial Institution                       | X    | X    |                             |
| Grocery Store                               | X    | X    |                             |
| Heavy Equipment Rental/Sales Yards          | X    | X    |                             |
| Helistops                                   | X    | X    | 13.26.110                   |
| Hospitals                                   | U    | U    |                             |
| Hotels and Motels                           | X    | X    |                             |
| Ice Cream Parlor                            | X    | X    |                             |
| Impound/Storage Yards                       | X    | X    |                             |
| Libraries and Museums                       | P    | P    |                             |
| Medical Marijuana Dispensary                | X    | X    | 13.26.025                   |
| Ministorage Facilities                      | X    | X    |                             |
| Mortuaries and Crematories                  | U    | U    |                             |
| Outdoor Charitable Collection               | T/SE | T/SE | 13.26.180                   |
| Outdoor Sales, Various                      | T/SE | T/SE | 13.26.180                   |
| Outdoor Storage                             | T/SE | T/SE | 13.26.180                   |
| Police and Fire Stations                    | P    | X    |                             |
| Public/Private Utility Buildings/Structures | P    | P    |                             |
| Recycling Collection Site                   | A    | T/SE | 13.26.180                   |
| Residential Uses                            | A    | A    |                             |
| Restaurants                                 | X    | X    |                             |
| Retail/Service Businesses                   | X    | X    |                             |
| Special Events                              | T/SE | T/SE | 13.26.180                   |
| Stationary Food Cart                        | T/SE | T/SE | 13.26.180                   |
| Temporary Parking Lot                       | T/SE | T/SE | 13.26.180                   |
| Theatres                                    | X    | X    |                             |
| Tobacco, Magazine/Periodical Sales          | X    | X    |                             |
| Transfer/Materials Recovery facility        | X    | X    | 13.26.190                   |
| Vehicle Washing Facilities                  | X    | X    |                             |
| Vehicle/Vessel Sales/Rentals                | X    | X    |                             |
| Welding and Metal Plating                   | X    | X    |                             |
| Wholesale Business Offices                  | X    | X    |                             |
| Wireless Communication Facilities           | U    | U    | 13.26.210                   |

**Sec. 13.13.030 – Development standards.**

The Community Facilities Development Standards Table, which follows, specifies standards for the development of property within the community facilities district.

| Development Standard                 | Districts |          |
|--------------------------------------|-----------|----------|
|                                      | CF - P    | CF - P/I |
| Maximum Building Height (ft.)        | 40        | 40       |
| Minimum Building Site Area (sq. ft.) | --        | --       |
| Minimum Building Site Width (ft.)    | --        | --       |

|                                      |                                |      |
|--------------------------------------|--------------------------------|------|
| Minimum Perimeter Setback (ft.)      |                                |      |
| From Street ROW                      | 20                             | 20   |
| From Alley                           | 10                             | 0    |
| From Residential Districts           | 10                             | 10   |
| From Nonresidential Districts        | 0                              | 0    |
| Maximum FAR                          | 0.3                            | 0.3  |
| Maximum Building Site Coverage       | none                           | none |
| Parking                              | See Code Section 13.16.300-400 |      |
| Landscaping                          | See Code Section 13.16.250     |      |
| Screening                            | See Code Section 13.16.240     |      |
| Signs                                | See Code Section 13.16.410-530 |      |
| Waste Management/Hazardous Materials | See Code Section 13.20.200     |      |

**Sec. 13.13.040. - Supplemental community facility district regulations.**

- (a) *Churches, temples and places of worship:* Through an approved conditional use permit, churches, temples and places of worship may exceed the standards set forth in this section, provided that the health, safety and welfare of the community are preserved.
- (b) One single-family residence in conjunction with a church, temple or other place of worship may be allowed as an accessory use, subject to section 13.16.200.

**CHAPTER 13.14. – SPECIFIC PLAN DISTRICTS****Sec. 13.14.010. – Effect of chapter**

The following regulations shall apply to all properties designated as Urban Activities Center North (UAC – N) and Urban Activities Center South (UAC-S). Development shall be permitted subject to provisions of the designated specific plan and the regulations of this chapter.

**Sec. 13.14.020. – General Provisions**

- (a) ~~Sec. 13.14.010.~~ *Purpose and Intent.* To provide for the development of certain parcels within the City utilizing a "specific plan" concept to ensure comprehensive development consistent with performance and development standards as outlined in the land use element of the City's General Plan.
- (b) ~~Sec. 13.14.020.~~ *Comprehensive plan required.* Properties designated as **Urban Activity Center North (UAC – N) or Urban Activity Center South (UAC – S)** shall have an approved comprehensive plan in effect for all properties with such designation within the City prior to improvement of any one parcel within the designated district. Said plans shall be subject to the approval of the City through the procedures for adoption/amendment of a specific plan as outlined in Section 13.24.110, except that it may be initiated by the property owner.
- (c) ~~Sec. 13.14.030.~~ *Applicability.* After a comprehensive plan has become effective, all development and uses for UAC - N and UAC - S designated properties shall thereafter be in compliance with the regulations as outlined in the comprehensive plan and all other applicable zoning district regulations.

**Sec. 13.14.030. – Urban activity center north (UAC-N)**

- (a) *Establishment of specific plan district Urban Activity Center North (UAC-N).* The provisions of this chapter shall apply to all parcels within the boundaries of UAC-N, established by Ordinance \_\_\_-10 and shown on the zoning map of the City of Laguna Woods.
- (b) *Specific purpose.* The specific purposes UAC-N, are to:
  - (1) Establish a specific plan to guide the orderly development and improvement of that area of the City which is located on the north side of El Toro Road and is generally bounded by the planned community of Laguna Woods Village, the Laguna Woods Village golf course driving range and Moulton Parkway.
  - (2) Provide an opportunity for the development of a wide array of land uses that are compatible with community needs and policies of the Laguna Woods General Plan.

**Sec. 13.14.040. – Urban activity center south (UAC-S)**

- (a) *Establishment of specific plan district Urban Activity Center South (UAC-S).* The provisions of this chapter shall apply to all parcels within the boundaries of UAC-S, established by Ordinance \_\_\_-10 and shown on the zoning map of the City of Laguna Woods.
- (b) *Specific purpose.* The specific purposes of UAC-S, are to:
  - (1) Establish a specific plan to guide the orderly development and improvement of that area of the City which is located on the south side of El Toro Road and is generally bounded by the Home Depot Shopping Center, Via Iglesia Park, Aliso Viejo County Club, Calvary Chapel Pacific Hills Community Church and Moulton Parkway.
  - (2) Provide an opportunity for the development of a wide array of land uses that are compatible with community needs and policies of the Laguna Woods General Plan.

**Sec. 13.14.0450. - Comprehensive plan text.**

- (a) A **comprehensive plan** text shall be adopted by ordinance that specifies the land use regulations and procedures applicable to all UAC – N or UAC - S designated parcels. Each land use category shall correspond to one or more identified planning areas on a zoning map exhibit.
- (b) When the text refers to any portion of this title and provides for exceptions to the referenced portion, all such exceptions shall be clearly and specifically identified. Regulations for each land use category within the comprehensive plan shall include at least the following:
  - 1. Purpose and intent statement. Each land use category shall have a general description and a brief summary explaining the purpose and intent of that land use category.
  - 2. Principal permitted uses section. Each such section shall include a list of uses per the following categories, if applicable:
    - a. Principal permitted uses not subject to discretionary permit.
    - b. Principal permitted uses subject to a site development permit.
    - c. Principal permitted uses subject to a use permit.
- (c) *Accessory permitted uses section.* This section shall be included in any land use category where uses, structures, and activities other than main or principal uses are permitted. When a main or principal use is permitted subject to approval of a discretionary permit, ancillary and accessory uses, structures and activities are also permitted subject to approval of the same discretionary permit.
- (d) *Prohibited uses section.* Each land use category shall include a prohibited uses section for the purpose of clarifying which land uses and groups of uses, if any, are specifically not permitted.
- (e) *Site development standards section.* Development standards shall be provided for each land use category and may include but not be limited to the minimum building site area, maximum building height, minimum building setbacks, signage, minimum net area per unit for multifamily development and off-street parking requirements. Additional standards for nonresidential development and may be based upon performance criteria commiserate with supporting documentation consistent with the City's General Plan, including technical reports for traffic, fiscal balance, etc. as applicable and shall include but not be limited to requirements for loading, screening, landscaping, lighting and floor area ratio.
- (f) *Boundary description.* A precise description, either by record of survey, or metes and bounds, of the external boundaries of all land regulated by the comprehensive plan shall also be included within the text. Such description shall be consistent with the Zoning Map exhibit.
- (g) *Conformance with the general plan.* A description of how the plan has been developed in conformance with the parameters outlined in the City's land use element, specifically Table LU-4 summary of "Potential Intensity/Density" sections and the criteria as outlined in Section II.C.2 of the General Plan land use element.

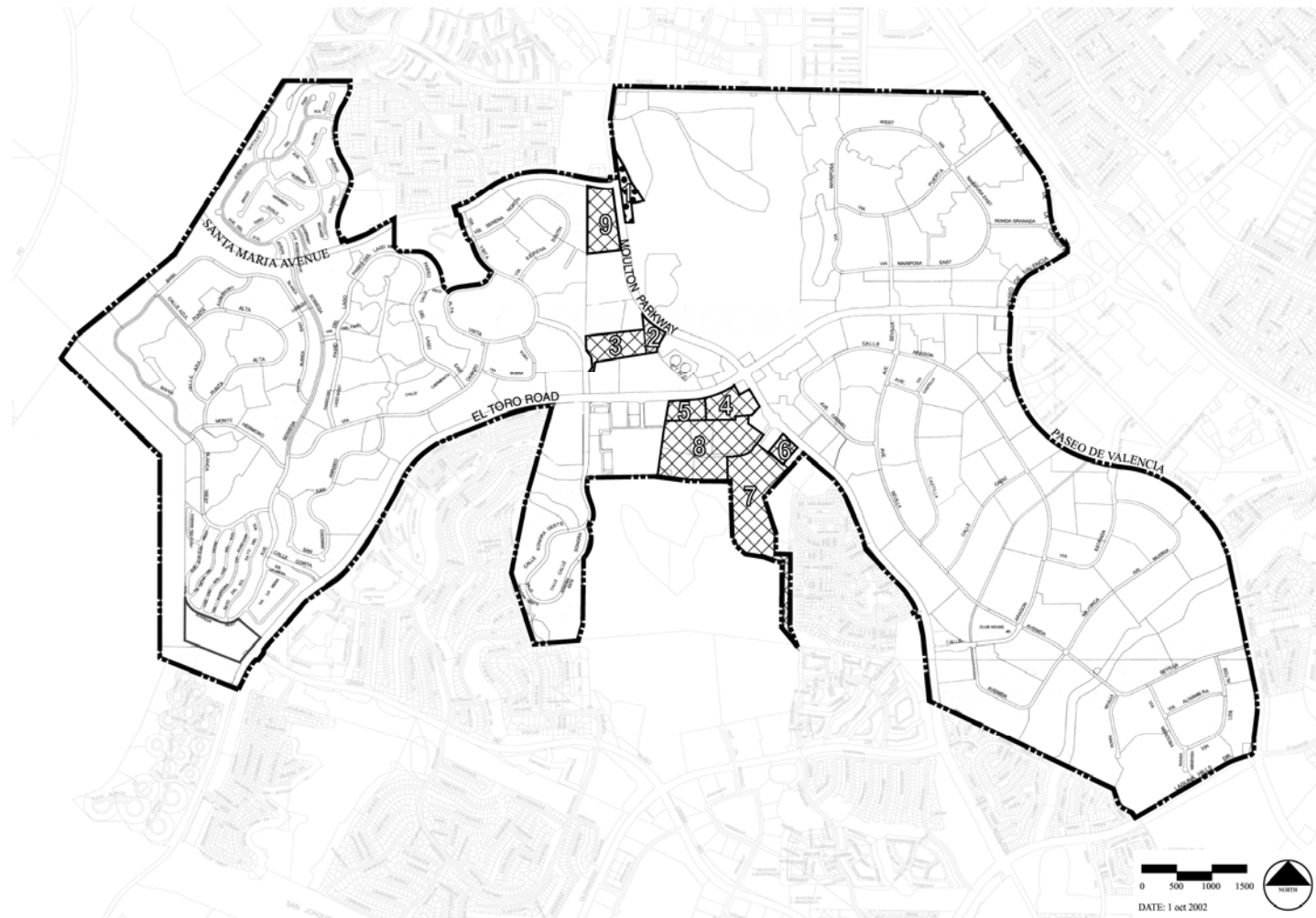
**Sec. 13.14.0560. - Statistical summary.**

- (a) A statistical summary shall be adopted by ordinance and shall include information regarding the types of uses proposed, consistent with any limitations as outlined in the City's General Plan, the maximum number of dwelling units proposed, the minimum number of acres of open space, the maximum number of acres of nonresidential land, etc. The City Manager or his or her designee may require any additional statistical information that may be appropriate.
- (b) All such information shown in the statistical summary shall be consistent with the General Plan and the Zoning Map exhibit of the comprehensive plan. Any proposed change in the statistical summary will required an amendment to the comprehensive plan in the manner required by Section 13.24.110 for specific plans.

**Sec. 13.14.0670. - Zoning Map exhibit.**

The Zoning Map exhibit shall be adopted by ordinance. It shall be drawn in sufficient detail and scale to enable a reader to determine where proposed uses and projects will be located in relation to the City's existing zoning districts and arterial highways. The exterior boundaries of the map shall be precise and consistent with the boundary description included in the comprehensive plan text. Any proposed change in the Zoning Map exhibit will require an amendment in the manner required by Section 13.24.110 for specific plans.

# Exhibit A: Potential Development Sites



**CHAPTER 13.18. - OFF-STREET PARKING REGULATIONS****Sec. 13.18.010. - Off-street parking regulations.**

These regulations apply to all districts and specific plan areas, unless otherwise specified.

**Sec. 13.18.020. - Intent.**

The intent of the off-street parking regulations is to provide for the on-site, off-street parking of motor vehicles that are attracted by the use or uses on the premises. The parking facilities for motor vehicles required by this section are assumed to be the minimum, which will be required by the various land use categories. However, the parking and maneuvering facilities required by this section should not be used as a fixed standard to determine the amount of off-street parking which may be adequate for any specific use. If the decision maker determines minimum parking standards are inadequate for a specific project, he may require the developer, owner or operator of any specific use to provide the adequate parking even though such addition may be in excess of the minimum requirements set forth in this section. It is intended that these regulations will result in the installation of properly designed parking facilities of sufficient capacity to minimize traffic congestion, enhance public safety, generally provide for the parking of motor vehicles at locations other than on the streets, and for safe passage of pedestrians to and from parked vehicles.

**Sec. 13.18.030. - General requirements.***(a) Location of off-street parking.*

- (1) Required parking facilities shall be located on the same building site and conveniently proximate to the use or uses they serve.
- (2) Property within the ultimate right-of-way of a street (either public or private) shall not be included in provision of the minimum parking.

*(b) Accessibility.* All required off-street parking spaces shall be designed, located, constructed and maintained so as to be fully and independently usable and accessible at all times.

*(c) Usability.*

- (1) The required off-street parking facilities and driveways shall not be used for any purpose, which at any time would preclude the use of the area for the temporary storage of motor vehicles.
- (2) Unless otherwise provided by an approved discretionary permit, no owner or tenant shall lease, rent or otherwise make unavailable to intended users any off-street parking spaces required by this chapter.

*(d) Access to arterial highways.*

- (1) Wherever access to a parking area is off an arterial highway designated on the Master Plan of Arterial Highways, parking spaces, driveways, and maneuvering areas shall be designed so that motor vehicles may enter the arterial highway traveling in a forward direction.
- (2) Vehicular access to arterial highways designated on the Master Plan of Arterial Highways will be permitted only in accordance with specifically approved driveway locations and access design.

*(e) Maximum grades permitted.*

- (1) Whenever access is taken from a street, alley or driveway to an off-street parking area serving four or less dwelling units, the driveway or other vehicular accessway shall have a maximum grade of plus ten percent or minus six percent, measured from the street, alley or driveway grade along the driveway centerline, for a distance of not less than 18 feet from the street, alley or driveway right-of-way line.
- (2) Whenever access is taken from a street, alley or driveway to an off-street parking area serving industrial, commercial or professional uses, public or community facilities, or five or more dwelling units, the driveway or other vehicular accessway shall have a maximum grade of plus ten percent or a minus two percent, measured from the street, alley or driveway grade along the driveway centerline for a distance of not more

than 18 feet from the street, alley or driveway right-of-way line.

(3) The maximum grades in Subsections (e)(1) and (e)(2) of this section will generally provide adequate sight distance at street level and prevent vehicles from dragging on extreme grade breaks. Exceptions may be approved by the Director, where physical design prevents such extreme grade breaks and provides safe sight distance.

(4) Off-street parking spaces and the abutting parking aisles shall have a maximum grade of two percent for retail commercial and five percent for all other uses. Said grade shall be measured across the parking space and the abutting parking aisle in any direction.

(5) Ramps or driveways providing vehicular access within the interior of an off-street parking area located beyond 18 feet from the ultimate right-of-way line of a street, alley or driveway shall have a maximum slope of plus or minus 20 percent. When such ramp or driveway slopes exceed plus or minus ten percent, the ramp or driveway design shall include transitions not less than eight feet in length, having a slope equal to one-half the ramp slope. When parking is provided on a ramp, the maximum slope shall not exceed six percent.

(f) *Parking area notices and directional instructions.* Notwithstanding the regulations of any district or any specific plan, parking area notices, each not to exceed two square feet in area, and directional instructions lettered on the paved surface of driveways and parking areas are permitted for parking facilities serving industrial, commercial, or professional uses; public or community facilities; and five or more residential dwelling units. Such parking notices may contain the name of the owner or occupant of the property and only such words and symbols that are directly related or essential to parking, enforcement, or the direction of vehicular traffic within the parking area.

(g) *Paving.* All permanent parking spaces, driveways and maneuvering areas shall be paved and permanently maintained with asphaltic concrete, cement concrete or other all-weather, noneroding, hard surfacing. Temporary parking spaces, driveways and maneuvering areas may use decomposed granite or other stable, all-weather surfacing.

(h) *Lighting.* Any lights used to illuminate the parking spaces or driveways shall be designed and located so that direct rays are confined to the property.

(i) *Change or increase in use of property.* Whenever the occupancy or use of any premises, which is not in compliance with off-street parking requirements, is changed to a different use or the existing use is altered, enlarged, expanded or intensified, parking to meet the requirements of this section shall be provided for the new use or occupancy. This provision shall not apply to the addition of rooms or other alterations of a single-family dwelling, which do not increase the total floor area more than 50 percent.

(j) *Fractional parking spaces.* Whenever the computation of the number of off-street parking spaces required by this section results in a fractional parking space, one additional parking space shall be required for one-half or more fractional parking space, and any fractional space less than one-half of a parking space shall not be counted.

(k) *Parking facilities for the physically handicapped.* Public accommodations or facilities, including industrial, commercial, professional, institutional, and multifamily dwellings of five or more units, shall provide parking spaces for the physically handicapped in compliance with the following provisions:

(1) *Spaces required.* The following table establishes the number of handicapped parking spaces required:

| Total Number of Parking Spaces | Number of Handicapped Parking Spaces Required |
|--------------------------------|---|
| 1—4                            | 0   |
| 5—40                           | 1   |
| 41—80                          | 2   |
| 81—120                         | 3   |
| 121—160                        | 4   |
| 161—300                        | 5   |
| 301—400                        | 6   |
| 401—500                        | 7   |
| >500                           | 1 for each 200 additional spaces              |

(2) *Parking space size.* Physically handicapped parking spaces shall be located as near as practical to a primary entrance. If only one space is provided, it shall be 14 feet wide and outlined to provide a nine-foot parking area and a five-foot loading and unloading area. When more than one space is provided in lieu of providing a 14-foot wide space for each parking space, two spaces can be provided within a 23-foot wide area lined to provide a nine-foot parking area on each side of a five-foot loading and unloading area in the center. The minimum length of each parking space shall be 18 feet.

(3) *Arrangement of parking space.* In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. Also, the space shall be so located that a handicapped person is not compelled to wheel or walk behind parked cars other than their own. Pedestrian ways, which are accessible to the physically handicapped, shall be provided from each such parking space to related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space except where such encroachment into the length of any handicapped space does not limit the handicapped person's capability to leave or enter their vehicle.

(4) *Slope of parking space.* Surface slopes of parking spaces for the physically handicapped shall be the minimum possible and shall not exceed one-half percent in any direction.

(5) *Identification.* Each parking space reserved for the handicapped shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text, or equal, displaying the international symbol of accessibility. This sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade, or centered on the wall at the interior end of the parking space at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk. A sign shall also be posted, in a conspicuous place, at each entrance to the off-street parking facility, not less than 17 inches by 22 inches in size with lettering not less than one inch in height, which clearly and conspicuously states the following:

"Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically handicapped Persons may be towed away at owner's expense. Towed vehicles may be reclaimed at \_\_\_\_\_ or \_\_\_\_\_ by telephoning \_\_\_\_\_."

In addition to the above requirements, the surface of each parking place shall have a surface identification duplicating the symbol of accessibility in blue paint, at least three square feet in area.

(6) *Parking structures.* Entrances to and vertical clearances within parking structures shall have a minimum vertical clearance of eight feet, two inches, where required for accessibility to handicapped parking spaces.

For additional handicapped site development requirements, including curbs, ramps, and landing requirements, refer to the State of California "Regulations for the Accommodation of the Disabled." Information is available at: Office of the State Architect, Access Compliance Unit, 1500 5th street, Sacramento, CA, 95814.

### **Sec. 13.18.040. - Residential off-street parking requirements.**

Off-street parking facilities shall be provided for all residential uses in compliance with this section.

#### *(1) Size of parking spaces.*

a. Each required covered off-street parking space for single-family dwellings shall be in a garage or carport a minimum of ten feet in width and 20 feet in length of unobstructed area. In garages or carports containing two or more side-by-side parking spaces, the required minimum width may include the exterior walls or supports of the structure, provided minimum unobstructed dimensions of ten feet in width and 18 feet in length are met.

b.

Uncovered off-street parking spaces shall be a minimum of nine feet in width and 18 feet in length. In measuring the length of paving required for uncovered parking spaces, allowance may be made for vehicular projection beyond the bumper or tire stop if such projection does not interfere with screening or pedestrian use, except under (7)c following.

c.

When a side of any space abuts a building, fence, support column or other obstruction, which interferes in any way with access to a motor vehicle, the space shall be a minimum of two feet wider than otherwise required by this

section.

d.

Uncovered off-street parking spaces located parallel to and adjoining private accessways shall not be less than eight feet in width and 18 feet in depth, with a minimum of eight feet separating each pair of such parking spaces.

(2)

*Driveway widths and lengths.*

a.

Single-family residence driveways shall be paved to a minimum of ten feet in width from access street or alley to the garage maneuvering area.

b.

Driveways providing access to garages, carports and uncovered parking areas serving two, three or four dwelling units shall be paved to a minimum of 12 feet wide for one-way traffic and 16 feet wide for two-way traffic, except when a wider width is required for maneuvering area in front of the garages, carports or uncovered parking spaces.

c.

Driveways providing access to garages, carports and uncovered parking areas serving five or more dwelling units shall be paved to a minimum of 12 feet wide for one-way traffic and 24 feet wide for two-way traffic, except when a wider width is required for maneuvering area in front of the garages, carports or uncovered parking spaces. Additional width may be required as necessary to provide transition to a driveway approach.

d.

Driveway lengths for residential developments shall measure 18 feet or more, or five feet or less.

(3)

*Maneuvering areas.* Maneuvering areas for access into and out of garages, carports and uncovered parking spaces shall have minimum widths as follows:

a.

Garages. Thirty feet of unobstructed area (measured from garage door), unless modified by Subsection (3)d below.

b.

Carports. Twenty-eight feet of unobstructed area (measured from outward end of parking stall), unless modified by (3)d below.

c.

Uncovered parking. Twenty-four feet of unobstructed area (measured from outward end of parking stall), except for one-way driveways.

d.

Where there is no physical barrier over six inches in height opposite a garage or carport entry that would prevent a motor vehicle from projecting beyond the driveway maneuvering area, the required width may be reduced a maximum of two feet. Additionally, where a one-car garage has an interior width in excess of ten feet and a door wider than eight feet, the maneuvering area in front of such garage may be reduced by the same amount that the width of the garage door exceeds eight feet, to a maximum reduction of two feet; or if the garage is a two-car or more structure and the garage door is at least 16 feet wide, the maneuvering area may be reduced a maximum of two feet.

(4)

*Number of required off-street parking spaces.* The minimum number of off-street parking spaces required for each category of residential use shall be as follows:

a.

*Attached or detached single-family dwellings.* Two covered parking spaces for each dwelling. Those dwellings having less than a 17-foot setback from the back of curb or sidewalk, whichever is closest to the garage or carport, shall provide one additional parking space within 200 feet of the dwelling. On-street parking, where permitted, may be used for the additional space.

b.

*Two or more dwelling units on one building site.* (Note: For purposes of this section, a room such as a den, study, or sewing room shall be considered a bedroom.)

1.

*Zero to one-bedroom dwelling units.* One and one-half off-street parking spaces for each dwelling unit. Except as otherwise provided in Subsection (4)d. below, one space shall be covered for each dwelling unit.

2.

*Two-bedroom dwelling units.* Two off-street parking spaces for each dwelling unit. Except as otherwise provided in Subsection (4)d. below, one of the spaces shall be covered for each dwelling unit.

3.

*Three or more bedroom dwelling units.* Two and one-half off-street parking spaces for each dwelling unit, plus one-half off-street parking space for each Bedroom in excess of three. Except as otherwise provided in Subsection (4)d. below, two spaces shall be covered for each dwelling unit.

4.

*Covering.* Notwithstanding the provisions of this subsection, the requirement that off-street parking

## EXHIBIT 8

spaces be covered is not applicable for multifamily projects of five or more dwelling units or "second" units per Section 13.26.100.

c. *Five or more dwelling units.* For building sites containing five or more dwelling units, the following off-street parking requirements may be used in lieu of Subsection (2) above.

1. *Minimum required parking spaces:*

| Unit Size (Sq. Ft.) | Assigned | Unassigned |
|---------------------|----------|------------|
| 700 or less         | 1.0      | 0          |
| 701-800             | 1.0      | +.17       |
| 801-900             | 1.0      | +.34       |
| 901-1000            | 1.0      | +.50       |
| 1001-1100           | 1.0      | +.67       |
| 1101-1200           | 1.0      | +.84       |
| 1201-1300           | 1.0      | +1.00      |
| 1301-1400           | 1.0      | +1.18      |
| 1401-1500           | 1.0      | +1.34      |
| over 1500           | 1.0      | +1.50      |

2. Each dwelling unit shall be assigned at least one standard size parking space.

d. *Guest parking.* In addition to the above, at least one guest parking space per every four dwelling units, rounded up to the next nearest whole number, shall be provided.

(5) *Location of residential parking spaces.*

a. Assigned spaces shall be located within 200 feet of the dwelling unit they serve.

b. Assigned spaces shall be designated as to the dwelling unit to which they are assigned on all plot plans or site plans submitted for permits.

(6) *Roadway widths for attached or detached single-family dwellings.*

a. Attached or detached single-family dwellings shall have roadway widths in the following ratio:

| Roadway Width for Access On | One Side | Two Sides |
|-----------------------------|----------|-----------|
| 1-17 units                  | 28'      | 36'       |
| 18-42 units                 | 30'      | 36'       |
| 42-100 units                | 30'      | 40'       |

b. Roadways less than 36 feet wide shall allow on-street parking on one side of the roadway only. Roadways must be 36 feet wide or greater to allow on-street parking on both sides of the roadway.

(7) *Parking area design.* Common off-street parking areas, including multiple garages and carports serving five or more dwelling units shall comply with the following:

a. The off-street parking area shall be designed so that a vehicle within the parking area will not have to enter a street to move from one location to any other location within that parking area.

b.

Parking and maneuvering areas, including garages and carports, shall be designed so that any vehicle can leave the parking area and enter into the nearest street traveling in a forward direction.

c.

Bumpers or tire stops shall be provided at the end of each uncovered parking space along any property line, abutting a public walkway, street or alley, except where screening is positioned, to ensure that the motor vehicle will not extend into the public right-of-way.

d.

No perpendicular parking, covered or uncovered, shall be permitted on an entrance road of a multifamily project within a minimum of 60 feet from the intersection of arterial or collector street. The measurement shall be taken from the near curb face of the arterial or collector street.

(8)

*Location of driveway on a corner lot.* When a building site abuts two intersecting streets, the driveway approach shall be located within the half of either street frontage that is farthest from the intersection of the two streets. If one of the intersecting streets is an arterial highway, the driveway approach shall be off the other street.

(9)

*Screening.* Uncovered off-street parking spaces shall be screened whenever such parking spaces abut the boundary of the building site or are located between a building or buildings and an abutting street, with screening materials not less than 3" feet in height, and in compliance with the "fences and walls" section. It may consist of one, or any combination of the following types:

a.

*Walls.* A wall shall consist of concrete, stone, brick, tile or similar type of solid masonry material a minimum of four inches thick.

b.

*Fences, solid.* A solid fence shall be constructed of wood or other materials to form an opaque screen.

c.

*Fences, open.* An open-weave or mesh type fence shall be combined with plant materials to form an opaque screen.

d.

*Planting.* Plant materials, when used as a screen, shall consist of compact evergreen plants. They shall be of a kind, or used in such a manner, as to provide screening, having a minimum thickness of two feet, within 18 months after initial planting.

(Ord. No. 03-03, § 5(18.30.520), 4-16-2003)

**Sec. 13.18.050. - Nonresidential off-street parking requirements.**

The following off-street parking requirements are applicable to all uses other than residential uses and are in addition to the general requirements:

(1)

*Size of parking spaces.*

a.

All covered or uncovered off-street parking spaces, except as noted below, shall be a minimum clear unobstructed nine feet in width and 18 feet in length.

b.

Parking spaces parallel to a curb may be eight feet in width and 18 feet in length, with a minimum of eight feet separating each pair of such parking spaces.

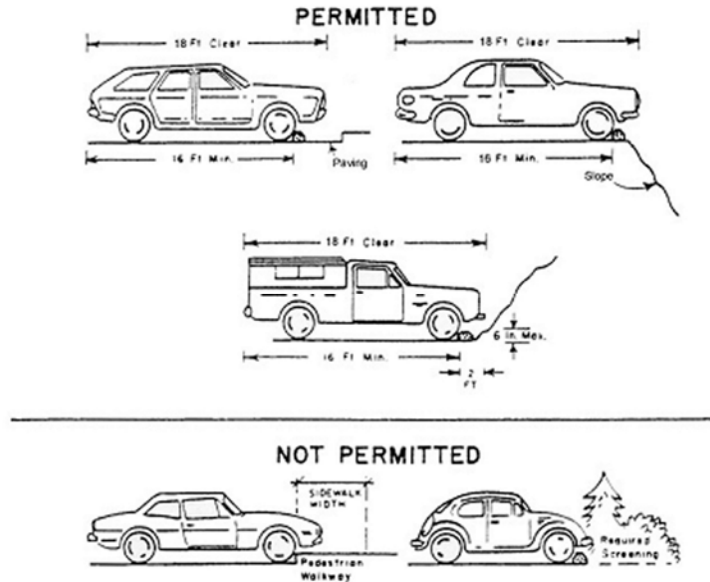
c.

When a side of any space abuts a building, fence, support column or other obstruction, which interferes in any way with access to a motor vehicle, the space shall be a minimum of two feet wider than the standard required width.

d.

In measuring the length of paving required for uncovered parking spaces, allowance may be made for vehicular project beyond a bumper or tire stop, if such projection does not interfere with screening or pedestrian use, except under Subsection(2)d. following. See illustration for examples of permitted project.

*Section (a)(5) Illustrations*



(2)

*Parking facility design.*

- a. Off-street parking facilities shall be designed so that a car within a facility shall not have to enter a street to move from one location to any other location within that parking facility. On industrial or office sites, separate noncontiguous parking facilities may be provided with independent entrances for employee and visitor parking, provided the designated use is clearly identified on all plot plans or site plans submitted for permits.
- b. Parking and maneuvering areas shall be arranged so that any vehicle can leave the parking area and enter into an adjoining vehicular right-of-way traveling in a forward direction.
- c. No dead end parking aisles serving more than five consecutive stalls will be permitted unless said aisle is provided with a turnaround area constructed in a manner meeting the approval of the Director.
- d. Bumpers or tire stops shall be provided along any abutment to a pedestrian walkway, access or driveway, street or alley, except where screening is positioned, to ensure that the motor vehicle will not extend into these areas.
- e. The point of exit or entry from any off-street parking space shall not be closer than 20 feet from the curb face or the ultimate curblines at a street opening.
- f. All paved parking stalls, except parallel spaces which may be single line, shall be clearly outlined with double or hairpin lines or special paving techniques on the surface of the parking facility.

(3)

*Parking accessways.* Parking accessways are those driveways that provide ingress or egress from a street to the parking aisles, and those driveways providing interior circulation between parking aisles. No parking is permitted on an accessway.

- a. All parking facilities taking access from an arterial highway shall have a parking accessway between the highway and parking aisles.
- b. Parking accessways from arterial highways shall not have parking spaces taking direct access there from and shall not be intersected by a parking aisle or another parking accessway for a minimum distance of 30 feet for projects with zero to 200 parking spaces, 50 feet for 201 to 350 spaces, 70 feet for 351 to 450 spaces and 90 feet for 451 spaces or more. All distances shall be measured from the curb face of the ultimate curblines of the adjacent street.
- c. Parking accessways from nonarterial highways shall not be less than 20 feet in length from the ultimate

curbline of the adjacent street.

d.

One-way accessways shall have a minimum width of 15 feet unless it is a fire lane, which requires a minimum of 20 feet.

e.

Two-way accessways shall have a minimum width of 28 feet.

(4)

*Parking aisles.* Parking aisles are driveways, which provide direct access to parking spaces. Parking aisles shall have a minimum width of 14 feet. In no case shall the parking aisles for two-way traffic be less than 24 feet in width.

(5)

*Number of required off-street parking spaces.*

a.

The minimum number of off-street parking spaces required shall be in compliance with the listed requirements set forth for each general category of land use.

b.

Whenever any commercial/industrial use is located on a building site that is also used for residential purposes, parking facilities shall be provided for the residential use as required, in addition to the parking required for the nonresidential use or uses.

(6)

*Landscaping.* Landscaping of parking areas shall be provided in accordance with the provisions of the applicable land use district regulations. In all cases, space within the off-street parking area not utilized for driveways, maneuvering areas, parking stalls or walkways shall be landscaped. Landscaped areas shall be separated from paved driveway, parking space and maneuvering areas by a minimum six inch high barrier.

(7)

*Screening.* Open parking spaces and parking structures shall be screened in accordance, whenever such parking is adjacent to a street right-of-way and when the street separates such parking from any districted zoned for residential or agricultural uses. Screening shall be located adjacent to the inside edge of any required boundary landscaping and to the outside edge of the paved parking area when there is no landscaping.

(8)

*Vehicular access standards.* A site development permit or use permit for the community commercial, commercial highway, and neighborhood commercial districts shall be in substantial conformity with the following:

a.

The first street opening from an intersection should be a minimum of 110 feet from the point of intersection of the ultimate right-of-way lines of the abutting streets.

b.

The second street opening should be a minimum of 300 feet from the point of intersection of the ultimate right-of-way lines of the abutting streets.

c.

Any additional street openings should be a minimum of 300 feet, from center to center from any other street opening except in the neighborhood commercial district, where the distance between street openings should be a minimum of 150 feet from center to center.

d.

There should be a minimum distance of 22 feet measured at the ultimate property line between a street opening in these districts and any existing street opening in any other district.

(9)

*Joint use of parking facilities.* Uses on multiple building sites may share common parking facilities within one or more parking areas located within such multiple building sites, provided the following requirements are met:

a.

A detailed parking plan, showing all common parking facilities, shall be approved by the Director.

b.

Parking facilities shall be within 300 feet of the entry point of the uses they serve.

c.

Adequate assurance is provided to guarantee that required parking will continue to be maintained.

d.

The assurance required by Subsection (9)c and the parking plan required by Subsection (9)a shall be recorded in the Office of the Orange County Recorder.

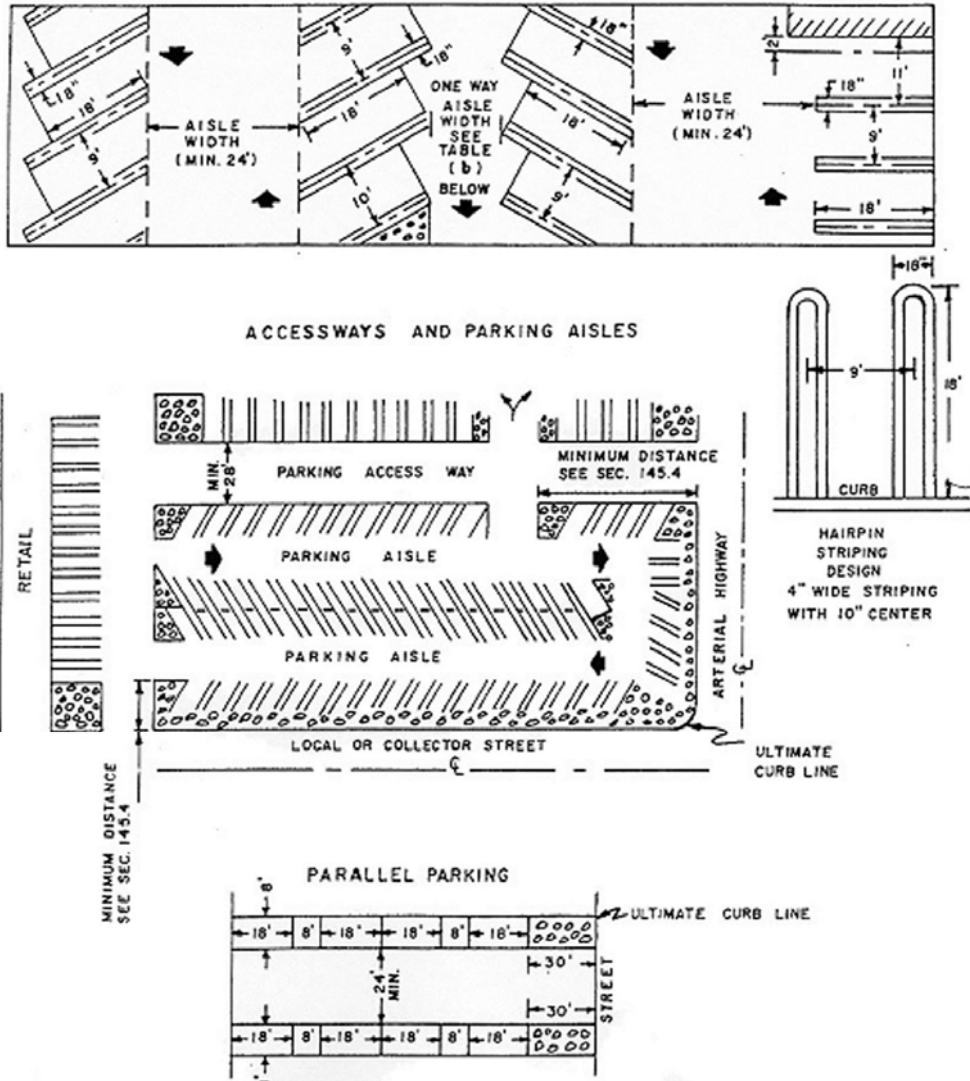
e.

Individual uses which result in a parking demand more than is provided by existing parking on the site shall be required to provide added parking as required by the Director.

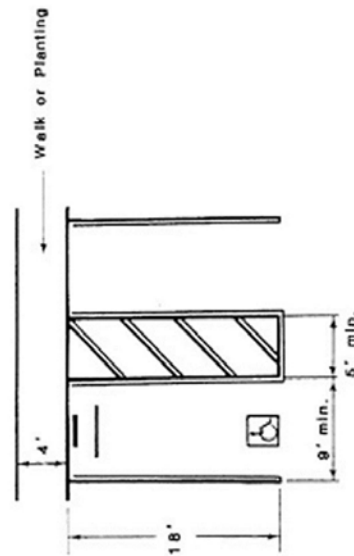
(Ord. No. 03-03, § 5(18.30.530), 4-16-2003)

**Sec. 13.18.060. - Parking design requirements.**

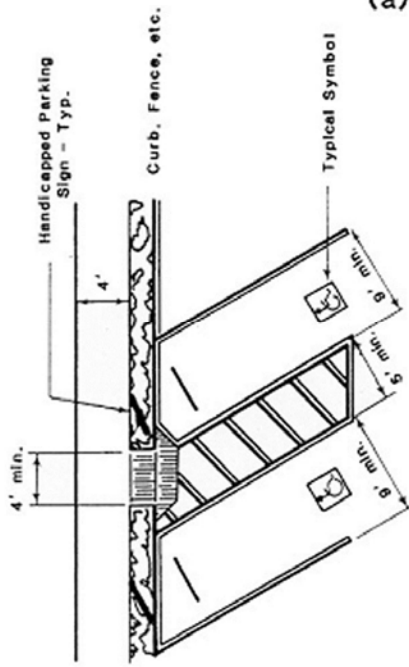
(a)  
Off-street parking stall and access standards.



Handicapped Spaces, Single Type

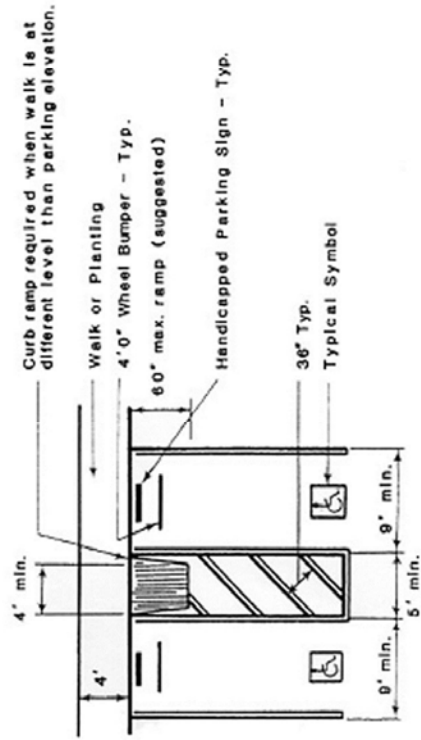


Handicapped Spaces, Double Diagonal Type



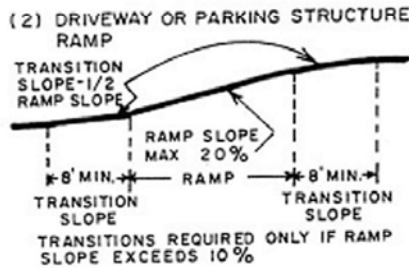
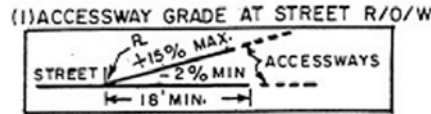
(a) Con't)

Handicapped Spaces, Double Type

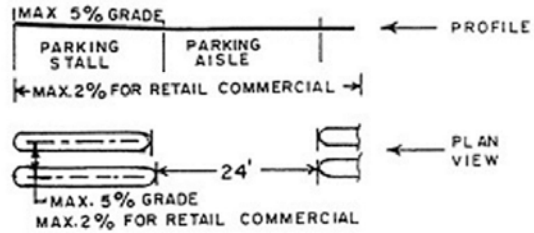


NOTES:

- 1) Handicapped Space must permit use of either of car doors.
- 2) Bumper required when no curb or barrier is provided which will prevent encroachment of cars over walkways.
- 3) Wheel chair users shall not be forced to go behind parked cars other than their own.



(3) MAXIMUM PARKING STALL AND PARKING AISLE GRADES



(b) Minimum parking aisle width for one-way traffic.

| Parking Angle Degree | Aisle Width (Feet) |
|----------------------|--------------------|
| 0—44                 | 14.0               |
| 45—49                | 14.5               |
| 50—54                | 15.0               |
| 55—59                | 16.0               |
| 60—64                | 17.0               |
| 65—69                | 18.0               |
| 70—74                | 19.5               |
| 75—79                | 21.0               |
| 80—90                | 24.0               |

(c) Minimum parking aisle width for two-way traffic. For two-way traffic, aisle widths and maneuvering areas shall be a minimum of 24 feet wide.  
 (Ord. No. 03-03, § 5(18.30.540), 4-16-2003)

**Sec. 13.18.070. - Off-street parking requirements.**

(a) Minimum requirements. All land uses shall provide off-street parking in compliance with the following requirements unless otherwise modified by the provisions contained in this Code. The off-street parking requirements listed under this section are the minimum requirements for each specific use; however, it shall be the responsibility of the developer, owner or operator of any specific use to provide adequate off-street parking, even though such parking may be in excess of the minimum requirements set forth in this section.

|     | Use  | Minimum Parking Stalls Required  |
|-----|--|--|
| (1) | Auditoriums, theaters, (not including cinemas), sports arenas, stadiums. | 1 for each 3 sets or 1 for each 35 square feet of Gross Floor Area where there are no fixed seats. |
| (2) | Cinemas.   | 1 space for every 2 seats, plus 5 spaces for employees.  |
| (3) | Automobile washing and cleaning establishment except self-service.       | 16 minimum.  |
| (4) | Automobile washing and cleaning establishments, self-service.            | 5 spaces for each 2 washing stalls.  |
| (5) | Banks, savings and loans, credit   | 1 for each 200 square feet of Gross  |

## EXHIBIT 8

|      |  |  |
|------|--|--|
|      | unions and other financial institutions.   | Floor Area.  |
| (6)  | Barbershops or beauty parlors.   | 2 for each barber chair and 5 per 1000 square feet for hair and nail salon.  |
| (7)  | Bowling lanes and billiard halls.  | 5 for each hall, alley, 2 for each billiard table contained herein.  |
| (8)  | Churches, temples and other places of assembly not specified elsewhere.  | 1 for each 3 fixed seats within the main auditorium or for every 35 square feet of seating area within the main auditorium where there are no fixed seats; 18 lineal inches of bench shall be considered a fixed seat. |
| (9)  | Clubs, lodge halls, union halls.   | 1 for each 75 square feet of Gross Floor Area.   |
| (10) | Congregate care facility serving more than 12 persons.   | 1 for each unit per Section 13.20.090.   |
| (11) | Convalescent and nursing homes, homes for the aged, <u>emergency and transitional housing shelters</u> , rest homes, children's homes and sanitariums. | 1 for every 4 beds in accordance with the resident capacity of the home as listed on required license or permit.   |
| (12) | Dancehalls.  | 1 for each 7 square feet of dance floor area, plus 1 for each 35 square feet of additional Gross Floor Area.   |
| (13) | Day nurseries, including preschools and nursery schools.   | 2 for each 3 employees and teachers plus 1 loading space for every 8 children.   |
| (14) | Golf courses:  |  |
|      | Driving ranges.  | 1 per tee, plus the spaces required for additional uses on the site.   |
|      | Pitch and putt and miniature golf courses.   | 3 per hole, plus requirements for accessory uses.  |
|      | Regulation course.   | 8 per hole, plus the space required for additional uses on the site.   |
|      | Private golf course with direct golf cart access from the residential areas served by the course.  | 4 per hole, plus the spaces required for additional uses on the site.  |
| (15) | Handball/racquetball facility.   | 1.5 for each court plus the spaces required for additional uses on the site.   |
| (16) | Health studios and spas.   | 1 for each 150 square feet of Gross Floor Area (for the purposes of this subsection, swimming pool area shall be counted as floor area).   |
| (17) | Hospitals.   | 1.75 for each patient bed.   |
| (18) | Industrial uses of all types except a building used exclusively for warehouse purposes.  | 1 for each 500 square feet of Gross Floor Area.  |
| (19) | Laundry or dry cleaning establishments, solely coin operated.  | 1 for each 3 machines.   |
| (20) | Libraries.   | 1 for each 300 square feet of Gross Floor Area.  |
| (21) | Lumberyards.   | 1 for each 500 square feet of Gross Floor Area for retail sales, plus 1 for each 1,000 square feet of open area devoted to display or sales, plus 1 for each 2 employees.  |
| (22) | Model home sales complex.  | 10 spaces.   |
| (23) | Mortuaries and funeral homes.  | 5 plus 250 square feet of usable and accessible paved parking area for every 25 square feet or fraction  |

## EXHIBIT 8

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|------|--|--|
|      |  | thereof of assembly room floor area.   |
| (24) | Motels and Hotels.   | 1 for each guest unit, plus additional parking as required for accessory uses.   |
| (25) | Offices:   |  |
|      | General and administrative.  | 1 for each 250 square feet of Gross Floor Area.  |
|      | Medical clinics or offices; dental clinics or offices.   | 1 for each 150 square feet of Gross Floor Area.  |
|      | Professional, other than medical or dental.  | 1 for each 250 square feet of Gross Floor Area.  |
|      | Veterinary hospitals and clinics.  | 1 for each 150 square feet of Gross Floor Area.  |
| (27) | Public utility facilities including, but not limited to, electric, gas, water, telephone and telegraph facilities not having business offices on the premises. | 1 for each 2 employees in the largest shift, plus 1 for each vehicle used in connection with the use. A minimum of spaces shall be provided for each such use regardless of building space or number of employees.   |
| (28) | Restaurants, drive-ins, cafes, taverns, <b>nightclubs</b> , lounges or other establishments for the sale and consumption on the premises of food and beverage. | 10 minimum or 1 for each 100 square feet of <b>public seating area or nightclubs</b> , Gross Floor Area (including outdoor serving areas) up to 4,000 square feet, plus 1 for each 80 square feet of Gross Floor Area over 4,000 square feet. <b>Restaurants with drive-through shall also include queue lanes for at least 5 cars. The City Manager or his or her designee may require drive-through restaurant applicants to submit a study to determine if longer queuing lanes are needed.</b> |
| (29) | Retail stores:   |  |
|      | General, except as otherwise specified herein.   | 1 for each 200 square feet of Gross Floor Area.  |
|      | Discount department stores.  | 1 for each 125 square feet of Gross Floor Area.  |
|      | Furniture and appliances.  | 1 for each 500 square feet of Gross Floor Area.  |
| (30) | Schools:   |  |
|      | Elementary and junior high.  | 2 for each classroom.  |
|      | College, universities and institutions of higher learning.   | 1 for each 3 full-time equivalent students, plus 1 for each 2 faculty and employee members.  |
|      | Senior high schools.   | 1 for each member of the faculty and each employee, plus 1 for each 6 full-time equivalent students regularly enrolled.  |
|      | Trade schools, business colleges and commercial schools.   | 1 for each 3 student capacity of each classroom plus 1 for each faculty and employee member.   |
| (31) | Shopping centers.  | 1 for each 200 square feet of Gross Floor Area. Regional shopping centers may require additional parking and will be evaluated on a case-by-case basis.  |
| (32) | Skating rinks, ice or roller.  | 1 for each 100 square feet of Gross Floor Area, plus the spaces required for additional uses on the site.  |
| (33) | Stables, commercial.   | Sufficient area, treated to prevent  |

## EXHIBIT 8

|      |  |   |
|------|--|---|
|      |  | dust, to provide for the needs of customers and employees, but not less than 1 accessible space for each 5 horses kept on the premises.                 |
| (34) | Storage yards in connection with contractor's business; salvage yard; junk yard; automobile wrecking yard. | 6, which shall be separated from the enclosed storage area.   |
| (35) | Swimming pools, commercial.  | 1 for each 500 square feet of gross enclosed area, plus the spaces required for additional uses on the site.  |
| (36) | Tennis clubs, commercial   | 3 for each court, plus the spaces required for additional uses on the site.   |
| (37) | Timeshare condominiums and timeshare hotels.   | 1.5 for each dwelling unit.   |
| (38) | Warehouses, storage building or structures used exclusively for storage.                                   | 1 for each 1,000 square feet of Gross Floor Area for storage purposes.  |
| (39) | Wholesale establishments and warehouses not used exclusively for storage.                                  | 1 for each 500 square feet of Gross Floor Area excluding that area devoted to office or sales, plus 1 for each 250 square feet of office or sales area. |

(b)

*Requirements not specified.* If no provisions for the required number of off-street parking spaces are set forth in these regulations, or the provisions are not clear for any specific use or uses, the Director shall determine the number of off-street parking spaces required.

(c)

*Calculation of gross floor area.* Areas to be included for purposes of calculating the required number of parking spaces include restrooms, closets, storage, mechanical rooms, exterior patios intended to be occupied (such as outdoor dining), and elevator and stairwells (counted once only at the ground floor). Areas that may be excluded are interior spaces devoted to parking, circulation, access drives or landscaping, exterior breezeways, hallways, and balconies with no permanent use.

*(Ord. No. 03-03, § 5(18.30.550), 4-16-2003; Ord. No. 03-08, 11-19-2003)*

### **Sec. 13.18.080. - Alternatives to off-street parking regulations.**

Alternative provisions to any of the off-street parking regulations may be permitted subject to the approval of a use permit application approved in compliance with the provisions of this Code. Any such application may be approved provided the approving authority finds:

(1)

Applicable off-street parking requirements are excessive or inappropriate due to the nature of the specific use involved or because of special circumstances applicable to the property; and

(2)

The proposed off-street parking facilities comply with the intent of the Zoning Code related to parking requirements.

*(Ord. No. 03-03, § 5(18.30.600), 4-16-2003)*

### **State law reference—Congestion management, Government Code § 65088 et seq.**

### **Sec. 13.18.090. - Transportation demand management.**

(a)

*Purpose and intent.* It is the purpose and intent to meet the requirements of Government Code Title 7, Div. 1, Ch. 2.6 (Government Code § 65088 et seq.) to mitigate the impacts that development projects as specified herein, may have on transportation mobility, congestion and air quality, and to promote transportation demand

management strategies.

(b)

*Applicability.*

(1)

These regulations apply to any discretionary permit for commercial, industrial, institutional, office/professional or other uses which are estimated to employ 100 or more persons, as determined by the employee generation factors specified within Subsection (4) of this section. This also includes any discretionary permit for an existing facility, which is expanding its use to add 100 or more employees. In the case of an expanded use, these regulations shall apply only to the newly expanded portion. These regulations do not apply to a facility expanding its use by less than 100 employees.

(2)

These regulations apply to all districts and specific plan areas including those covered by development agreements. These regulations shall supersede other ordinances adopted previously in which there is a conflict.

(3)

Notwithstanding Subsection (b)(1) above, the following uses and activities shall be specifically exempt from the provisions of this section:

a.

Temporary construction activities on any affected project, including activities performed by engineers, architects, subcontractors and construction workers.

b.

Other temporary activities, or as authorized by the Director when such temporary activities are for a period not to exceed 30 days and occur no more than once a year.

(4)

Employee generation factors shall be based on one of the following:

a.

Employment projections developed by the property owner, subject to approval by the Director.

b.

Building sizes considered equivalent to the 100-employee threshold as follows:

| Type of Use                      | Building Size (in square feet) Equivalent to 100 Employees |
|----------------------------------|--|
| Office/Professional              | 35,000   |
| Hospital and Medical/Dental      | 40,000   |
| Industrial (excluding Warehouse) | 50,000   |
| Warehouse                        | 100,000  |
| Commercial/Retail                | 50,000   |

| Type of Use  | Employee Equivalence |
|--------------|----------------------|
| Hotel        |                      |
| Motel        | 0.5 employees/room   |
| Hotel        | 1.0 employees/room   |
| Resort Hotel | 1.2 employees/room   |
| Mixed Use    |                      |

<sup>1</sup> The employment projection for a mixed use development shall be calculated on a case-by-case basis based upon the proportion of the development devoted to each type of use.

(c)

*Site development standards.* Development projects subject to this section shall comply with the following site development standards through the discretionary approval of precise plans of development:

(1)

*Parking for carpool vehicles.*

a.

The following minimum percentages of the total required parking spaces for the worksite shall be reserved and designated for employee carpool vehicles by marking such spaces "Carpool Only":

## EXHIBIT 8

| Type of Use                        | Percent of Total Parking Devoted to Employee<br>Carpool<br>Parking |
|------------------------------------|--|
| Office/Professional                | 11 percent   |
| Hospital and Medical/Dental Office | 8 percent  |
| Industrial/Warehouse               | 11 percent   |
| Commercial/Retail                  | 5 percent  |
| Hotel                              | 5 percent  |

- b. Carpool spaces shall be located near the building's employee entrance(s) or at other preferential locations within the employee parking areas as approved by the Director.

(2) *Parking for vanpool vehicles.* Parking for vanpool vehicles shall be provided as follows unless determined otherwise by the Approving Authority:

- a. The number of vanpool parking spaces shall be at least five percent of the employee carpool parking spaces and reserved for such by marking the spaces "Vanpool Only." These spaces will replace five percent of the carpool spaces.)

- b. For parking structures, vanpool vehicle accessibility shall include a minimum seven foot, two inches vertical clearance.

- c. Vanpool parking spaces shall be located near employee entrance(s) or other preferential locations within the employee parking areas as approved by the Director.

(3) *Bicycle parking.*

- a. Bicycle parking facilities shall be provided within the worksite at the minimum rate of one bicycle parking space for every 25 employees, in a secure location, and near employee entrances for use by employees or tenants who commute to the worksite by bicycle. Maximum number of bicycle parking spaces required is 50 spaces.

- b. A bicycle parking facility shall be a stationary object to which the user can lock the bicycle frame and both wheels with a user-provided six foot cable and lock.

(4) *Shower facilities.* Shower facilities shall be provided for use by employees who commute to the worksite by means other than a motorized vehicle, unless determined otherwise by the approving authority, at the time of approving the discretionary permit. The use of such facilities shall be provided at no fee or charge to the employee user. The design of such facilities shall be shown on the plot plans in the permit application and conform to the following. Shower facilities shall be provided at a minimum rate as follows:

| Number of<br>Employees | Number of<br>Showers |
|------------------------|----------------------|
| 100-399                | 2                    |
| 400-599                | 4                    |
| 600-999                | 6                    |
| > 999                  | 8                    |

(5) *Locker facilities.* Locker facilities shall be provided for use by employees who commute to the site by means other than a motorized vehicle. The use of such facilities shall be provided at no fee or charge to the employee user. The design of such facilities shall be shown on the plot plans in the permit application. Lockers shall be provided at a minimum ratio of one for every 25 employees. Maximum number of lockers required is 50 lockers.

(6) *Commuter information area.* A commuter information area shall be provided within the worksite to offer employees appropriate information or alternative transportation modes. This area shall be centrally located and accessible to all employees, and shall be of sufficient size to accommodate such information on alternative transportation modes.

(7)

*Passenger loading areas.* Passenger loading areas to embark and disembark passengers from rideshare vehicles within the worksite shall be provided as follows unless determined otherwise by the approving authority at the time of approving the discretionary permit.

a.

Passenger loading areas shall be large enough to accommodate the number of waiting vehicles equivalent to one percent of the total required parking for the project. Maximum loading area size required for less than 1,000 employees shall be large enough to accommodate four waiting vehicles. Maximum loading area size for 1,000 or more employees shall be large enough to accommodate six waiting vehicles.

b.

The passenger loading areas shall be located as close as possible to the identified employee entrance(s), and shall be designed in a manner that does not impede vehicular circulation in the parking area or in adjoining streets.

(8)

*Transit/bus stops.* Bus shelters, pullouts, and pads shall be provided as necessary in consultation with, and approved by affected transit service providers unless determined otherwise by the approving authority at the time of approving the discretionary permit.

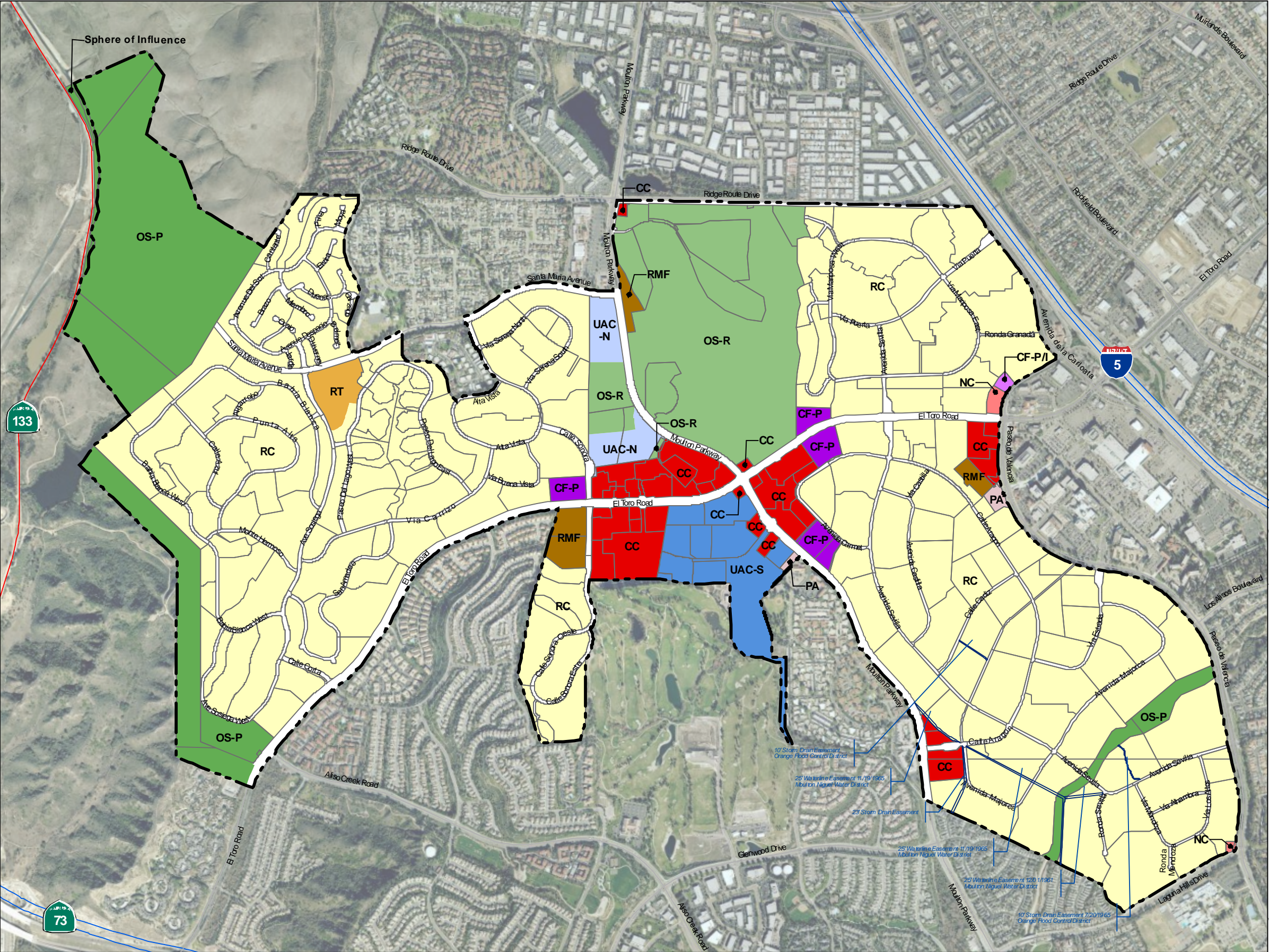
***(Ord. No. 03-03, § 5(18.30.655—18.30.675), 4-16-2003)***

# CITY OF LAGUNA WOODS



## ZONING MAP

Date: December 15, 2010  
DRAFT



**Legend**

- City Boundaries
- Zoning Designations**
- Residential Community District (RC)
- Residential Towers District (RT)
- Residential Multifamily District (RMF)
- Professional and Administrative Office District (PA)
- Neighborhood Commercial District (NC)
- Community Commercial District (CC)
- Community Facilities - Public/Institutional (CF-P/I)
- Community Facilities - Private (CF-P)
- Open Space - Recreation District (OS-R)
- Open Space - Passive District (OS-P)
- Urban Activities Center - North (UAC-N)
- Urban Activities Center - South (UAC-S)

**Key Map**



**DISCLAIMER**  
This map is a public resource of general information. The feature data provided on this map represents the most accurate zoning and parcel information available at the most recent date of revision. In the event of a conflict between information on this map and adopted City Resolutions or Ordinances, the City's Resolutions or Ordinances shall govern.

**ORDINANCE NO. 10-XX**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,  
CALIFORNIA, ADDING CHAPTER 13.23 TO THE  
LAGUNA WOODS MUNICIPAL CODE, ESTABLISHING  
EMERGENCY AND TRANSITIONAL HOUSING  
SHELTER REGULATIONS

**WHEREAS**, in 2007, the California Legislature passed Senate Bill 2, which amended section 65583 to include supportive housing, transitional housing, and emergency shelters to these provisions and revised the conditions upon which a disapproval or a conditional approval of an emergency shelter is based; and

**WHEREAS**, California Government Code Section 65583 identifies the need for cities and counties to develop fair land use and development standards pertaining to emergency shelters and transitional housing; and

**WHEREAS**, California Government Code Section 65583 requires local governments to identify a zone or zones where emergency and transitional housing shelters are allowed as a permitted use without a conditional use or other discretionary permit; and

**WHEREAS**, the General Plan Housing Element Implementation Program 2.B.2 and Implementation Program 2.B.3 identify the City's need to facilitate the development of emergency and transitional housing shelters; and

**WHEREAS**, on December 15, 2010, the City Council held a noticed public hearing and all interested parties were heard.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** Based on the Negative Declaration prepared for the Project, the City Council exercises its independent judgment and finds that no substantial evidence exists that approval of adding Chapter 13.23 to the Laguna Woods

Municipal Code, establishing Emergency and Transitional Housing Shelter Regulations will have a significant effect on the environment as determined pursuant to the California Environmental Quality Act (CEQA) and the City Council hereby approves the issuance of the Negative Declaration Prepared.

**SECTION 3.** A new Chapter 13.23, entitled Emergency and Transitional Housing Shelters, is hereby added to Title 13 (Zoning) of the Laguna Woods Municipal Code, to read as follows:

**CHAPTER 13.23. - EMERGENCY AND TRANSITIONAL HOUSING SHELTERS**

**Sec. 13.23.010. Purpose and intent.**

It is the intent of this chapter to identify the zones and locations where emergency and transitional housing shelters are permitted, and to provide adequate development and operational standards for such uses to ensure that appropriate housing and services for special needs populations are met.

**Sec. 13.23.020. Permit requirements and exemptions.**

Emergency and transitional housing shelter facilities are permitted by right in Community Commercial (CC) zoning districts and are allowed in Community Facility Public/Institutional (CF-P/I) and Community Facility Private (CF-P) zoning districts subject to a Conditional Use Permit.

**Sec. 13.23.030. Development and operational standards.**

Emergency and transitional housing shelters shall comply with all standards provided by this chapter

(a) Development Standards.

(1) Location and Separation.

Emergency and transitional housing shelters must be situated more than 300 feet from another shelter and more than 1,000 feet from a public park, a public or private K – 12 school, an indoor or outdoor recreational

facility primarily designed to serve persons under 18 years old or a child care facility (1,000 feet measured from property line to property line).

(2) Physical Characteristics.

- a. The maximum number of beds for emergency and transitional housing shelters shall be 20 unless a larger number is approved through a conditional use permit.
- b. The maximum number of beds does not apply in situations of citywide or statewide designated disasters or catastrophic conditions.
- c. The facility shall have adequate private living space, shower and toilet facilities and secure storage areas for its intended residents.
- d. The size of an emergency and transitional housing shelter facility shall be in character with the surrounding neighborhood.
- e. The facility shall have at least one room, which has 120 square feet of floor area. Other habitable rooms shall have an area not less than 70 square feet. No more than two persons shall occupy a room used for sleeping purposes.

(b) Operational Standards.

- (1) All intake and screening shall be conducted off-site.
- (2) If a program includes a drug or alcohol abuse counseling component, appropriate state and/or federal licensing shall be required.
- (3) The program shall provide accommodations appropriate for a minimum stay of 28 days and a maximum stay of 180 days per client/family.
- (4) The program shall identify a transportation system that will provide its clients with a reasonable level of mobility including, but not limited to, access to public and not for profit social services, housing and employment opportunities.

- (5) The program shall include clear and acceptable arrangements for facility residents, such as on-site meal preparation or food provision and disbursement.
- (6) The shelter facility provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to ensure compatibility with services provided at the facility and for training, counseling, and treatment programs for residents
- (7) Shelter facilities may establish written expectations of residents – behavioral, medical, and religious, etc. Expectations of residents shall be available to each resident at entry to the shelter, and to the public (upon request).
- (8) Shelter facilities shall have infection control policies in accordance with guidelines of the Centers for Disease Control covering but not necessarily limited to HIV/AIDS, hepatitis, and tuberculosis.
- (9) Emergency and transitional housing shelter facilities shall provide on-site management and support staff at all times during shelter use.

**SECTION 3.** Chapter 13.06 of the Laguna Woods Municipal Code is hereby amended to add the following section:

Section 13.06.010 (d) (390) “Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Section 13.06.010 (d) (505) “Homeless person” means an individual or family who lacks a fixed, regular, and adequate nighttime residence; or an individual or family who has a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.

Section 13.06.010 (d) (793) “Transitional housing shelters” means housing with supportive services for up to 24 months that is exclusively designated and targeted for recently homeless persons. Transitional housing includes self-sufficiency development services, with the ultimate goal of moving recently homeless persons to permanent housing as quickly as possible, and limits rents and service fees to an ability-to-pay formula reasonably consistent with the United States Department of Housing and Urban Development’s requirements for subsidized housing for low income persons. Rents and service fees paid for transitional housing may be reserved, in whole or in part, to assist residents in moving to permanent housing.

**SECTION 4.** Section 13.08.010, Table of Permitted Uses, of the Laguna Woods Code is hereby amended to add the following:

| Districts                                   |     |    |    |                 |
|---|-----|----|----|-----------------|
| Land Use Types                              | RMF | RC | RT | Code References |
| Emergency and Transitional Housing Shelters | X   | X  | X  | 13.23           |

**SECTION 5.** Section 13.10.020, Table of Permitted Uses, of the Laguna Woods Code is hereby amended to add the following:

| Districts                                   |    |    |    |                 |
|---|----|----|----|-----------------|
| Land Use Types                              | NC | CC | PA | Code References |
| Emergency and Transitional Housing Shelters | X  | P  | X  | 13.23           |

**SECTION 6.** Section 13.12.010, Table of Permitted Uses, of the Laguna Woods Code is hereby amended to add the following:

| District                           |      |      |                 |
|------------------------------------|------|------|-----------------|
| Land Use Types                     | OS-P | OS-R | Code References |
| Emergency and Transitional Housing | X    | X    | 13.23           |

|          |  |  |  |
|----------|--|--|--|
| Shelters |  |  |  |
|----------|--|--|--|

**SECTION 7.** Section 13.13.020, Table of Permitted Uses, of the Laguna Woods Code is hereby amended to add the following:

| Land Use Types                     | Community Facilities |         | Code References |
|------------------------------------|----------------------|---------|-----------------|
|                                    | Public/Institutional | Private |                 |
| Emergency and Transitional Housing | U                    | U       | 13.23           |

**SECTION 8.** Section 13.18.070 (11) of the Laguna Woods Code is hereby amended to add the following:

A. Off Street Parking Requirements

|      | Use   | Minimum Parking Stalls Required  |
|------|---|--|
| (11) | Convalescent and nursing homes, homes for aged, emergency and transitional housing shelters, rest homes, children’s homes and sanitariums | 1 for every 4 beds in accordance with the resident capacity of the home as listed on required license or permit. |

**SECTION 9.** If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

**SECTION 10.** This Ordinance shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption, or until otherwise superseded by action of the City Council or by operation of State Law.

**SECTION 11.** The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

PASSED, APPROVED AND ADOPTED THIS \_\_\_\_ DAY OF DECEMBER, 2010.

\_\_\_\_\_  
MILTON ROBBINS, Mayor

ATTEST:

\_\_\_\_\_  
YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
STEPHEN A. MCEWEN, City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF ORANGE            )  
CITY OF LAGUNA WOODS        )


I, YOLIE TRIPPY, City Clerk of the City of Laguna Woods, California DO HEREBY CERTIFY that the foregoing Ordinance No. 10-XX was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the \_\_\_ of December, 2010, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the \_\_\_ day of \_\_\_\_\_ 2011 by the following vote to wit:

AYES:            COUNCILMEMBERS:  
NOES:            COUNCILMEMBERS:  
ABSTAIN:        COUNCILMEMBERS:

\_\_\_\_\_  
YOLIE TRIPPY, Deputy City Clerk

**8.1**  
**RIGHTS OF THE INDIVIDUAL VS. RIGHTS**  
**OF THE COMMUNITY**

**City of Laguna Woods  
Agenda Report**

FOR: December 15, 2010 City Council Meeting  
TO: Mayor and City Councilmembers  
FROM: Leslie A. Keane, City Manager   
Agenda Item: Rights of the Individual vs. Rights of the Community

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**Recommendation (Staff and Public Safety Committee)**

Receive Public Safety Committee report and recommendations and provide direction to staff.

**Background**

At the February 18, 2010 City Council meeting, Mayor Pro Tem Hack raised the issue of resident public safety and conditions in the City where the rights and actions of individuals may potentially endanger the safety of others. More specifically, Councilmember Hack noted concerns about secondhand smoke, inadequate internal property maintenance and hoarding, and residents with special care needs. After a lengthy discussion, the Council referred this matter to the Public Safety Committee.

**Discussion**

During the last ten months, the Public Safety Committee has met with representatives from the Office on Aging, Orange County Adult Protective Services, Orange County Health Care Agency, Orange County Fire Authority, Orange County Sheriff's Department, City of Brea Code Enforcement Department, and Laguna Woods Village to discuss resident public safety.

At its December 8, 2010 meeting, the Public Safety Committee concluded its discussion on this matter and unanimously approved the following recommendations to the City Council:


1. Modify the City's smoking regulations to prohibit smoking on or in unenclosed patios and balconies in multifamily buildings. Direct staff to prepare such an ordinance for introduction and first reading at the January 19, 2011 City Council meeting.
2. Increase the City's fire safety/prevention education program efforts through use of the City's newsletter, website and cable channel; consider funding for a citywide fire safety event as a part of the midyear budget review process.
3. Develop and make available educational, referral and contact materials about elder abuse and hoarding. Disseminate such information using the City's newsletter and website.
4. Defer action on adoption of interior property maintenance regulations until the Village homeowners associations finalize and adopt clutter policies and procedures.
5. Request a written clarification from the Orange County Fire Authority regarding their response protocols to internal property maintenance complaints about potential fire danger.

### **Conclusion**

At the direction of the City Council, the Public Safety Committee has discussed the matter of individual vs. community safety for the past ten months. The above recommendations are the result of that discussion.

## **13.1 City Council Election**

## City of Laguna Woods Agenda Report

**FOR:** December 15, 2010  
**TO:** Honorable Mayor and Councilmembers  
**FROM:** Leslie A. Keane, City Manager/City Clerk   
**Agenda Item:** City Council Election

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### Recommendation

Present certificates of election and administer the oath of office to Councilmembers Bert Hack and Robert Ring.

### Background

The nomination period for two positions on the City Council opened on July 12, 2010 and closed at 5:00 p.m. on August 6, 2010. Only the two incumbents filed nomination papers prior to the deadline. Both candidates officially qualified by meeting the requirement for the nominations papers to be signed by at least 20 registered voters in the jurisdiction.

Pursuant to California Elections Code §10229, a “Certification That There Are Not More Candidates Than Offices To Be Elected” was forwarded to the members of the City Council on August 9, 2010, and a notice of these facts was posted and published in the Orange County Register and La Opinion on August 12, 2010.

On August 18, 2010, the City Council approved Resolution No. 101-2 which appointed Bert Hack and Robert Ring to the office of City Councilmember upon certification of the election results by the Registrar of Voters. The 2010 election results were certified in November, and Councilmembers Bert Hack and Bob Ring may now be sworn into office.

**13.4**  
**CITY COUNCIL REGIONAL APPOINTMENTS**

**City Council Appointments to Regional Boards and Committees**

| <b><u>Board/Committee</u></b>                       | <b><u>Current Appointee</u></b>                   | <b><u>Proposed Appointment</u></b>                      |
|---|---|---|
| Director, Orange County Fire Authority              | Rhodes  | Rhodes  |
| Alternate, Orange County Fire Authority             | Conners   | Conners   |
| Director, San Joaquin Corridor Authority            | Hack  | Hack  |
| Alternate, San Joaquin Corridor Authority           | Conners   | Conners   |
| Member, Orange County Library Advisory Committee    | Robbins   | Robbins   |
| Alternate, Orange County Library Advisory Committee | Ring  | Ring  |
| Director, Laguna Canyon Foundation                  | Rhodes  | Rhodes  |
| Member, Coastal Greenbelt Authority                 | Conners   | Conners   |
| Alternate, Coastal Greenbelt Authority,             | Rhodes  | Rhodes  |
| Member, OCTA Growth Management Area Committee       | Robbins   | Hack  |
| Director, Joint Powers Authority                    | Robbins   | Robbins   |
| Member, Southern California Water Committee         | Hack  | Hack  |
| Member, OC Vector Control District                  | Vacant  | Robbins   |
| <b>Current Non-City Appointments</b>                |   |   |
| Orange County Council of Governments                | Ring (appointment by Mayors' Selection Committee) | Ring (appointment by Mayors' Selection Committee)       |
| Orange County Council of Governments                | Hack (appointed by OCCOG)                         | Hack (appointed by Transportation Corridor Authorities) |
| SCAG policy committee                               | Ring (appointed by OCCOG)                         | Ring (appointed by OCCOG)                               |
| SCAG policy committee                               | Hack (appointed by OCCOG)                         | Hack (appointed by OCCOG)                               |
| Local Agency Formation Commission                   | Ring (appointed by Mayors' Selection Committee)   | Ring (appointed by Mayors' Selection Committee)         |
| State League policy committee                       | Hack (appointed by OC League Division)            | Hack (appointed by OC League Division)                  |
| OC Waste Management Commission                      | Conners (appointed by OC League Division)         | Conners (appointed by OC League Division)               |